

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & "H" STREETS**

WEDNESDAY, FEBRUARY 19, 2014

6:30 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 **THURSDAY, FEBRUARY 27, 2014.**

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	Hinojosa, Chair
	Motts, Vice Chair
	Baatrup
	Miller
	Westerman
	Pinto

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:** None

* * * END OF CONSENT CALENDAR * * *

CONTINUED ITEM

2. **AutoZone** proposes to amend the General Plan from High Density Residential to Neighborhood/Community Commercial and the East Lone Tree Specific Plan from Medium High Density Residential (R_H) to Community Retail (C_N), to rezone the property to Planned Development (PD), and to secure approval of a Final Development Plan, variance, use permit, and design review to develop a 7,766 square-foot AutoZone store. The project is located on the northeast corner Lone Tree Way and Fairside Way (**APN: 056-120-086**).

***DENIAL RESOLUTION NOS. 2014-04
2014-05
2014-06
2014-07***

NEW PUBLIC HEARING

3. **PDP-13-01 – HEIDORN VILLAGE PRELIMINARY DEVELOPMENT PLAN** – Douglas Krah requests the review of a preliminary development plan, which is not an entitlement, for the development of 117 single family homes on approximately 20.3 acres. The project site is located on the west side of Heidorn Ranch Road, at the eastern terminus of Prewett Ranch Drive (**APNs 056-130-013, -015, -017, -018**).

FEEDBACK PROVIDED

NEW ITEM

4. Meeting Procedures, Brown Act and Due Process

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (10:25 p.m.)

Notice of Availability of Reports

This agenda is a summary of the 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, 3rd and H Streets, Antioch, California,

94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). 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.

**SUPPLEMENTAL STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 19, 2014**

Prepared by: Scott Davidson, Contract Planner

Reviewed by: Mindy Gentry, Senior Planner *MB*

Date: February 13, 2014

Subject: Supplemental Staff Report (in conjunction with December 18, 2013 staff report) - AutoZone (GP-13-01, SP-13-01, Z-13-01, PD-13-02, V-13-01, UP-13-04, AR-13-04)

RECOMMENDATION

Staff recommends that the Planning Commission recommend denial to the City Council (Attachment "A") of the application to construct an AutoZone retail store at the corner of Lone Tree Way and Fairside Way (Attachment "B"). Though the project has been revised to address aesthetic issues, the revisions do nothing to address the policy and land use compatibility problems that form the basis for denial. Consequently, staff continues to recommend denial because the Project is incompatible with the General Plan; would result in spot zoning; create the potential for land use conflicts; is incompatible with the surrounding community; and overburdens property that has inadequate land area to accommodate Project components and to incorporate necessary design amenities on-site.

BACKGROUND

Following distribution of the original staff report, the applicant submitted revised plans and a request to continue the hearing for the Project to February according to the following chronology.

- 1/6/14 Revised building architectural plans submitted, which did not provide adequate time to include in the staff report for the January 15, 2014 Planning Commission hearing;
- 1/9/14 Staff report circulated for the Planning Commission hearing on January 15, 2014 (Attachment "C");
- 1/13/14 Applicant submitted request to continue the project hearing from January 15, 2014 to a hearing in February;
- 1/24/14 Revised site and architectural plans submitted.

The January 15, 2014 Planning Commission Staff Report is attached to this memorandum as Attachment "C". References to documents in Attachment "C" include a note indicating the referenced attachment is from the January 15, 2014 Planning Commission to distinguish them from Attachments to this Staff Report.

PROJECT MODIFICATIONS

The project plans have been revised to incorporate an architectural element at the street intersection, increase building articulation, incorporate additional landscaping, and to adjust building standards as summarized in **Table 1**.

Table 1: Development Standards Comparison

Standard	Original	Revised	Increase/(Decrease)
Building Area	7,928 sf	7,766 sf	(162) sf
Landscape Area	5,222 sf	5,229 sf	7 sf
Parking /Loading	8,274 sf	9,243 sf	969 sf
Sidewalks	1,443 sf	1,119 sf	(324)
Height	23'	31' – 2"	8' – 2"
Drive Width	27' – 10"	24'	(3' – 10")
Setback to parking (N)	3' (approx.)	5'	2' (approx.)
Setback to parking (E)	5' (approx.)	10' – 7"	5' (approx.)
Setback (S)	8' – 9"	8' – 9"	No Change
Setback (W)	11' – 7"	11' – 7"	No Change

The Project continues to include applications for approval of amendments to the General Plan and to the East Lone Tree Specific Plan, a rezoning to Planned Development, a final development plan, a variance, a conditional use permit, and design review as described in greater detail in the original Staff Report (Attachment "C").

PROJECT ANALYSIS

Staff has evaluated the revised Project for consistency with the Antioch General Plan and Municipal Code and finds that the Project is incompatible with the General Plan; would result in spot zoning; create the potential for land use conflicts; is incompatible with the surrounding community; and overburdens property that has inadequate land area to accommodate Project components and to incorporate necessary design amenities on-site. The following discussion explains the basis for denial for each project issue.

ANALYSIS

Issue #1: General Plan – Land Use

The project revisions address aesthetic issues and do nothing to eliminate conflicts with Housing Element policies. Project modifications that increase setbacks only result in a 5 foot separation between parking and loading areas and residential property lines and continue to create the potential for land use conflicts. Consequently, staff continues to find the project to be inconsistent with other elements of the General Plan and the proposed amendment would create internal conflicts within the General Plan as discussed in greater detail below:

- a) The General Plan Housing Element indicates that the City has a shortage of sites available to satisfy the Regional Housing Needs Allocation (RHNA). To facilitate a broad array of housing types (Goal 2), the Housing Element calls for rezoning property to higher density residential. The General Plan and Specific Plan designations for the subject property help to address the City's need to provide residential property with density standards that permit at least 16 units per acre. The proposal to amend the General Plan to Neighborhood/Community Commercial would eliminate this site from the City's inventory of eligible housing sites contrary to Housing Element Goal 2 which is inconsistent with the City's housing objectives as expressed in the General Plan.
- b) The Land Use Element of the General Plan establishes Commercial Land Use Policies (§4.4.3.2- Attachment "D" from the January 15, 2104 Staff Report) that require commercial development to be designed in a manner that complements and does not conflict with residential uses. The proposed Project includes commercial activities that will generate truck traffic and noise on-site and on local streets that have the potential to detract from the use and enjoyment of neighboring residential uses. The commercial activity would occur during hours when residential uses typically enjoy quiet (e.g. during dinner). The Project does not provide adequate screening or buffering, as established in the General Plan and Zoning Code, between the proposed use and neighboring homes to ensure the continued use and enjoyment of the adjoining residential property.
- c) The Community Image and Design Element of the General Plan establishes Community Design Policies (§5.4.12 – Attachment "D" from the January 15, 2104 Staff Report) that have the goal of ensuring adequate buffering in the design of new development proposed along a boundary between residential and non-residential uses. The burden for providing such buffers and transitions belongs to the second use to be developed. The Project fails to accomplish this objective because it locates noise-generating activities (e.g. parking areas, loading docks, outdoor storage, and trash collection areas) in close proximity to neighboring residential uses.

Given the constraints of the site, the above discussed General Plan inconsistencies do not appear to be resolvable through redesign or re-siting of the proposed facilities. This creates the potential for unavoidable land use conflicts that are inconsistent with General Plan goals. Staff is recommending denial of the proposed General Plan amendment because it would interfere with the City's ability to accomplish Housing Element Goal number 2, and the proposed Project overburdens the site resulting in inconsistencies with General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

Issue # 2: Specific Plan Amendment

The East Lone Tree Specific Plan (ELTA) implements the provisions of the General Plan. The current Specific Plan designation is Medium High Density Residential (R_H). The application for the amendment proposes to change this designation to Community Retail (C_N) to accommodate the Project. Similar to the General Plan inconsistencies discussed above, the proposed Specific Plan amendment would result in conflicts with the Housing Element, neighboring residential uses, and the City's design standards. Specifically, staff is recommending denial of the proposed Specific Plan amendment because it would not be consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image, and Design Policy 5.4.12.

Issue # 3: Rezoning and Final Development Plan

The proposed rezoning would create a 0.56-acre site with unique development standards that are specific to the Project and do not exist elsewhere in the City. While the proposed land uses would be comparable to those allowed in other C-2 districts in the City, no such zoning exists on the north side of Lone Tree Way in the vicinity of the Project site. This condition results in the application of zoning to a specific parcel of land within a larger zoned area that is at odds with a City's General Plan and current zoning restrictions ("spot zoning").

Table 2: Proposed Development Standards for the Project

Standard	Required
Minimum Building Site	20,000 sq. ft
Minimum Lot Width	100' (Interior) 100' (Corner)
Maximum Height	32', with exceptions to architectural features encompassing less than 20% of the total roof area and less than 8 feet in height and parapets less than 30 inches in height.
Maximum Lot Coverage	35% (Building Area)/75% Hard Surfaces
Minimum Front and Side Yard	Reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows: Arterial street: Minimum 8-foot setback with landscaping on all frontages.

	Local street: Minimum 11-foot setback
Minimum Interior Yard	5-foot minimum setback
Minimum Rear Yard	10-foot minimum setback
Architectural Requirements	As approved by the Planning Commission (PC). Any substantial deviations from approved architectural plans will require review and approval by PC.
Parking Lot Design	As approved by the Planning Commission (PC), parking lot landscape buffers may be as little as 5 feet and no landscape islands are required within the parking lot.

The rezoning would be for the benefit of a particular developer (AutoZone) and would create unique administrative processes, development standards, and land uses that are inconsistent and incompatible with those established for surrounding properties and have the potential to result in development and uses that are inconsistent with what neighboring property owners could reasonably expect at the time they purchased their property. The findings described in the General Plan amendment analysis and below in the Design Review analysis, would likely apply to many other development scenarios that could occur under the proposed zoning. In particular, the potential traffic generation and limited buffering (setback) between development at the Project site and adjoining residential uses have the potential to detract from the use and enjoyment of the neighborhood.

Further, while PD districts allow for more flexible development standards, the applicant has tried to place a building and use on a parcel that has been slated for residential development and is essentially too small for the Project. The landscape setback on Lone Tree Way is proposed at 8', which is a much smaller setback than the 30' setback that is required for other zoning districts within the City of Antioch. Further, the building has been set so close to the intersection that the building had to be angled in order to meet the sight vision triangle requirements to prevent any visual obstacles for vehicular traffic. PD districts also require the land uses to be mutually supportive and compatible with existing and proposed development on surrounding properties. The applicant has not been able to design the Project in a way that provides a buffer or is compatible with the surrounding residential properties.

Staff is recommending denial of the proposed zone change because it would result in spot zoning on an infill Project that would conflict with the surrounding single family residential (directly west) and multi-residential uses (directly north and east). This proposal would create its own specific design standards (as noted above) on this small isolated property without any substantial public purpose or benefit.

Issue #4: Use Permit

A use permit for the Project application is required in Antioch's Zoning Ordinance. The use permit is required prior to the construction of any phase of an approved PD District to clarify the details of the development phase. Staff is recommending denial of the Use Permit because the Project is proposed on a small, constrained property which has the

potential to detract from the use and enjoyment of neighboring residential properties. The project also has the potential to create traffic conflicts that could be injurious to property in the project vicinity.

Issue #5: Circulation

The two proposed Project driveways, one each on Lone Tree Way and Fairside Way, are unsignalized and right-in/right-out only.

The Traffic Impact Study prepared by Kimley Horn and Associates (Attachment "E" from the January 15, 2104 Staff Report) identified conditions that result in access and circulation issues related to the Project.

- The median on Fairside Way would divert traffic exiting the Project site through the neighboring residential neighborhood. This condition would affect traffic associated with construction and operations that has the potential to impact neighboring homes.
- Vehicles exiting the Project site onto Lone Tree Way can only make a right turn and would be required to make a u-turn at the Vista Grande/Lone Tree Way intersection in order to travel east toward State Route 4. The Vista Grande/Lone Tree Way intersection is inadequate to accommodate large vehicles making a u-turn. All vehicles exiting the Project site onto Lone Tree Way will be inclined to attempt crossing travel lanes to make a u-turn at Fairside Way rather than traveling further west to make a u-turn in order to travel east on Lone Tree Way.

In addition to potential traffic impacts, the City Engineer has further concluded that right-turning movements from Lone Tree Way into the Project site have the potential to interfere with vehicles traveling at permitted speeds on Lone Tree Way unless a deceleration lane were constructed. Because there is inadequate land within the right-of-way to construct a deceleration lane, the proposed right turn from Lone Tree Way into the Project site is inconsistent with City objectives and standards.

While the potential impacts associated with the above-described constraints may be reduced to a less than significant level through mitigation, the traffic patterns that would result from the mitigations would not be intuitive or convenient and are likely to result in unsafe turning movements on both exits for vehicles that want to travel east on Lone Tree Way. Staff is recommending against amending the City's planning documents and relaxing City standards in order to create conditions that could result in unsafe traffic movements from Project traffic.

Issue #6: Variance - Parking

Variance approval is required in order to reduce on-site parking from 39 spaces required by the Zoning Code to 23 (21 standard and 2 accessible) and to deviate from Parking Lot Landscaping Design standards established by Municipal Code Section 9-

5.1716. The design standard variance is required to waive the requirement for a 10-foot landscape buffer adjacent to residential development north of the Project site, to reduce the 10-foot landscape buffer to approximately 5 feet adjacent to the residential property to the east of the Project site, and to waive the requirement for two landscape islands within the parking lot.

In order to approve the variance, the City must find that there is some unique condition at the Project site that deprives the subject property of privileges enjoyed by similar properties and that the granting of a variance will not be injurious to property in the vicinity. Because the site is regularly configured, relatively flat, and compatible in size with other properties in similar zones and in the Project vicinity, such findings are difficult to make. Further, as discussed above in the General Plan amendment analysis and below in the Design Review analysis, the proposed variances from parking lot design (e.g. reduced landscape buffers and elimination of landscape islands) will exacerbate the potential for land use conflicts and compatibility issues that may lessen the use and enjoyment of surrounding properties.

Issue #7: Design Review

The Project has been designed primarily to satisfy the functional requirements of the business. As a consequence, the focus of the design is on improving operational and construction efficiency rather than on providing building articulation or architectural or site planning elements that provide adequate buffers to adjoining properties or that acknowledge the importance of this site as a corner lot. Given the small size of the site, not only is the project unable to develop without variance approval to reduce parking and landscaping requirements, the project is unable to provide adequate buffering between project improvements and neighboring properties or to incorporate adequate landscaping to screen improvements from off-site locations. The City's consulting architect has reviewed the Project (Attachment "F" from the January 15, 2104 Staff Report) for consistency with Chapter 3.0, Commercial Design Guidelines of the City of Antioch Citywide Design Guidelines, and found the Project to be inconsistent with the City's design standards as described below.

- 3.1.3B Land Use Buffering: The trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building. To comply with paragraph 4 of this section, the Project would need to incorporate a larger setback and landscape buffer along the northern property line. Given the site geometry, there doesn't appear to be adequate space to accommodate this needed design amenity.
- 3.1.3D Site Amenities: To comply with this section, decorative paving and more urban landscape treatments should be used to create a more attractive project.
- 3.1.3F Trash and Storage Areas: Additional architectural and site plan information would need to be provided demonstrating compliance with this

section by integrating the roof structure with the proposed architecture similar to the illustration on page 3-7 of the City of Antioch Citywide Design Guidelines.

- 3.1.8 Lighting: The proposed exterior lighting is not consistent with the current architectural style of the building.

Issue #8: Comment Letters

The original Planning Commission Staff Report contains comment letters (Attachment “G” from the January 15, 2104 Staff Report) received on the Initial Study/Mitigated Negative Declaration including a response from the City as well as comment letters received on the overall Project.

On February 5, 2014, staff received a letter from LCA Architects opposing the project (Attachment “D”).

Issue #9: CEQA

The City has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) 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”). Staff has evaluated the project revisions, particularly with respect to the findings contained in CEQA Guideline Section §15162, and has concluded that the proposed project revisions do not modify the findings, conclusions or recommendations contained in the IS/MND.

Pursuant to CEQA Guidelines Section 15270, staff continues to recommend that the Planning Commission take no action on the IS/MND.

OPTIONS

Should the Planning Commission find that the merits of the Project support project approval and that modifying City policy documents and standards is appropriate, staff has attached resolutions containing findings for approval and identifying conditions that should be imposed on any approval (Attachment “E”).

ATTACHMENTS

- A: Resolutions for Denial
- B: Aerial Photograph
- C. Planning Commission Staff Report from the January 15, 2014 Hearing
- D: Letter to the Planning Commission from LCA Architects, February 5, 2014
- E: Resolutions for Approval

ATTACHMENT "A"

RESOLUTION NO. 2014-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING TO THE CITY COUNCIL DENIAL OF A GENERAL PLAN AMENDMENT FOR THE AUTOZONE PROJECT

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the amendment to the General Plan, 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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; 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 eliminate the existing high-density residential designation could interfere with 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 Project site is not large enough to accommodate site improvements to comply with City codes and standards or to include amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform with General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; and

WHEREAS, the proposed Project has the potential to detract from the orderly development in the City of Antioch; and

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

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WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW, THEREFORE BE IT RESOVED, that the Planning Commission does hereby make the following findings for recommendation of denial of the General Plan amendment:

1. The proposed General Plan Amendment is not in the public's interest, and would inhibit the City's ability to satisfy other General Plan objectives. The proposed General Plan Amendment would eliminate a site with the potential for high-density residential development that could thwart City efforts to fulfill the goals and objectives of the General Plan Housing Element.
2. The proposed General Plan Amendment would not be consistent with General Plan Land Use Policy 4.4.3.2 or Community Image and Design Policy 5.4.12. The Project does not provide an adequate setback between the residential and non-residential uses to ensure the continued use and enjoyment of the adjoining residential property, and site constraints do not allow for design solutions to these conflicts.
3. The proposed General Plan amendment would be detrimental to the public's health, safety, and welfare. The Project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation and creates the potential for conflict between residential and non-residential uses due to hours of commercial operation and activity that could detract from the quiet enjoyment of neighboring residential properties.
4. The General Plan amendment would conflict with the East Lone Tree Specific Plan. The Project would result in a small isolated commercial property that is not contiguous to other commercial sites and in conflict with the East Lone Tree Specific Plan Focus Area policies and goals that support a scale and character of development that complements and enhances single family residential neighbors.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission cannot make findings that the proposed General Plan Amendment is in the public interest of the people and hereby recommends to the City Council denial of the amendment to City of Antioch's General Plan.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL DENIAL OF AN AMENDMENT TO THE
EAST LONE TREE SPECIFIC PLAN FOR THE AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the amendment to the Specific Plan, 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");

WHEREAS, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

WHEREAS, Section 65359 of the California Government Code provides for the amendment of all or part of an adopted East Lone Tree Specific Plan as affected by a General Plan amendment; and

WHEREAS, the primary purpose of the Specific Plan amendment is to ensure consistency between the City of Antioch East Lone Tree Specific Plan, the Project, and the General Plan; and

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

WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested General Plan amendment; and

NOW, THEREFORE BE IT RESOVED, that the Planning Commission does hereby make the following findings for recommendation of denial of the Specific Plan amendment;

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1. The proposed Specific Plan amendment is not consistent with the General Plan. The proposed amendment would eliminate the existing Medium High Density Residential (R_H) designation and replace it with a commercial designation, which could interfere with the City's ability to provide diverse housing types to satisfy the Regional Housing Needs Allocation and fulfill City objectives as expressed in the General Plan's Housing Element.
2. The proposed Specific Plan amendment would be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed amendment would create the potential for conflict by allowing commercial operations that, due to hours of operation, traffic, and noise generation, have the potential to detract from the quiet enjoyment of neighboring residential properties. The Project site is not large enough to accommodate site improvements to comply with City codes and standards or to include setbacks and amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.
3. The subject property is not physically suitable for the requested Specific Plan designation and the proposed land use development. The proposed Project has the potential to detract from orderly development by allowing uses at a site that is not physically suitable for the intensity of use contemplated by the Project. The Project site does not accommodate adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation, and cannot provide adequate setbacks to avoid potential land use conflicts with neighboring homes.
4. The Project is inconsistent with provisions of the East Lone Tree Specific Plan that are designed to ensure orderly development which is harmonious with existing and proposed development in the surrounding neighborhood. The East Lone Tree Specific Plan's policies and goals support development that has a scale and character that complements and enhances the surrounding residential neighborhoods and the proposed amendment would allow for use of the property that results in inadequate setback, site improvements, and traffic circulation that would disrupt surrounding residential uses.

NOW, THEREFORE BE IT RESOLVED, that based on the oral and written record, the Planning Commission cannot make findings that the proposed Specific Plan amendment is in the public interest of the people and hereby recommends to the City Council denial of the amendments to the East Lone Tree Specific Plan.

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I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH NOT
INITIATING AMENDMENTS TO TITLE 9 OF THE ANTIOCH MUNICIPAL CODE
"PLANNING AND ZONING" AND RECOMMENDING THAT THE CITY COUNCIL
DENY THE ADOPTION OF AN ORDINANCE REZONING THE AUTOZONE
PROJECT FROM SPECIFIC PLAN (SP) TO PLANNED DEVELOPMENT (PD)**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the request for a zone change is from Specific Plan (SP) to Planned Development (PD) with Neighborhood/Community Commercial (C-2) land use regulations as outlined in Section 9-5.3803 – Table of Land Use within the Antioch Municipal Code and the following development standards:

Development Standards for the Project:

Standard	Required
Minimum Building Site	20,000 sq. ft
Minimum Lot Width	100' (Interior) 100' (Corner)
Maximum Height	32', with exceptions to architectural features encompassing less than 20% of the total roof area and less than 8 feet in height and parapets less than 30 inches in height.
Maximum Lot Coverage	35% (Building Area)/75% Hard Surfaces
Minimum Front and Side Yard	Reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows: Arterial street: Minimum 8-foot setback with landscaping on all frontages. Local street: Minimum 11-foot setback
Minimum Interior Yard	5-foot minimum setback
Minimum Rear Year Yard	10-foot minimum setback
Architectural Requirements	As approved by the Planning Commission (PC). Any substantial deviations from approved architectural plans will require review and approval by PC.
Parking Lot Design	As approved by the Planning Commission (PC), parking lot landscape buffers may be as little as 5 feet and no landscape islands are required within the parking lot.

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the rezone, 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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

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

WHEREAS, on February 19, 2014, the Planning Commission held a duly noticed public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested General Plan amendment; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested Specific Plan amendment.

NOW, THEREFORE BE IT RESOLVED, that based on the oral and written record, the Planning Commission determines to deny the request to initiate the amendment to Title 9 "Planning and Zoning" and is recommending denial to the City Council of a rezone of the Project because it cannot make the findings for approval.

1. The proposed zone reclassification will allow uses that are not suitable for the area. The Project will not promote a harmonious visual and functional relationship between commercial and non-commercial uses. The proposed rezoning would create a 0.56-acre site with unique development standards that do not exist elsewhere in the City. While the proposed land uses would be comparable to those allowed in other C-2 districts in the City, no such zoning exists on the north side of Lone Tree Way in the vicinity of the Project site as the site is surrounded by residential zoning designations. The request would result in the application of zoning to a specific parcel of land within a larger zoned area that is at odds with a City's General Plan and current zoning restrictions ("spot zoning"). The rezoning would be for the benefit of a particular developer (AutoZone), and would create unique administrative processes, development standards, and land uses that are inconsistent and incompatible with those established for surrounding properties and have the potential to result in development and uses that are inconsistent with what neighboring property owners could reasonably expect at the time they purchased their property.
2. The uses permitted by the proposed rezoning will be detrimental to adjacent and surrounding properties. The Project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply

with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation and creates the potential for conflict between residential and non-residential uses due to the hours of commercial operation and activity that could detract from the quiet enjoyment of neighboring residential properties.

3. No evidence has been presented to demonstrate that changes in the Project area have altered the overall vision presented in the General or Specific Plans or that the use of other properties in the Project Area has changed in a way that warrants reconsideration of the land use or zoning for the Project site. Similarly, there have been no changes in the surrounding community that have rendered the existing land use or zoning obsolete or incompatible with adjoining uses or that warrant a change of zoning on this property.
4. The requested zone change is in conflict with the General Plan and the East Lone Tree Specific Plan. The proposed zoning is inconsistent with the General Plan and the Specific Plan because it would eliminate a residential designation which will interfere with 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. The Project site is also not large enough to accommodate site improvements to comply with City codes and standards or to include setbacks and amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby recommends to the City Council denial of the change to the City of Antioch's zoning code found in Title 9 of the Antioch Municipal Code.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

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RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING DENIAL TO THE CITY COUNCIL OF A FINAL
DEVELOPMENT PLAN, VARIANCE, USE PERMIT AND DESIGN REVIEW FOR THE
AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

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

WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended that the City Council deny the proposed amendments to the General Plan and East Lone Tree Specific Plan; and

WHEREAS, the Planning Commission has not initiated an amendment to Title 9 of the Antioch Municipal Code "Planning and Zoning" and made a recommendation to the City Council to deny a proposal to rezone the subject parcel from Specific Plan (SP) to Planned Development District (PD).

NOW THEREFORE BE IT RESOLVED, that the Planning Commission does hereby make the following findings for a recommendation of denial of a final development plan to the City Council, as set for in Section 9-5.2308 of the Antioch Municipal Code:

SECTION 9-5.2308(A): Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district.

PLANNING COMMISSION'S DETERMINATION: The proposed project would eliminate an existing high-density residential designation which could interfere with the City's ability to provide diverse housing types to satisfy the Regional Housing Needs Allocation and fulfill the City's objectives as expressed in the Housing Element. The project site is not large enough to accommodate site improvements to comply with City codes and standards or to include setbacks and amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

SECTION 9-5.2308(B): The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development.

PLANNING COMMISSION'S DETERMINATION: The streets and thoroughfares are not adequate to serve the Project. Existing roadways that serve the Project site would result in traffic patterns that are not intuitive or convenient and are likely to result in unsafe turning movements at both exits from the Project site; in particular for vehicles wanting to travel east on Lone Tree Way. The Planning Commission does not want to amend the City's planning documents and relaxing City standards which could create conditions that result in unsafe traffic movements.

SECTION 9-5.2308(C): The commercial components of the Project are justified economically at the location proposed.

PLANNING COMMISSION'S DETERMINATION: The City's General Plan and zoning designations identify a number of properties that are better suited to support commercial activity such as that proposed for the Project site without resulting in the potential for conflict with non-commercial uses. There is no evidence of public benefit, including economic benefit that justifies activities that have the potential to conflict with the use and enjoyment of neighboring residential uses.

SECTION 9-5.2308(D): Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan.

PLANNING COMMISSION'S DETERMINATION: There are no residential components to the project.

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SECTION 9-5.2308(E): That any industrial component conforms to applicable desirable standards and will constitute an efficient, well-organized development with adequate provisions for railroad and/or truck access and necessary storage and will not adversely affect adjacent or surrounding development.

PLANNING COMMISSION'S DETERMINATION: There are no industrial components to the Project.

SECTION 9-5.2308(F): Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offers certain unusual redeeming features to compensate for any deviations that may be permitted.

PLANNING COMMISSION'S DETERMINATION: The Project does not conform to the development policies in the General Plan or the East Lone Tree Specific Plan. The Project is not offering unusual redeeming features or amenities to warrant deviations from the standard zoning requirements. The Project consists of more commercial improvements that do not promote harmonious development between the commercial and residential uses.

SECTION 9-5.2308(G): That the area surrounding the Project can be planned and zoned in coordination and substantial compatibility with the proposed development.

PLANNING COMMISSION'S DETERMINATION: The area surrounding the Project is already developed with homes and the proposed commercial use is not complementary with the existing development.

SECTION 9-5.2308(H): The PD district conforms to the General Plan of the City.

PLANNING COMMISSION'S DETERMINATION: The Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12. The Planning Commission did not recommend approval of the required General Plan amendment to the City Council; therefore the use would not be in conformance with the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend that the City Council approve the variance application based on the following findings:

SECTION 9-5.2703(B)(2)(a): That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

PLANNING COMMISSION'S DETERMINATION: Approval of the variance would constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity and zoning district in which it is located. Approving a 40% reduction of the parking requirements as set out in the zoning ordinance would constitute a grant of special privileges.

SECTION 9-5.2703(B)(2)(b): That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

PLANNING COMMISSION'S DETERMINATION: The Project would be inconsistent with the limitations of other properties in the vicinity and the residential zoning district in which it is located, would not comply with Chapter 3.0, Commercial Design Guidelines of the City of Antioch Citywide Design Guidelines, and would interfere with the use and enjoyment of other properties in the surrounding community, which would be injurious to the surrounding residential properties.

SECTION 9-5.2703(B)(2)(c): 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.

PLANNING COMMISSION'S DETERMINATION: There are no special circumstances related to size, shape, topography, location, or surroundings of this parcel such that the strict application of zoning ordinance development standards would deprive the property of privileges enjoyed by other properties in similar circumstances in the same zoning district. The shape of the property is rectangular and typical of the majority of the parcels in the neighborhood. There is little to no topography on the site, which is also typical of other properties in the area.

SECTION 9-5.2703(B)(2)(d): That the granting of such variance will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION: The Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; therefore would adversely affect the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend approval of a Use Permit to the City Council based on the following findings:

SECTION 9-5.2703(B)(1)(a): That 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.

PLANNING COMMISSION'S DETERMINATION: The Project is not compatible with the City of Antioch's long-term vision established in the General Plan that the properties in this area be established as residential. The Project will be detrimental to the public health and welfare by creating a conflict with the adjacent residential properties due to the hours of operation, traffic, and noise generation. Further, the Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12. Further, access to the project site from Lone Tree Way has the potential to interfere with through traffic inconsistent with City standards. Because there is inadequate right-of-way to construct a deceleration lane to avoid this traffic conflict, the project would be injurious to improvements in the project vicinity.

SECTION 9-5.2703(B)(1)(b): That the use applied for at the location indicated is properly one for which a use permit is authorized.

PLANNING COMMISSION'S DETERMINATION: The Project would not meet the Land Use and Community design policies as set out in the General Plan. Specifically, the project would interfere with the City's ability to accomplish Housing Element Goal number 2, and the proposed Project overburdens the site resulting in unavoidable land use conflicts inconsistent with General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12. Further, the project does not comply with municipal code requirements related to parking, landscape buffers, or circulation standards and is inconsistent with commercial design guidelines 3.1.3B, 3.1.3D, 3.1.3F, and 3.1.8. The inability to comply with General Plan policies, code requirements, and design standards indicates that the proposed use is inappropriate for the site and could result in conflicts between commercial and non-commercial uses and could interfere with traffic circulation in the project vicinity.

SECTION 9-5.2703(B)(1)(c): That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

PLANNING COMMISSION'S DETERMINATION: The project site is not physically suitable for the proposed development and has inadequate land area to accommodate project components necessary to meet the access and parking needs of the project. The small, constrained nature of the site is such that the project is unable to incorporate necessary design amenities or adequate buffers to prevent noise and hour of operation conflicts between commercial and non-commercial uses that could detract from the use enjoyment of neighboring residential properties.

SECTION 9-5.2703(B)(1)(d): That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

PLANNING COMMISSION'S DETERMINATION: The project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation, and is unable to construct a deceleration lane on Lone Tree Way to avoid circulation conflicts at the primary access point to the site.

SECTION 9-5.2703(B)(1)(e): That the granting of such use permit will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION: The project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; therefore will adversely affect the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend that the City Council approve the design review application based on the following findings:

1. When commercial buildings abut residential projects or open space, the rear setback area shall be landscaped to be functionally and/or visually combined with the residential open space where possible. The Project does not conform to design standard 3.3.1B in that the trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building, and the Project would need to incorporate a larger landscape buffer along the northern property line than the property appears able to accommodate.
2. Trash enclosures shall be located away from sensitive uses, such as residences or schools, to minimize nuisance for adjacent property owners. The Project does not conform to design standard 3.3.1B in that the trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building.
3. All areas not covered by structures, service yards, walkways, driveways, and parking spaces shall be landscaped while encouraging pedestrian enhancements. To comply with section 3.1.3D, the Project would need to incorporate decorative paving and more urban landscape treatments. To comply with section 3.1.7, the project would need to be revised to include a pedestrian connection between the public sidewalk and the building that is independent of the driveway.

BE IT FURTHER RESOLVED that the Planning Commission, after reviewing the staff report and considering testimony offered, does hereby recommend to the City Council DENIAL of the final development plan, variance, use permit, and design review applications proposed by the Project.

* * * * *

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 19th day of February, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

TINA WEHRMEISTER,
SECRETARY TO THE
PLANNING COMMISSION

A16

ATTACHMENT "B"

Aerial Photo



ATTACHMENT "C"

STAFF REPORT TO THE PLANNING COMMISSION FOR CONSIDERATION AT THE MEETING OF JANUARY 15, 2014

Prepared by: Scott Davidson, Contract Planner

Reviewed by: Mindy Gentry, Senior Planner ~~AK~~

Date: December 18, 2013

Subject: AutoZone (GP-13-01, SP-13-01, Z-13-01, PD-13-02, V-13-01, UP-13-04, AR-13-04)

RECOMMENDATION

Staff recommends that the Planning Commission deny the application to construct an AutoZone retail store at the corner of Lone Tree Way and Fairside Way. Staff is recommending denial because the Project would result in spot zoning; create the potential for land use conflicts; is incompatible with the surrounding community; and overburdens property that has inadequate land area to accommodate Project components and to incorporate necessary design amenities on-site. These conditions are such that staff is unable to make positive findings to approve the Project.

The City has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) 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"). Pursuant to CEQA Guidelines Section 15270, staff recommends that the Planning Commission take no action on the IS/MND.

REQUEST

Stantec, on behalf of, AutoZone, Inc. submitted a proposal to develop a 7,928 sq. foot retail store (AutoZone Store – Store #4166) on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (Attachment "A"). The proposed Project consists of an AutoZone store, master use list for the site, monument sign, parking lot, loading area, site improvements and landscaping on a vacant 0.56 acre lot. The Project includes applications for approval of amendments to the General Plan and to the East Lone Tree Specific Plan, a rezoning to Planned Development, a final development plan, a variance, a conditional use permit, and design review (Attachment "B").

PROJECT DESCRIPTION

The proposed Project consists of a commercial building that is 23' in height and would be accompanied by an 8' monument sign that is designed using stone veneer that matches the building. The Project would include 23 on-site parking spaces and a

loading area on approximately 8,274 square feet, formal landscaping on 5,222 square feet, and sidewalks on 1,443 square feet.

To accommodate operations, the Project proposes to provide two driveways, one on Fairside Way and one on Lone Tree Way, to provide access to the parking lot. These improvements would also accommodate internal circulation, vehicle queuing at Project driveways, delivery truck access and circulation (loading and unloading), and pedestrian and bicycle access and circulation.

The application does not propose limitations on the hours of operation. The applicant indicates that peak hours of operation occur Monday-Friday between 6:00 PM and 8:00 PM, Saturday from 10:00 AM to 1:00 PM and Sunday from 1:00 PM to 3:00 PM. During these peak periods, the maximum number of customers and employees that would be on-site is estimated to be 18. According to AutoZones' websites, the two existing AutoZone Stores in Antioch are open between 7:30 AM and 9:00 PM Monday through Saturday and between 8:00 AM and 8:00 PM on Sunday.

The General Plan designation for the site is High Density Residential within the East Lone Tree Focus Area and the zoning designation is Specific Plan District (SP). The East Lone Tree Specific Plan designates the site as Medium High Residential (R_H). The surrounding land uses and zoning designations are:

North: Multi-family and Single Family Residential (Planned Development - PD)
South: Commercial (City of Brentwood)
West: Single Family Residential (Planned Development – PD)
East: Multi-family Residential (Planned Development – PD)

Land Use Changes and Proposed Actions

In February, 2013, applications were filed for a General Plan amendment, Specific Plan amendment, rezone, final development plan, variance, use permit, and design review. These independent applications/entitlements are summarized in Table 1 and discussed in greater detail below.

Table 1 – Application Components

Application	Current	Proposed
General Plan Amendment	High Density Residential	Neighborhood Commercial
East Lone Tree Specific Plan Area Amendment	Medium High Density Residential (R _H)	Regional Retail
Rezoning	SP (Specific Plan District)	PD (Planned Development)
Final Development Plan	None	7,928 s.f. building and associated Project components
Variance	39 parking spaces required	23 (2 ADA)
Conditional Use Permit	None	Allow for AutoZone and a master use list
Design Review	Required	Required

More specifically, these applications are required for the reasons described below.

- General Plan Amendment: The Project proposes to change the General Plan land use designation from High Density Residential in the East Lone Tree Focus Area to Neighborhood/Community Commercial. The changes to both the General Plan and the East Lone Tree Specific Plan land use designations are necessary to allow commercial use of the site.
- Specific Plan Amendment - The Project site is located in the 796 acre East Lone Tree Specific Plan area (adopted in May, 1996). The Project proposes a change to the East Lone Tree Specific Plan land use designation from Medium High Density Residential (R_H) to Community Retail (C_N). The designation of the subject site was Public Facility, but because the Fire District decided not to pursue a fire station at this location the designation was changed to Medium High Density Residential (R_H) as discussed in the Specific Plan.
- Rezoning: The Project proposes changing the zoning from SP (Specific Plan) to PD (Planned Development) to allow for a mix of retail uses to provide goods to the immediate residential neighborhood area as well as flexible development standards to attempt to appropriately integrate the Project into the surrounding setting.
- Final Development Plan: Approval of the final development plan goes hand in hand with the rezoning described above. The final development plan and the PD district effectively become the zoning code for the Project area. In this case, the final development plan will be for a 7,928 s.f. building, parking lot, landscaping, infrastructure, master use list, and other Project components.
- Use Permit: The project is subject to a use permit pursuant to Section 9-5.2307(C)(1) of the Municipal Code to clarify the details of the development phase and to ensure that each component complies with the established provisions of the district.
- Variance: The applicant requests a variance from the number of required parking spaces as well as the design requirements for the parking lot. The parking variance is to allow for a reduction to 23 (21 standard and 2 handicapped accessible) parking spaces from the 39 spaces required by Section 9-5.1703.1 of the Zoning Ordinance (1 space per 200 square feet of gross floor area). The design standard variance is required to waive the requirement for a 10-foot landscape buffer adjacent to residential development north of the Project site, to reduce the 10-foot landscape buffer to approximately 5 feet adjacent to residential property to east of the Project site, and to waive the requirement for two landscape islands within the parking lot.

- Design Review: The Project is subject to Design Review pursuant to Article 26 of Municipal Code for the purpose of promoting orderly and harmonious development within the City, the stability of land values and investments, and the general welfare, and to encourage the highest quality of design and site planning.

ENVIRONMENTAL

An Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) have been prepared for the Project in conformance with the California Environmental Quality Act (CEQA). The MND and MMRP are available for review at the City's Community Development Department.

The MND finds that impacts in the following areas would be significant without the implementation of mitigation measures:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Noise
- Transportation Traffic

The IS/MND was circulated for a 20 day public review period commencing on December 12, 2013 and ending January 2, 2014. The IS/MND was provided to the Planning Commission electronically and is available on the second floor of City Hall in the Community Development Department, and can also be found on the City's website (<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Environmental-docs.htm>). Staff received one comment letter during the public review period (Attachment "C").

ANALYSIS

Issue #1: General Plan – Land Use

The General Plan expresses the community's vision for Antioch and is the result of extensive community input. The general plan serves as a blueprint that "guides the physical development of the city and any land outside its boundaries which bears relation to its planning" (Gov't Code Section 65302). As a "constitution for future development", the City's General Plan expresses Antioch's development goals and creates a framework for public policy relative to the distribution of future land uses, both public and private. As a plan that reflects the long-term goals of the community, the City does not modify the plan to respond to the interests of specific development proposals unless there are compelling reasons and substantial benefit to the public. In fact, State Law prohibits the City from amending the General Plan more than 4 times in a calendar year.

The current General Plan designation for the subject property is High Density Residential within the East Lone Tree Focus Area. The applicant has requested a change in the land use designation to Neighborhood/Community Commercial. Areas that are given the Neighborhood/Community Commercial designation typically represent an integrated shopping center or an aggregate of parcels around an intersection, which create an identifiable commercial center or area (§4.4.1.2 – Attachment “D”).

The Project is not consistent with other elements of the General Plan and the proposed amendment would create internal conflicts within the General Plan as discussed in greater detail below:

- a) The General Plan Housing Element indicates that the City has a shortage of sites available to satisfy the Regional Housing Needs Allocation (RHNA) (Attachment “E”). To facilitate a broad array of housing types (Goal 2), the Housing Element calls for rezoning property to higher density residential. The General Plan and Specific Plan designations for the subject property partially address the City’s need to provide residential property with density standards that permit at least 16 units per acre. The proposal to amend the General Plan to Neighborhood/Community Commercial would eliminate this site from the City’s inventory of eligible housing sites contrary to Housing Element Goal 2 which is inconsistent with the City’s housing objectives as expressed in the General Plan.
- b) The Land Use Element of the General Plan establishes Commercial Land Use Policies (§4.4.3.2- Attachment “D”) that require commercial development to be designed in a manner that complements and does not conflict with residential uses. The proposed Project includes commercial activities that will generate truck traffic and noise on-site and on local streets that have the potential to detract from the use and enjoyment of neighboring residential uses. The commercial activity would occur during hours when residential uses typically enjoy quiet (e.g. during dinner). The Project does not provide adequate screening or buffering, as established in the General Plan and Zoning Code, between the proposed use and neighboring homes to ensure the continued use and enjoyment of the adjoining residential property.
- c) The Community Image and Design Element of the General Plan establishes Community Design Policies (§5.4.12 – Attachment “D”) that have the goal of ensuring adequate buffering in the design of new development proposed along a boundary between residential and non-residential uses.

The burden for providing such buffers and transitions belongs to the second use to be developed. The Project fails to accomplish this objective because it:

- Does not include a heavily landscaped screen along common property lines separating residential and non-residential uses and

- Locates noise-generating activities (e.g. parking areas, loading docks, outdoor storage, and trash collection areas) in close proximity to neighboring residential uses.

Given the constraints of the site, the above discussed General Plan inconsistencies do not appear to be resolvable through redesign or re-siting of the proposed facilities. This creates the potential for unavoidable land use conflicts that are inconsistent with General Plan goals. Staff is recommending denial of the proposed General Plan amendment because it would interfere with the City's ability to accomplish Housing Element Goal number 2, and the proposed Project overburdens the site resulting in inconsistencies with General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

Issue # 2: Specific Plan Amendment

The East Lone Tree Specific Plan (ELTA) implements the provisions of the General Plan. The current Specific Plan designation is Medium High Density Residential (R_H). The application for the amendment proposes to change this designation to Community Retail (C_R) to accommodate the Project. Similar to the General Plan inconsistencies discussed above, the proposed Specific Plan amendment would result in conflicts with the Housing Element, neighboring residential uses, and the City's design standards. Specifically, staff is recommending denial of the proposed Specific Plan amendment because it would not be consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image, and Design Policy 5.4.12.

Issue # 3: Rezoning and Final Development Plan

The Project site is currently zoned Specific Plan (SP) and the applicant is proposing a rezone to Planned Development (PD) to allow for Neighborhood/Community Commercial (C-2) uses and project specific development standards for the subject property. The PD districts are intended to accommodate a wide range of land uses which are mutually supportive and compatible with existing and proposed development. PD districts also allows for more flexible development standards designed to appropriately integrate a project into its natural and/or man-made setting. The PD districts are also used to implement Specific Plans and once established, in effect, become the zoning code for the area.

The applicant proposes to allow the principally permitted and conditionally permitted uses as established for the C-2 zoning district in compliance with the Table of Land Use Regulations for the C-2 Zone.

Proposed Development Standards for the Project

Standard	Required
Minimum Building Site	20,000 sq. ft
Minimum Lot Width	100' (Interior) 100' (Corner)
Maximum Height	26', with exceptions to architectural features encompassing less than 20% of the total roof area and less than 8 feet in height and parapets less than 30 inches in height.
Maximum Lot Coverage	35%
Minimum Front and Side Yard	Reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows: Arterial street: Minimum 8-foot setback with landscaping on all frontages. Local street: Minimum 11-foot setback
Minimum Interior Yard	3-foot minimum setback
Minimum Rear Yard	3-foot minimum setback
Architectural Requirements	As approved by the Planning Commission (PC). Any substantial deviations from approved architectural plans will require review and approval by PC.
Parking Lot Design	As approved by the Planning Commission (PC), parking lot landscape buffers may be as little as 3 feet and no landscape islands are required within the parking lot.

The proposed rezoning would create a 0.56-acre site with unique development standards that are specific to the Project and do not exist elsewhere in the City. While the proposed land uses would be comparable to those allowed in other C-2 districts in the City, no such zoning exists on the north side of Lone Tree Way in the vicinity of the Project site. This condition results in the application of zoning to a specific parcel of land within a larger zoned area that is at odds with a City's General Plan and current zoning restrictions ("spot zoning"). The rezoning would be for the benefit of a particular developer (AutoZone) and would create unique administrative processes, development standards, and land uses that are inconsistent and incompatible with those established for surrounding properties and have the potential to result in development and uses that are inconsistent with what neighboring property owners could reasonably expect at the time they purchased their property. The findings described above in the General Plan amendment analysis and below in the Design Review analysis, would likely apply to many other development scenarios that could occur under the proposed zoning. In particular, the potential traffic generation and limited buffering (setback) between development at the Project site and adjoining residential uses have the potential to detract from the use and enjoyment of the neighborhood.

Further, while PD districts allow for more flexible development standards, the applicant has tried to place a building and use on a parcel that has been slated for residential development and is essentially too small for the Project. The landscape setback on

Lone Tree Way is proposed at 8', which is a much smaller setback than the 30' setback that is required for other zoning districts within the City of Antioch. Further, the building has been set so close to the intersection that the building had to be angled in order to meet the sight vision triangle requirements to prevent any visual obstacles for vehicular traffic. PD districts also require the land uses to be mutually supportive and compatible with existing and proposed development on surrounding properties. The applicant has not been able to design the Project in a way that provides a buffer or is compatible with the surrounding residential properties.

Staff is recommending denial of the proposed zone change because it would result in spot zoning on an infill Project that would conflict with the surrounding single family residential (directly west) and multi-residential uses (directly north and east). This proposal would create its own specific design standards (as noted above) on this small isolated property without any substantial public purpose or benefit.

Issue #4: Use Permit

A use permit for the Project application is required in Antioch's Zoning Ordinance. The use permit is required prior to the construction of any phase of an approved PD District to clarify the details of the development phase. Staff is unable to conclude that the General Plan, Specific Plan, rezoning, or variance findings can be made to approve the Project; therefore, no findings or conditions have been identified in conjunction with the recommendation of denial for the use permit.

Issue #5: Circulation

The two proposed Project driveways, one each on Lone Tree Way and Fairside Way, are unsignalized and right-in/right-out only.

The Traffic Impact Study prepared by Kimley Horn and Associates (Attachment "E") identified conditions that result in access and circulation issues related to the Project.

- The median on Fairside Way would divert traffic exiting the Project site through the neighboring residential neighborhood. This condition would affect traffic associated with construction and operations that has the potential to impact neighboring homes.
- Vehicles exiting the Project site onto Lone Tree Way can only make a right turn and would be required to make a u-turn at the Vista Grande/Lone Tree Way intersection in order to travel east toward State Route 4. The Vista Grande/Lone Tree Way intersection is inadequate to accommodate large vehicles making a u-turn. All vehicles exiting the Project site onto Lone Tree Way will be inclined to attempt crossing travel lanes to make a u-turn at Fairside Way rather than traveling further west to make a u-turn in order to travel east on Lone Tree Way.

In addition to potential traffic impacts, the City Engineer has further concluded that right-turning movements from Lone Tree Way into the Project site have the potential to interfere with vehicles traveling at permitted speeds on Lone Tree Way unless a deceleration lane were constructed. Because there is inadequate land within the right-of-way to construct a deceleration lane, the City Engineer does not support a right turn from Lone Tree Way into the Project site.

While the potential impacts associated with the above-described constraints may be reduced to a less than significant level through mitigation, the traffic patterns that would result from the mitigations would not be intuitive or convenient and are likely to result in unsafe turning movements on both exits for vehicles that want to travel east on Lone Tree Way. Staff is recommending against amending the City's planning documents and relaxing City standards in order to create conditions that could result in unsafe traffic movements from Project traffic.

Issue #6: Variance - Parking

Variance approval is required in order to reduce on-site parking from 39 spaces required by the Zoning Code to 23 (21 standard and 2 accessible) and to deviate from Parking Lot Landscaping Design standards established by Municipal Code Section 9-5.1716. The design standard variance is required to waive the requirement for a 10-foot landscape buffer adjacent to residential development north of the Project site, to reduce the 10-foot landscape buffer to approximately 5 feet adjacent to residential property to the East of the Project site, and to waive the requirement for two landscape islands within the parking lot.

In order to approve the variance, the City must find that there is some unique condition at the Project site that deprives the subject property of privileges enjoyed by similar properties and that the granting of a variance will not be injurious to property in the vicinity. Because the site is regularly configured, relatively flat, and compatible in size with other properties in similar zones and in the Project vicinity, such findings are difficult to make. Further, as discussed above in the above General Plan amendment analysis and below in the Design Review analysis, the proposed variances from parking lot design (e.g. reduced landscape buffers and elimination of landscape islands) will exacerbate the potential for land use conflicts and compatibility issues that may lessen the use and enjoyment of surrounding properties.

Issue #7: Design Review

The Project has been designed primarily to satisfy the functional requirements of the business. As a consequence, the focus of the design is on improving operational and construction efficiency rather than on providing building articulation or architectural or site planning elements that provide adequate buffers to adjoining properties or that acknowledge the importance of this site as a corner lot. The City's consulting architect has reviewed the Project (Attachment "F") for consistency with Chapter 3.0, Commercial

Design Guidelines of the City of Antioch Citywide Design Guidelines, and found the Project to be inconsistent with the City's design standards as described below.

- 3.1.2 Design Objectives: The building lacks any real articulation and tries to satisfy this basic requirement through the use of plan-on types of building plan changes. The Project fails to comply with the general goals of this section.
- 3.1.3B Land Use Buffering: The trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building. To comply with paragraph 4 of this section, the Project would need to incorporate a larger landscape buffer along the northern property line. Given the site geometry, there doesn't appear to be adequate space to accommodate this needed design amenity.
- 3.1.3C Building Siting: The Project fails to comply with paragraph 2 of this section. While the building corner has been angled to provide vehicle site distance at the intersection, this section of the design guidelines is intended to "celebrate" or address the corner condition by orienting active areas to the street.
- 3.1.3D Site Amenities: To comply with this section, decorative paving and more urban landscape treatments (e.g. tree grates within the paved area of the south eastern corner of the building) should be used to create a more attractive project.
- 3.1.3E Site Utilities and Mechanical Equipment: It is not clear if there are site utilities, utility connections for the building or mechanical equipment that need to be screened from public view in compliance with this section. The applicant would need to provide additional architectural and site plan information to address this issue.
- 3.1.3F Trash and Storage Areas: Additional architectural and site plan information would need to be provided demonstrating compliance with this section.
- 3.1.4A Architectural Imagery: This Project does not embrace any particular style of architecture and does not comply with this section.
- 3.1.4B Building Form and Mass: The Project does not comply with this section. Barely 50% of the building facing Lone Tree Way (South Elevation) and none of the building facing Fairside Way (West Elevation) have glazing. The decorative metal accents provided are an attempt to break up the substantially flat façade of this building and the applied stone does not do anything to comply with this section. There are no dimensions provided to the 'applied' pilasters to the building but it would appear that there is less than a six (6) inch differential between surfaces which is inadequate to meet the requirement that "new structures shall be designed to avoid blank facades, particularly on major streets".

- 3.1.4C Wall Articulation: The proposed design does not comply with this section of the guidelines. Paragraph 1b requires that in order to break the long, flat, monolithic wall façade, columns shall be 8 inches deep. There are columns on the western side of the building that seem to meet the minimum standard, but not on the western face of the building which faces the street.
- 3.1.4D Roofs: The submitted design does not include gabled, hipped or shed roofs that are “encouraged” by this section. The parapet roof that is proposed is compliant with the requirement that the parapet not be unbroken for more than 75 feet.
- 3.1.4E Materials/Colors: The proposed stucco finish is not indicated on the plans so compliance with paragraph 1a cannot be determined.
- 3.1.4F Building Equipment and Utility Screening: Key Note 15 indicates that a new transformer would be installed on a concrete pad, but the placement and need for screening could not be determined without additional architectural and site planning details.
- 3.1.7 Landscaping: There is no connection between the public sidewalk and the building to provide pedestrian access to the site except via the driveway. There should be at least one entrance for pedestrians onto the site via a walk.
- 3.1.8 Lighting: There are two 20’ high yard parking lot lights proposed on the plan but more detailed information about the lights would need to be provided before compliance can be determined.

While the Project is inconsistent with the individual Design Guidelines described above, staff is also recommending denial of the Design Review application because the Design Guidelines are intended to discourage the use of corporate architecture and the proposed Project does not comply with or address this goal.

Just prior to this staff report being released, the applicant provided revised plans; however, staff has not had the time to analyze these plans for consistency with the City’s Design Guidelines and other design policies as discussed in the General Plan and the City’s Zoning Code. The applicant desired to keep the hearing date on January 15th which did not provide adequate time for staff to provide an analysis to the Commission. The plans, date stamped January 6, 2014, have been provided to the Planning Commission for reference.

Issue #8: Comment Letters

Attachment “D” contains the comment letter received on the Initial Study/Mitigated Negative Declaration including a response from the City. Attachment “G” contains comment letters received on the overall Project.

OPTIONS

Should the Planning Commission find that the merits of the Project provide a compelling reason to support project approval and that substantial benefits result from the Project such that modifying City policy documents and standards is appropriate, staff recommends that the Planning Commission continue the item and direct staff to draft approval resolutions along with conditions of approval for the Project.

ATTACHMENTS

- A: Aerial Photo
- B: Applicant's Summary Documentation
- C: IS/MND Comment Letter and City Response
- D: General Plan Excerpts
- E: Traffic Impact Study
- F: Architect's Peer Review
- G: Comment Letters

RESOLUTION NO. 2014-**
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL DENIAL OF GENERAL PLAN
AMENDMENT FOR THE AUTOZONE PROJECT

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,928 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the amendment to the General Plan, 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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; 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 eliminate the existing high-density residential designation could interfere with 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 Project site is not large enough to accommodate site improvements to comply with City codes and standards or to include amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform with General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; and

WHEREAS, the proposed Project has the potential to detract from the orderly development in the City of Antioch; and

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

WHEREAS, on January 15, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW, THEREFORE BE IT RESOVED, that the Planning Commission does hereby make the following findings for recommendation of denial of the General Plan amendment:

1. The proposed General Plan Amendment is not in the public's interest, and would inhibit the City's ability to satisfy other General Plan objectives. The proposed General Plan Amendment would eliminate a site with the potential for high-density residential development that could thwart City efforts to fulfill the goals and objectives of the General Plan Housing Element.
2. The proposed General Plan Amendment would not be consistent with General Plan Land Use Policy 4.4.3.2 or Community Image and Design Policy 5.4.12. The Project does not provide adequate screening or buffering between the residential and non-residential uses to ensure the continued use and enjoyment of the adjoining residential property, and site constraints do not allow for design solutions to these conflicts.
3. The proposed General Plan amendment would be detrimental to the public's health, safety, and welfare. The Project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation and creates the potential for conflict between residential and non-residential uses due to hours of commercial operation and activity that could detract from the quiet enjoyment of neighboring residential properties.
4. The General Plan amendment would conflict with the East Lone Tree Specific Plan. The Project would result in a small isolated commercial property that is not contiguous to other commercial sites and in conflict with the East Lone Tree Specific Plan Focus Area policies and goals that support a scale and character of development that complements and enhances single family residential neighbors.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission cannot make findings that the proposed General Plan Amendment is in the public interest of the people and hereby recommends to the City Council denial of the amendment to City of Antioch's General Plan.

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RESOLUTION NO. 2014-**

January 15, 2013

Page 3

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 15th day of January, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

C15

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL DENIAL OF AN AMENDMENT TO THE
EAST LONE TREE SPECIFIC PLAN FOR THE AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,928 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the amendment to the Specific Plan, 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");

WHEREAS, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

WHEREAS, Section 65359 of the California Government Code provides for the amendment of all or part of an adopted East Lone Tree Specific Plan as affected by a General Plan amendment; and

WHEREAS, the primary purpose of the Specific Plan amendment is to ensure consistency between the City of Antioch East Lone Tree Specific Plan, the Project, and the General Plan; and

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

WHEREAS, on January 15, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested General Plan amendment; and

NOW, THEREFORE BE IT RESOVED, that the Planning Commission does hereby make the following findings for recommendation of denial of the Specific Plan amendment;

1. The proposed Specific Plan amendment is not consistent with the General Plan. The proposed amendment would eliminate the existing Medium High Density Residential (R_H) designation and replace it with a commercial designation, which could interfere with the City's ability to provide diverse housing types to satisfy the Regional Housing Needs Allocation and fulfill City objectives as expressed in the General Plan's Housing Element.
2. The proposed Specific Plan amendment would be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed amendment would be detrimental to the public interest and create the potential for conflict by allowing commercial operations that, due to hours of operation, traffic, and noise generation, have the potential to detract from the quiet enjoyment of neighboring residential properties. The Project site is not large enough to accommodate site improvements to comply with City codes and standards or to include amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.
3. The subject property is not physically suitable for the requested Specific Plan designation and the proposed land use development. The proposed Project has the potential to detract from orderly development by allowing uses at a site that is not physically suitable for the intensity of use contemplated by the Project. The Project site does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation, and cannot provide adequate buffering which has the potential to generate use conflicts with neighboring homes.
4. The Project is inconsistent with provisions of the East Lone Tree Specific Plan that are designed to ensure orderly development which is harmonious with existing and proposed development in the surrounding neighborhood. The East Lone Tree Specific Plan's policies and goals support development that has a scale and character that complements and enhances the surrounding residential neighborhoods and the proposed amendment would allow for use of the property that results in inadequate buffering, site improvements, and traffic circulation that would disrupt surrounding residential uses.

NOW, THEREFORE BE IT RESOLVED, that based on the oral and written record, the Planning Commission cannot make findings that the proposed Specific Plan amendment is in the public interest of the people and hereby recommends to the City Council denial of the amendments to the East Lone Tree Specific Plan.

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RESOLUTION NO. 2014-**

January 15, 2013

Page 3

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 15th day of January, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

C18

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH NOT
INITIATING AMENDMENTS TO TITLE 9 OF THE ANTIOCH MUNICIPAL CODE
"PLANNING AND ZONING" AND RECOMMENDING THAT THE CITY COUNCIL
DENY THE ADOPTION OF AN ORDINANCE REZONING THE AUTOZONE
PROJECT FROM SPECIFIC PLAN (SP) TO PLANNED DEVELOPMENT (PD)**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,928 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the request for a zone change is from Specific Plan (SP) to Planned Development (PD) with Neighborhood/Community Commercial (C-2) land use regulations as outlined in Section 9-5.3803 – Table of Land Use within the Antioch Municipal Code and the following development standards:

Development Standards for the Project:

Standard	Required
Minimum Building Site	20,000 sq. ft
Minimum Lot Width	100' (Interior) 100' (Corner)
Maximum Height	26', with exceptions to architectural features encompassing less than 20% of the total roof area and less than 8 feet in height and parapets less than 30 inches in height.
Maximum Lot Coverage	35%
Minimum Front and Side Yard	Reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows: Arterial street: Minimum 8-foot setback with landscaping on all frontages. Local street: Minimum 11-foot setback
Minimum Interior Yard	3-foot minimum setback
Minimum Rear Year Yard	3-foot minimum setback
Architectural Requirements	As approved by the Planning Commission (PC). Any substantial deviations from approved architectural plans will require review and approval by PC.
Parking Lot Design	As approved by the Planning Commission (PC), parking lot landscape buffers may be as little as 3 feet and no landscape islands are required within the parking lot.

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included the rezone, 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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

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

WHEREAS, on January 15, 2014, the Planning Commission held a duly noticed public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested General Plan amendment; and

WHEREAS, the Planning Commission has recommended to the City Council denial of the requested Specific Plan amendment.

NOW, THEREFORE BE IT RESOLVED, that based on the oral and written record, the Planning Commission determines to deny the request to initiate the amendment to Title 9 "Planning and Zoning" and is recommending denial to the City Council of a rezone of the Project because it cannot make the findings for approval.

1. The proposed zone reclassification will allow uses that are not suitable for the area. The Project will not promote a harmonious visual and functional relationship between commercial and non-commercial uses. The proposed rezoning would create a 0.56-acre site with unique development standards that do not exist elsewhere in the City. While the proposed land uses would be comparable to those allowed in other C-2 districts in the City, no such zoning exists on the north side of Lone Tree Way in the vicinity of the Project site. This condition results in the application of zoning to a specific parcel of land within a larger zoned area that is at odds with a City's General Plan and current zoning restrictions ("spot zoning"). The rezoning would be for the benefit of a particular developer (AutoZone), and would create unique administrative processes, development standards, and land uses that are inconsistent and incompatible with those established for surrounding properties and have the potential to result in development and uses that are inconsistent with what neighboring property owners could reasonably expect at the time they purchased their property.
2. The uses permitted by the proposed rezoning will be detrimental to adjacent or surrounding properties. The Project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing

road network in order to accommodate safe vehicular circulation and creates the potential for conflict between residential and non-residential uses due to the hours of commercial operation and activity that could detract from the quiet enjoyment of neighboring residential properties.

3. No evidence has been presented to demonstrate that changes in the Project area have altered the overall vision presented in the General or Specific Plans or that the use of other properties in the Project Area has changed in a way that warrants reconsideration of the land use or zoning for the Project site. Similarly, there have been no changes in the surrounding community that have rendered the existing land use or zoning obsolete or incompatible with adjoining uses or that warrant a change of zoning on this property.
4. The requested zone change is in conflict with the General Plan and the East Lone Tree Specific Plan. The proposed zoning is inconsistent with the General Plan and the Specific Plan because it would eliminate a residential designation which will interfere with 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. The Project site is also not large enough to accommodate site improvements to comply with City codes and standards or to include amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby recommends to the City Council denial of the change to the City of Antioch's zoning code found in Title 9 of the Antioch Municipal Code.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 15th day of January, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING DENIAL TO THE CITY COUNCIL OF A FINAL
DEVELOPMENT PLAN, VARIANCE, USE PERMIT AND DESIGN REVIEW FOR THE
AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,928 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood/Community Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a final development plan, a variance, a use permit, and design review; and

WHEREAS, the City prepared an Initial Study/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, the Planning Commission did not act on the Initial Study/Mitigated Negative Declaration; and

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

WHEREAS, on January 15, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

WHEREAS, the Planning Commission has recommended that the City Council deny the proposed amendments to the General Plan and East Lone Tree Specific Plan; and

WHEREAS, the Planning Commission has not initiated an amendment to Title 9 of the Antioch Municipal Code "Planning and Zoning" and made a recommendation to the City Council to deny a proposal to rezone the subject parcel from Specific Plan (SP) to Planned Development District (PD).

NOW THEREFORE BE IT RESOLVED, that the Planning Commission does hereby make the following findings for a recommendation of denial of a final development plan to the City Council, as set for in Section 9-5.2308 of the Antioch Municipal Code:

SECTION 9-5.2308(A): Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district.

PLANNING COMMISSION'S DETERMINATION: The proposed project would eliminate an existing high-density residential designation which could interfere with the City's ability to provide diverse housing types to satisfy the Regional Housing Needs Allocation and fulfill the City's objectives as expressed in the Housing Element. The project site is not large enough to accommodate site improvements to comply with City codes and standards or to include amenities necessary to avoid land use conflicts between residential and non-residential uses and to conform to General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

SECTION 9-5.2308(B): The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development.

PLANNING COMMISSION'S DETERMINATION: The streets and thoroughfares are not adequate to serve the Project. Existing roadways that serve the Project site would result in traffic patterns that are not intuitive or convenient and are likely to result in unsafe turning movements at both exits from the Project site; in particular for vehicles wanting to travel east on Lone Tree Way. The Planning Commission does not want to amend the City's planning documents and relaxing City standards which could create conditions that result in unsafe traffic movements.

SECTION 9-5.2308(C): The commercial components of the Project are justified economically at the location proposed.

PLANNING COMMISSION'S DETERMINATION: The City's General Plan and zoning designations identify a number of properties that are better suited to support commercial activity such as that proposed for the Project site without resulting in the potential for conflict with non-commercial uses. There is no evidence of public benefit, including economic benefit that justifies activities that have the potential to conflict with the use and enjoyment of neighboring residential uses.

SECTION 9-5.2308(D): Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan.

PLANNING COMMISSION'S DETERMINATION: There are no residential components to the project.

SECTION 9-5.2308(E): That any industrial component conforms to applicable desirable standards and will constitute an efficient, well-organized development with adequate provisions for railroad and/or truck access and necessary storage and will not adversely affect adjacent or surrounding development.

PLANNING COMMISSION'S DETERMINATION: There are no industrial components to the Project.

SECTION 9-5.2308(F): Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offers certain unusual redeeming features to compensate for any deviations that may be permitted.

PLANNING COMMISSION'S DETERMINATION: The Project does not conform to the development policies in the General Plan or the East Lone Tree Specific Plan. The project is not offering unusual redeeming features or amenities to warrant deviations from the standard zoning requirements. The project consists of more commercial improvements that do not promote harmonious development between the commercial and residential uses.

SECTION 9-5.2308(G): That the area surrounding the Project can be planned and zoned in coordination and substantial compatibility with the proposed development.

PLANNING COMMISSION'S DETERMINATION: The area surrounding the Project is already developed with homes and the proposed commercial use is not complementary with the existing development.

SECTION 9-5.2308(H): The P-D district conforms to the General Plan of the City.

PLANNING COMMISSION'S DETERMINATION: The Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12. The Planning Commission did not recommend approval of the required General Plan amendment to the City Council; therefore the use would not be in conformance with the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend that the City Council approve the variance application based on the following findings:

SECTION 9-5.2703(B)(2)(a): That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

PLANNING COMMISSION'S DETERMINATION: Approval of the variance would constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity and zoning district in which it is located. Approving a 40% reduction of the parking requirements as set out in the zoning ordinance would constitute a grant of special privileges.

SECTION 9-5.2703(B)(2)(b): That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

PLANNING COMMISSION'S DETERMINATION: The project would be inconsistent with the limitations of other properties in the vicinity and the residential zoning district in which it is located, would not comply with Chapter 3.0, Commercial Design Guidelines of the City of Antioch Citywide Design Guidelines, and would interfere with the use and enjoyment of other properties in the surrounding community.

SECTION 9-5.2703(B)(2)(c): 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.

PLANNING COMMISSION'S DETERMINATION: There are no special circumstances related to size, shape, topography, location, or surroundings of this parcel such that the strict application of zoning ordinance development standards would deprive the property of privileges enjoyed by other properties in similar circumstances in the same zoning district. The shape is rectangular and typical of the majority of the parcels in the neighborhood. The topography of the site is typical of other properties in the area.

SECTION 9-5.2703(B)(2)(d): That the granting of such variance will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION: The Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; therefore would adversely affect the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend approval of a Use Permit to the City Council based on the following findings:

SECTION 9-5.2703(B)(1)(a): That 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.

PLANNING COMMISSION'S DETERMINATION: The Project is not compatible with the City of Antioch's long-term vision established in the General Plan that the properties in this area be established as residential. The Project will be detrimental to the public health and welfare by creating a conflict with the adjacent residential properties due to the hours of operation, traffic, and noise generation. Further, the Project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12.

SECTION 9-5.2703(B)(1)(b): That the use applied for at the location indicated is properly one for which a use permit is authorized.

PLANNING COMMISSION'S DETERMINATION: The Project would not meet the Land Use and Community design policies as set out in the General Plan, Municipal Code, and design guidelines resulting in the potential for conflicts between commercial and non-commercial uses.

SECTION 9-5.2703(B)(1)(c): That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

PLANNING COMMISSION'S DETERMINATION: The project site is not physically suitable for the proposed development and has inadequate land area to accommodate project components and to incorporate necessary design amenities on-site to address the potential for conflict between residential and non-residential uses due to hours of commercial operation and activity that could detract from the quiet enjoyment of neighboring residential properties.

SECTION 9-5.2703(B)(1)(d): That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

PLANNING COMMISSION'S DETERMINATION: The project site is not physically suitable for the proposed development, does not provide adequate parking on-site to comply with City parking standards, requires substantial modification to the existing road network in order to accommodate safe vehicular circulation.

SECTION 9-5.2703(B)(1)(e): That the granting of such use permit will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION: The project is not consistent with Housing Element Goal number 2, General Plan Land Use Policy 4.4.3.2 and Community Image and Design Policy 5.4.12; therefore will adversely affect the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission is not able to recommend that the City Council approve the design review application based on the following findings:

1. The Project does not articulate building forms and elevations to create varied rooflines, building shapes, and patterns of shade and shadow and provide site access, parking, and circulation that are arranged in a logical and safe manner for pedestrians and vehicles. The architectural form is inconsistent with the Design Guidelines 3.1.2 and 3.1.4C because the building lacks any real articulation and tries to satisfy this basic requirement through the use of plan-on types of building plan changes.
2. That corner buildings shall include angled or sculpted building corners or an open plaza located near the corner. The corner treatment does not conform to design standard 3.3.1C. The building corner has been angled to provide vehicle site distance at the intersection, this section of the design guidelines is intended orient structures to corner conditions by orienting active areas to the street. No such building orientation is provided in the building design.
3. When commercial buildings abut residential projects or open space, the rear setback area shall be landscaped to be functionally and/or visually combined with the residential open space where possible. The Project does not conform to design standard 3.3.1B in that the trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building, and the Project would need to incorporate a larger landscape buffer along the northern property line than the property appears able to accommodate.
4. Trash enclosures shall be located away from sensitive uses, such as residences or schools, to minimize nuisance for adjacent property owners as well as utility and mechanical equipment (e.g. electric and gas meters, electrical panels, and junction boxes) shall be screened from the view of public streets and neighboring properties. The Project does not conform to design standard 3.3.1B in that the trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to an existing residential building.
5. All areas not covered by structures, service yards, walkways, driveways, and parking spaces shall be landscaped while encouraging pedestrian enhancements. To comply with section 3.1.3D, the Project would need to incorporate decorative paving and more urban landscape treatments (e.g. tree grates within the paved area of the south eastern corner of the building). To comply with section 3.1.7, the project would need to be revised to include a pedestrian connection between the public sidewalk and the building that is independent of the driveway.

6. Corporate architecture and generic redesigns are not recommended. The design of each project shall create a pedestrian-scale atmosphere and provide a clear appearance and theme. The Project proposes corporate architecture and fails to comply with or address the City's Design Review Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission, after reviewing the staff report and considering testimony offered, does hereby recommend to the City Council DENIAL of the final development plan, variance, use permit, and design review applications proposed by the Project.

* * * * *

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 15th day of January, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

TINA WEHRMEISTER,
SECRETARY TO THE
PLANNING COMMISSION

ATTACHMENT "A"

Aerial Photo



C29
At

ATTACHMENT "B"



123 South Front Street, Memphis, TN 38103 Phone (901)

AutoZone Inc. has performed over its history numerous of studies to identify the number of customers and employees for an average \$1.6 million in annual sales AutoZone Store at any given time. The studies looked at timed cash register receipts for the (3) three busiest months of the year for numerous of AutoZone Stores.

The maximum number of customers and employees summary is shown in the table below:

Maximum Number of Customers and Employees for an average \$1.6 million in annual sales AutoZone Auto Parts Store

<i>Day</i>	<i>Peak Time</i>	<i>Maximum Number of Customers and Employees</i>
Monday	6 p.m. – 8 p.m.	11 – 12
Tuesday	6 p.m. – 8 p.m.	9 – 10
Wednesday	6 p.m. – 8 p.m.	9 – 10
Thursday	6 p.m. – 8 p.m.	9 – 10
Friday	5 p.m. – 8 p.m.	12 – 13
Saturday	10 a.m. – 1 p.m.	16 – 18
Sunday	1 p.m. – 3 p.m.	13 – 14
<i>Average Time Customer spends in store = 10 – 15 minutes</i>		

As shown in the table above, the maximum number of customers and employees in the store at any given time for an average \$1.6 million in annual sales AutoZone Store is 18 people on Saturday from 10 a.m. to 1:00 p.m.

The proposed AutoZone Store in Antioch, CA has a sales projection of 1.583 million. And will have a total of 7,928 square feet, which requires 39 parking spaces per strict reading of the City's Zoning Ordinance ("1 spaces per 200 square feet of gross floor area"). The actual gross "Retail Floor Area" of this facility is only 3636 sf and at 1 space per 200 would only require 18 parking spaces. If you take into account the fact that a percentage of those customers will be more than one customer per car. (i.e. carpooling) and a small percentage walk up or pedestrian oriented traffic along with the historical data and research provided, AutoZone can feel comfortable that the 23 parking spaces shown is more than adequately sufficient to serve our customers at this location and maintain the profitability requirements as noted.

Please call me if you have any questions or if there are any problems.

Sincerely,

Mitch

Mitch Bramlitt
Assistant Design Manager
901-495-8714 fax 901-495-8991
Mitch.Bramlitt@AutoZone.com

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B1

Attachment to Environmental Assessment Form – Lone Tree AutoZone

GENERAL INFORMATION

No. 1 – Project approvals include: General Plan Amendment; Rezone; CUP & Design Review; Variance (parking) and; subsequent building permits.

No. 15 – A variance is required due to the limited number of parking spaces proposed. Rezoning is required from Residential to PD in order to allow the commercial use and facilitate reduced setbacks.

No. 24 – The AutoZone store will store/sell materials that would qualify as hazardous and/or flammable. A complete list of such materials (an HMMP) can be provided upon request.

No. 28 – The site as it exists before the project is currently vacant, save for some small ornamental trees and vegetation. The topography is relatively flat, soils are stable (geotech report attached) and there are no known animals inhabiting the site. Likewise, there are no known cultural, historical or scenic aspects particular to this site. Photos are attached.

No. 29 – The site is bordered by multi-story to the north, east and southwest. To the west there is single-family residential and to the south is commercial/retail development. Street setbacks for the residential developments appear to vary between 15' and 30'. The commercial setbacks to the south appear to be 15' to 20'. Photos are attached.

Description of the proposal and discussion of merit (General Plan Amendment/Rezone

The proposal is to amend the General Plan and rezone the property in order to facilitate development of a 7,928 square foot AutoZone store. The project would result in development of a corner parcel that is otherwise undersized for other types of the development. The project would include 22 on-site parking spaces and formal landscaping of nearly 23% of the site, including both currently unimproved frontages. The \$1.5 million project would result in 20 to 30 new construction jobs and 15 new permanent jobs. At an estimated \$1.6 million in annual sales, the project will bring in approximately \$16,000.00 in annual sales tax revenue to the City of Antioch. Additionally, the sale of the property for commercial development will generate needed funds for the Liberty Union High School District.

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B2

Summary explaining the need for the variance and statements regarding the four necessary findings

- (a) Exceptional or extraordinary circumstances or conditions: At 24,590 square feet, the site is considerably smaller than would be required to achieve high-density residential development consistent with that of the properties to the north and east. The corner location at a signalized intersection on a major arterial roadway is ideally suited for a small commercial use.
- (b) A commercial use at the scale of which is proposed will in no way be detrimental to the public health or welfare. The hours of the use – primarily daytime – are complimentary with the residential nature of the surrounding parcels and the physical improvements proposed – particularly the new perimeter landscaping – will provide a “finished” look to what is otherwise a vacant, unimproved entry to the neighboring residential developments.
- (c) Due to its limited size, strict application of the parking ordinance would effectively prohibit all but smallest of developments. Other developments in the immediate area have had the benefit of much larger parcels on which to design. Additionally, the reduction in parking is congruent with the nature of the single-use project proposed since much of the gross floor area provided is used for storage and parts stock – not direct retail merchandising.
- (d) Granting of the variance will not adversely affect the comprehensive General Plan in that it will result in small scale non-residential development where such development had previously been considered (as evidenced by the owner by the school district and consideration of a municipal – fire house – use).

C32
B3



The Law Offices of
Gagen, McCoy, McMahon, Koss
Markowitz & Raines
A Professional Corporation

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December 31, 2013

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Please Reply To:

Danville

Via E-mail

Mindy Gentry
Senior Planner
City of Antioch
200 H Street
Antioch, CA 94509

Re: Notice of Intent to Adopt a Mitigated Negative Declaration/Lone Tree Way
AutoZone #4166

Dear Mindy:

Our offices represent Mark Marcotte, owner of the Bella Rose Apartments, located adjacent to the northeast corner of Lone Tree Way and Fairside Way.

We understand that AutoZone has submitted a project application for a new AutoZone store, located on the corner of Lone Tree Way/Fairside Way. We further understand that the project application includes: (i) a General Plan Amendment, from High Density Residential, to Neighborhood Commercial; (ii) a Specific Plan Amendment from High Density Residential to Community Retail; (iii) a rezone of the property to Planned Development; (iv) a variance for parking; (iv) a use permit; and (v) design review (together "Project").

We understand that comments on the proposed Mitigated Negative Declaration (MND) are due on January 2, 2014, and a public hearing on the Project by the Planning Commission will be held on January 15, 2014.

Please consider this letter Mr. Marcotte's written comments on the MND, in response to the City's Notice of Intent to Adopt a Mitigated Negative Declaration.

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I. General Comments

As stated in the MND, the Project site is in a location virtually surrounded by residential uses: the northeast corner of Lone Tree Way/Fairside Way is high density residential (including the Bella Rose Apartments); to the west is single family homes; and to the southwest is additional multi-family residential development.

All of these surrounding landowners have for years relied on the General Plan and Specific Plan designations for the area. The General Plan is the "constitution" for the City, and has been recognized as the single most important planning document. (See Curtin's California Land Use and Planning Law, 29th Ed.). The General Plan is required by state law to include a "long-term plan" for the development of the City -- a plan which can be relied on by its citizens.

We understand that in some cases an amendment to a General Plan is required to address changes in the City's priorities, or to address changes that have already occurred. However, that is not the case here. Instead, in this case AutoZone is proposing an entirely different land use (commercial/retail) in an area virtually surrounded by residential uses.

We believe that under all of these circumstances the proposed amendments to the General Plan, Specific Plan, and zoning ordinance are not warranted here, and create conflicts between the existing residential uses and the new, commercial Project.

II. Specific Comments

The MND, after performing an environmental review, indicates that (with proposed mitigation measures) there are no significant impacts on the environment from the proposed Project. We believe there will be significant impacts, as follows:

*We believe the Project, even if the GPA and related amendments are approved, will conflict with the adjacent residential land uses of the site. The adjacent residential users will be impacted by the traffic, parking (see below), noise and related impacts of a commercial/retail use in the middle of a residential neighborhood. We note in this regard that the Project will require Design Review approvals -- those approvals will require consideration of the stability of adjacent land values and investments. Clearly, the introduction of commercial uses into residential neighborhoods will have an adverse impact on land values and investments.

*The introduction of a commercial/retail Project into the residential neighborhood will create a "precedent," allowing other commercial uses to apply for similar General Plan Amendments in the area.

*The Project requests a significant parking space variance -- a reduction to only 22 spaces for a Project that requires 39 spaces. This again shows that the Project is really forcing a "square peg into a round hole." There is simply not enough space on the site to allow for adequate parking. Clients of the new Project may attempt to park in the surrounding residential neighborhoods.

*We note that the MND states that the proposed project "would result in new development consistent with the character of the surrounding area." We believe this is simply not true -- the new development would be utterly inconsistent with the residential character of the surrounding area.

*The Land Use and Planning section of the MND states that there are no significant impacts related to Land/Use Planning. Respectfully, we disagree. The proposal will in effect "divide" the existing community of residential neighborhoods -- by introducing the commercial/retail use in an area that for decades has been residential. The General Plan requires the maintenance of a pattern of land uses that "minimizes conflicts between various land uses." Clearly, the introduction of commercial/retail uses into residential neighborhoods is not consistent with the General Plan. Existing residential neighborhoods are not protected by this proposal - they are in fact threatened by the Project.

*The MND states that there will be no noise impacts from the Project. Introduction of a commercial/retail use Project will create noise impacts above and beyond those associated with a neighborhood. Customers, cars, forklifts, parking lot activities, delivery truck and supply loading; etc. are all potential noise sources that will conflict with neighborhood uses. We note in this regard that the MND does not appear to focus or address the impacts of the commercial uses on the neighborhoods.

*We believe the traffic that comes in to a commercial/retail store is entirely different, and is inconsistent with, associated neighborhood traffic. The Project will attract regional traffic to an established, localized neighborhood area.

III. Conclusion

We believe that introducing the proposed commercial/retail use into existing residential neighborhoods will create a significant impact. We believe that, under all of these circumstances, a MND is not the appropriate environmental document, and instead a full Environmental Impact Report should be prepared prior to consideration of a Project that includes changing the General Plan, Specific Plan, and zoning designations.

We greatly appreciate your review and consideration of these comments.

Mindy Gentry
December 31, 2013
Page 4

Very truly yours,



Allan C. Moore

cc: Marc Marcotte

City of Antioch Response to Comments on the Initial Study/Mitigated Negative Declaration for the AutoZone Project

Pursuant to CEQA Guidelines Section 15073, the City circulated an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project on December 12, 2013 for a 20-day public review period. During that review period, the City received one comment letter, from the law offices of Gagen MacCoy representing Mark Marcotte. The environmental issues addressed in that letter are summarized below, with a response following. The information in the comments or responses does not change any conclusions in the IS/MND. The proposed Project would not result in any significant impacts and preparation of an Environmental Impact Report, as suggested in the comment, is not required.

Gagen MacCoy Comment Letter

Comment: The Project will require a design review, which “will require consideration of the stability of adjacent land values and investments” and the Project “will have an adverse impact on land values and investments.”

Response: The purpose of the California Environmental Quality Act (CEQA) is to disclose if a project would have an adverse effect on the physical environment. Effects on property values are, therefore, not addressed in a CEQA document.

Comment: The Project will create precedent for General Plan Amendments for other commercial uses adjacent to residential.

Response: The City does not currently prohibit commercial uses adjacent to residential. A General Plan amendment is a discretionary project pursuant to Public Resources Code (PRC) Section 21080, thus, would be subject to CEQA review. Therefore, any future proposal for a General Plan amendment would be subject to project-specific environmental review, including public review.

Comment: There is not enough space on the site for adequate parking.

Response: The Antioch Municipal Code does not have a specific category that applies to parking for automobile parts sales. Section 9-5.1703.1 (Off-Street Parking Requirements by Use) indicates that retail sales not listed under another use classification requires five parking spaces for every 1,000 square feet, or 39 spaces for the proposed Project, where 23 spaces are proposed. Because non-compliance with a code standard does not necessarily result in environmental impacts, the Antioch Municipal Code Section 9-5.1704 (Specific Design Standards) also indicates that “where the use is not specified in the table, the Zoning Administrator shall determine the probable equivalent use and the number of parking and loading spaces required. The use of ITE studies may be incorporated into the analysis.” The parking study for the Project (see Initial Study Appendix E) indicates that, based on ITE data for Automobile Part Sales (Land Use 843), the Project on average would be expected to generate a peak parking demand of 17 parking spaces. Given the Project proposes 23 parking spaces, the Project would provide adequate parking to accommodate demand without resulting in parking conditions that would result in spill-over that could impact safe circulation or use of the public right-of-way.

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Comment: The Project would be inconsistent with the residential character of the area.

Response: The Project site is located on Lone Tree Way, a six-lane, divided arterial roadway. While the Project site would be adjacent to multi-family residential use, there is a large commercial shopping center located south of the Project site across Lone Tree Way. Given the arterial classification of Lone Tree Way and the presence of the shopping center south of the Project as well as other non-residential uses along Lone Tree Way, the Project would not be inconsistent with nearby land uses.

Comment: The Project would divide the existing community of residential neighborhoods.

Response: The land use threshold used in the Initial Study is taken from CEQA Guidelines Appendix G, which questions whether the Project would "physically divide an established community." The Project site is located on a corner and is separated from the adjacent multi-family development by a six-foot concrete wall. The Project does not include any components that would separate or reduce connectivity between existing residential areas.

Comment: Noise from customers, cars, parking lot activities, and deliveries and loading activities will conflict with neighborhood uses.

Response: Pages 56 through 64 of the Initial Study address project-generated noise and specifically address building mechanical equipment, parking lot activities (including car alarms, doors closing, tire squeal, and human voices), and delivery activities (including idling of trucks, the sounding of backup alarms, and material handling). With implementation of Mitigation Measure NOI-1 identified in the Initial Study, which prohibits forklifts and idling of trucks and limits hours of loading operations, noise levels would not exceed City standards.

Comment: Retail traffic is different from residential traffic and the Project will attract regional traffic.

Response: The traffic study prepared for the proposed Project takes the land use into consideration when determining traffic generated by the Project. Trip generation for the Project was calculated based on rates contained in the Institute of Transportation Engineer's publication, *Trip Generation 9th Edition*. The classification used for the Project is Automobile Parts Sales (ITE Land Use 843). Therefore, while the traffic generated by the Project would differ from that of a residential development, the Initial Study accurately depicts the traffic by the Project's land use. Regarding the comment that the Project would attract regional traffic, the Project is not sized for a regional store and there are several other auto parts stores in the City of Antioch as well as stores located in the surrounding cities. Therefore, the Project would not be a regional draw.

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C6

- *Maximum Allowable Density:* Ten dwelling units per gross developable acre (10 du/ac)
- *Anticipated Population per Acre:* Twenty (20) to Twenty-five (25) persons per acre

High Density Residential. High Density Residential densities may range up to twenty (20) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space would be possible. This designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to shopping districts and public parks. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

- *Appropriate Land Use Types:* See Table 4.A
- *Maximum Allowable Density:* Twenty dwelling units per gross developable acre (20 du/ac) and up to a Floor Area Ratio¹ of

¹ Floor Area Ratio (FAR) represents the ratio between allowable floor area on a site and the size of the site. For example, an FAR of 1.0 permits one square foot of building floor area (excluding garages and parking) for each square foot of land within the development site, while an

1.25 within areas designed for mixed use or transit-oriented development.

- *Anticipated Population per Acre:* Forty (40) persons per acre. Within transit-oriented development, up to forty-five to sixty (45-60) persons per acre

Residential TOD. This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the eBART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet of commercial space such as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and offices are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Fee parking in surface parking lots is not permitted as a primary use.

- *Minimum housing density:* 20 acres per gross acre
- *Maximum housing density:* 40 units per gross acre

4.4.1.2 Commercial Land Use

Designations. The General Plan land use map identifies two commercial land use designations, which, along with commercial development within Focus Areas, will provide a broad range of retail and commercial services for existing and future residents and businesses. Permitted maximum land use

FAR of 0.5 permits ½ square foot of building area for each square foot of land within the development site.

intensities are described for each designation. Maximum development intensities are stated as the maximum floor area ratio (FAR) within the project site. "Floor area ratio" is determined by dividing the total proposed building area of a development project by the square footage of the development site *prior* to any new dedication requirements.

Convenience Commercial. This designation is used to include small-scale retail and service uses on small commercial lots, generally ranging up to one to four acres in size. Total gross leasable area within Convenience Commercial areas typically ranges from about 10,000 to 40,000 square feet. Typical uses may include convenience markets, limited personal services, service stations, and commercial services. This designation is often located on arterial or collector roadway intersections in otherwise residential neighborhoods and, thus, requires that adequate surface parking be included to ensure against any potential circulation difficulties affecting adjacent residences. Design features need to be included in these centers to ensure that convenience commercial developments are visually compatible with and complementary to adjacent and nearby residential and other less intensive uses. The type and function of uses in convenience commercial areas are generally neighborhood serving, and need to be carefully examined to ensure compatibility with nearby uses. This land use designation may also be applied to small freestanding commercial uses in the older portions of Antioch.

While some areas may be designated on the Land Use Plan for Convenience Commercial use, this does not preclude small freestanding commercial uses from being zoned for such a use provided the above parameters are adhered to through adopted performance standards. Such a rezoning would be considered to be consistent with the General Plan, and not require a General Plan amendment.

- *Appropriate Land Use Types:* See Table 4.A

- *Maximum Allowable Development Intensity:* Floor Area Ratio (FAR) of 0.4 for new development within centers, and 0.6 FAR for small, freestanding uses.

Neighborhood/Community Commercial.

The intent of the General Plan is to service residential areas in an efficient manner by avoiding the creation of new strip commercial areas. Toward this end, the General Plan designates major commercial nodes of activity based on the need to serve defined neighborhood and community areas. Each area designated Neighborhood/Community Commercial would typically represent an integrated shopping center or an aggregate of parcels around an intersection, which create an identifiable commercial center or area.

The common denominator within this designation is that each neighborhood commercial node will have sufficient acreage to meet the commercial needs of one or more neighborhoods. A neighborhood center typically ranges from 30,000 - 100,000 square feet of floor area on about 3 to 12 acres, anchored by a major supermarket and/or-drug store. A community center may range from 100,000 to 250,000 square feet on 10 to 20 acres or more, and be anchored by a major retailer. Because of its size, a neighborhood center would typically locate at the intersection of a collector and an arterial. A community center is more likely to be found at major arterial intersections.

Typical spacing between community centers should be approximately 1.5 to 3.0 miles, with approximately one mile between neighborhood centers. Exact spacing depends on the nature and density of nearby development, and on the location of major roadways.

- *Appropriate Land Use Types:* See Table 4.A
- *Maximum allowable development intensity:* FAR of 0.4.

Regional Commercial. The primary purpose of areas designated "Regional Commercial" on the General Plan land use map is to provide areas for large-scale retail commercial

- d. Design new residential development with identifiable neighborhood units, with neighborhood shopping facilities, parks and recreational facilities, and schools provided as an integral component of neighborhood design.
- *Streets.* Street design should route through traffic around, rather than through new neighborhoods. Neighborhood streets should be quiet, safe, and amenable to bicycle and pedestrian use. Within new subdivisions, single-family residences should be fronted on short local streets, which should, in turn, feed onto local collectors, and then onto master planned roadways.
 - *Schools, Parks, and Recreation Areas.* Elementary schools, as well as parks and recreational areas should be contained as near the center of the neighborhood they are as is feasible.
 - *Neighborhood Commercial Areas.* Neighborhood commercial centers should be located at the periphery of residential neighborhoods, and be designed such that residents can gain vehicular, bicycle, and pedestrian access to the centers directly from the neighborhood.
 - *Connections.* Individual neighborhoods should be provided with pathways and open spaces connecting residences to school and recreational facilities, thereby facilitating pedestrian and bicycle access.
 - *Neighborhood Character.* Residential neighborhoods should be designed to maintain a distinct character through the use of neighborhood signage, streetscapes, architectural styles and variations, natural topographic variations, and landscape buffers.
- e. Provide recognizable variations in front and side yard setbacks within single-family residential neighborhoods.
- f. To reduce architectural massing, orient the shortest and lowest side of a corner residential dwelling unit toward the side street.
- g. Within multi-family and small lot single-family developments, cluster residential buildings around open space and/or recreational features.
- h. In higher density project with tuck-under parking and/or opposing garages, avoid the monotony of long parking corridors by turning individual units and/or staggering and landscaping parking areas.
- i. Provide each unit of a multi-family development project with some unique elements to create a sense of place and identity.
- Individual units within a project should be distinguishable from each other, and should have separate entrances and entry paths, where feasible.
 - The common space of each cluster of dwelling units should be designed to provide differences in size, dimensions, grading, and site furniture.
 - Every dwelling unit shall be provided with a usable private garden area, yard, patio, or balcony.

4.4.3 Commercial Land Uses

4.4.3.1 Commercial Land Use Objective.

Provide conveniently located, efficient, and attractive commercial areas to serve regional, community, and neighborhood functions and meet the retail and commercial needs of Antioch residents and businesses.

4.4.3.2 Commercial Land Use Policies.

The following policies apply to land designated for commercial uses on the General Plan land use map and by Focus Area policies.

- a. Design commercial and office developments in such a manner as to complement and not conflict with adjacent residential uses, and provide these developments with safe and easy vehicular, pedestrian, and bicycle access.

- b. Orient commercial development toward pedestrian use.
 - Commercial buildings should provide a central place of main focus.
 - Buildings should be designed and sited so as to present a human-scale environment, including identifiable pedestrian spaces, seating areas and courtyards.
 - Uses within pedestrian spaces should contribute to a varied and lively streetscape.
 - Buildings facing pedestrian ways and plazas should incorporate design features that provide visual interest at the street level.
- c. Building setbacks along major streets should be varied to create plaza-like areas, which attract pedestrians whenever possible.
- d. Provide for reciprocal access, where feasible, between commercial and office parcels along commercial corridors to minimize the number of drive entries, reduce traffic along commercial boulevards, and provide an orderly streetscape.
- e. Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

4.4.4 Employment - Generating Land Uses

4.4.4.1 Employment-Generating Land Use Objective. Provide a mix of employment-generating uses supporting a sound and diversified economic base and ample employment opportunities for the citizens of Antioch through a well-defined pattern of manufacturing, warehousing and distribution, professional services, and office-based uses.

4.4.4.2 Employment-Generating Land Use Policies. The following policies apply to land designated for commercial uses on the

General Plan land use map and by Focus Area policies.

- a. Focus the use of employment-generating lands on high value and high employment-generating uses (e.g., office environments, manufacturing and assembly).
- b. Provide for an appropriate mix of uses within employment-generating lands, including commercial and commercial service uses.
- c. Take advantage of existing rail facilities within the community by permitting the development of rail-served industrial uses.
- d. Ensure appropriate separation and buffering of manufacturing and industrial uses from residential land uses.
- e. All manufacturing and industrial uses shall be adequately screened to reduce glare, noise, dust, and vibrations.
- f. Office uses shall comply with the design policies set forth for commercial uses landscape (see Community Image and Design Element).
- g. Business park and office environments should blend well-designed and functional buildings with landscape (see Community Design Image and Element).

4.4.5 Community and Public Land Uses

4.4.5.1 Community and Public Land Use Objective. Maintain an adequate inventory of lands for the conduct of public, quasi-public, and institutional activities, including protection of areas needed for future public, quasi-public, and institutional facilities.

4.4.5.2 Community and Public Land Use Policies. The following policies apply to land designated for commercial uses on the General Plan land use map and by Focus Area policies.

The development and design of public office developments should comply with the General Plan provisions for commercial and office development.

coordinated to create an overall sign theme for the project.

- h. Adequate lighting shall be required to provide adequate lighting for the security and safety of on-site parking, loading, shipping and receiving, and pedestrian and working areas.

5.4.11 Infill Development

- a. Unless the specific purpose is to change the visual appearance of an area due to its outdated or deteriorated character:
 - The scale of proposed infill development should not overpower neighboring developments.
 - The perceived intensity and character of infill buildings should be similar to that of the existing neighborhood.
 - Infill development should appear to be an integral part of the intended character of the neighborhood.
- b. Where single family residences dominate the existing street scene, infill development should feature single family elements along the street, with additional density behind.
- c. Setbacks for infill development should respect existing street setbacks.
- d. By using variations in building height, roof lines, façade articulation, grade definition, the overall perceived mass of proposed infill projects can be effectively reduced to be compatible with existing development. Other techniques to provide appropriate scale relationships include:
 - Vary building setbacks and massing of large structures along major streets to provide visual interest.
 - Detail multi-story buildings so as to reduce their vertical appearance.
 - Provide a greater level of architectural detailing at the ground level than at upper levels.

5.4.12 Development Transitions and Buffering Policies¹

- a. Minimize the number and extent of locations where non-residential land use designations abut residential land use designations. Where such land use relationships cannot be avoided, strive to use roadways to separate the residential and non-residential uses².
- b. Ensure that the design of new development proposed along a boundary between residential and non-residential uses provides sufficient protection and buffering for the residential use, while maintaining the development feasibility of the non-residential use. The burden to provide buffers and transitions to achieve compatibility should generally be on the second use to be developed. Where there is bare ground to start from, both uses should participate in providing buffers along the boundary between them.
- c. Provide appropriate buffering to separate residential and non-residential uses, using one or more of the following techniques as appropriate.
 - Increase setbacks along roadways and common property lines between residential/non-residential uses.
 - Provide a heavily landscaped screen along the roadway or common property line separating residential and non-residential use.
 - Locate noise-generating activities such as parking areas; loading docks; and service, outdoor storage, and trash collection areas as far from residential uses as possible.

¹ These policies are focused on protecting existing and planned residential uses from the effects of adjacent land uses. Policies to provide similar buffers between existing and proposed developments and existing open space and agricultural areas are set forth in Section 10.5 of the Resource Management Element.

² It is recognized that residential and non-residential properties will sometimes abut along a common property line (such as between neighborhood shopping centers and adjacent neighborhoods).

- Where a multifamily residential use is located adjacent along a common property line with a non-residential use, locate the noise-generating activities of both uses (e.g., parking areas; loading docks; and service, outdoor storage, and trash collection areas) along the common property line.
 - Design the residential area with cul-de-sacs running perpendicular to and ending at the non-residential use, facilitating greater separation of residential and non-residential structures than would be possible if residential streets ran parallel to the boundary of the non-residential use.
- d. Where a difference in residential density is indicated on the General Plan land use map, the size of parcels and character of development facing each other across a street or along a common property line should be similar, creating a transition between the densities in each area.
- e. Where multi-family development is located adjacent to a single-family neighborhood, appropriate buffering is to be provided.
- Increase setbacks for multi-family development along common property lines with single family development.
 - Provide a heavy landscaped screen along the property line of the multi-family use.
 - Locate noise-generating activities such as parking and trash collection areas as far from the single family neighborhood area as possible.
- f. The transition from lower to higher residential density should occur within the higher density area.
- g. Uninterrupted fences and walls are to be avoided, unless they are needed for a specific screening, safety, or sound attenuation purpose.
- h. Where they are needed, fences or walls should relate to both the site being developed and surrounding developments, open spaces, streets, and pedestrian ways.
- i. Fencing and walls should respect existing view corridors to the greatest extent possible.
- j. Fencing and walls should incorporate landscape elements or changes in materials, color, or texture in order to prevent graffiti, undue glare, heat, or reflecting, or aesthetic inconsistencies.

5.4.13 Signs

- a. Prohibit offsite signs¹, except for offsite signs identifying subdivisions and signs along freeways for the purpose of providing motorists with advanced notice of services available at an upcoming freeway interchange.
- b. Encourage theme-based signage integrated with building designs within multi-tenant commercial and office developments.
- c. Limit the size of signs to that necessary to adequately provide identification and direction.
- d. Users of freeway advanced identification signs are limited to those types of business providing services to the motoring public (i.e. hotels/motels, restaurants, vehicle service). Information provided on the sign should be limited to company names and/or logos only.
- e. Although the City may establish detailed guidelines for the design of freeway advanced identification signs, each sign should be individually designed to be compatible with its own unique setting.
- f. Onsite signs (those which identify uses and businesses that are located on the same site) are to be permitted for the sole purpose of identifying businesses located on the same site as the sign. Such signs are to be designed to communicate

¹ Off-site signs are those identifying uses and businesses at a location different from that of the sign, and signs advertising products or services on a commercial basis that are not available at the same location.



5. HOUSING POLICY PROGRAM

Responsible Agency: City of Antioch CDBG & Housing Programs

Implementation Schedule: Ongoing as funding allows, pursuant to NSP requirements

Non-Quantified Objective: Implementation of the Neighborhood Stabilization Program

Funding Source: NSP, CDBG, ADA

1.1.10 Foreclosure Counseling and Prevention: Continue and expand partnerships between various governmental, public service and private agencies and advocacy organizations to provide ongoing foreclosure counseling services, workshops and written materials to aid in the prevention of foreclosures. The City will continue to provide information about foreclosure resources on the City website and at City Hall. The City will also continue to refer persons at-risk of foreclosure to public and private agencies that provide foreclosure counseling and prevention services. In addition, the City will provide homebuyer pre-purchase counseling through the First Time Homebuyer program in conjunction with the NSP activities in Program 1.1.9 to educate homebuyers and prevent foreclosures in the future.

Responsible Agency: City of Antioch CDBG & Housing Programs

Implementation Schedule: Ongoing

Non-Quantified Objective: Foreclosure counseling and foreclosure prevention

Funding Source: CDBG, ADA

Goal 2

Facilitate the development of a broad array of housing types to accommodate a diversity of new Antioch citizens in terms of age and socioeconomic background.

Policy 2.1

Provide adequate residential sites for the production of new for-sale and rental residential units for existing and future residents.

Implementing Programs

2.1.1 Inventories: Using the City's GIS database, maintain an ongoing identification of sites planned and zoned for residential development for which development projects have yet to be approved. This database shall also have the ability to



5. HOUSING POLICY PROGRAM

identify sites that have the potential for development into emergency shelters, farm worker housing, or mixed use areas.

Responsible Agency: Community Development Department (GIS staff)

Implementation Schedule: Ongoing following adoption of the Housing Element

Non-Quantified Objective: Maintenance of an inventory of available sites for use in discussions with potential developers and evaluating the City's ability to meet projected future housing needs.

Funding Source: General Fund, ADA

- 2.1.2 Adequate Sites for Housing:** The City has a remaining lower-income growth need of 1,784 dwelling units (including a shortfall of 1,380 units from the 1996-2005 Housing Element planning period) based on the analysis conducted in Appendix B of this Housing Element. To accommodate the remaining lower-income growth need, the City shall rezone a minimum of 59.47 acres to permit by-right single and multi-family, rental and ownership residential development at a minimum net density of 30 du/ac. Of the rezoned land, a minimum of 18.07 acres will permit exclusively by-right residential use to ensure a minimum of 50 percent of the City's lower-income need is accommodated on sites designated for exclusive residential use. The rezoned land shall accommodate the remaining lower-income housing need on sites with densities and development standards that permit at a minimum 16 units per site. The City will ensure that zoning and development standards for the candidate sites within the proposed new multi-family zones encourage and facilitate the development of housing, particularly affordable to lower-income households. Candidate sites identified for rezoning are listed in Table B-4 of this Housing Element.

The City understands that large sites have additional considerations when providing housing affordable to lower-income households, including the availability of State and federal resources for larger developments. For larger sites identified to accommodate the City's remaining lower-income need, the City will encourage and facilitate development of housing for lower-income households through specific plan development, further lot subdivision and/or other methods.

Responsible Agency: Community Development Department (Planning Division)

Implementation Schedule: June 2011

Non-quantified Objective: Rezone a minimum of 59.47 acres to permit a minimum density of 30 du/ac.



5. HOUSING POLICY PROGRAM

Funding Source: General Fund

- 2.1.3 Meet with Potential Developers:** Meet with prospective developers as requested, both for profit and non-profit, on the City of Antioch's residential development allocation (growth management), development review, and design review processes, focusing on City requirements and expectations. Discussion will provide ways in which the City's review processes could be streamlined without compromising protecting the public health and welfare, and funding assistance available in the event the project will meet affordable housing goals.

Responsible Agency: Community Development Department, City Manager

Implementation Schedule: Ongoing meetings as requested

Non-Quantified Objective: To facilitate the development review process by ensuring a clear understanding on the part of developers as to City expectations for their projects and timeline. Discussion is also anticipated to function as a feedback loop, and assist the City in minimizing the costs of the development review process to new residential development.

Funding Source: General Fund

- 2.1.4 Executive Housing:** Facilitate the development of housing appropriate for executives of businesses seeking to expand within or relocate to Antioch to meet the need for providing above-moderate income housing. Where appropriate, provide requirements in outlying focus areas for the development of executive and upper end housing with appropriate amenities.

Responsible Agency: Community Development Department, City Manager.

Implementation Schedule: Ongoing, project-based

Non-Quantified Objective: To facilitate the development of needed above moderate-income housing.

Funding Source: General Fund.

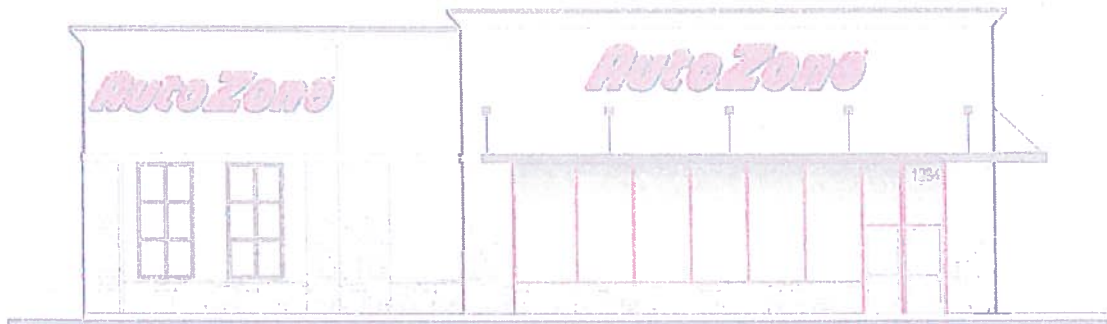
Policy 2.2

Facilitate the development of new housing for all economic segments of the community, including lower income, moderate-, and above moderate-income households.

ATTACHMENT "E"

TRAFFIC IMPACT STUDY – FINAL REPORT

AUTOZONE ANTIOCH, CA



3 October 2013

Prepared for:

PMC and
City of Antioch, CA

Prepared by:



Kimley-Horn
and Associates, Inc.

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INTRODUCTION

Kimley-Horn and Associates, Inc. was retained by PMC to prepare a traffic study for the proposed AutoZone in Antioch, CA. The proposed 7,928 square foot AutoZone is to be constructed in the vacant lot located on the northeast corner of the intersection of Lone Tree Way and Fairside Way. **Figure 1** illustrates the location of the project site in relation to the City of Antioch.

This traffic study was prepared based on discussions with, and criteria set forth by, the City of Antioch and Contra Costa Transportation Authority (CCTA). This study addresses the traffic and transportation effects of the proposed auto parts store in order to assist the project applicant and the City in project planning and determining conditions of approval for the project.

Study Methodology

Development Conditions

The AutoZone traffic study was based on the following development conditions:

- Existing (2013) conditions – Based on current traffic counts in 2013 and existing roadway geometry and traffic control.
- Existing (2013) Plus Project conditions – Based on current traffic counts and existing roadway geometry and traffic control, plus the traffic generated by the AutoZone project.

Operating Conditions and Criteria

Analysis of project effects at intersections is based on the concept of Level of Service (LOS). The LOS of an intersection is a qualitative measure used to describe operational conditions. LOS ranges from A (best), which represents minimal delay, to F (worst), which represents heavy delay and a facility that is operating at or near its functional capacity. Levels of Service for this study were determined using methods defined in the *Highway Capacity Manual, 2000* (HCM) and appropriate traffic analysis software.

The HCM included procedures for analyzing side-street stop-controlled (SSSC), all-way stop-controlled (AWSC), and signalized intersections. The SSSC procedure defines LOS as a function of average control delay for each minor street approach movement. Conversely, the AWSC and signalized intersection procedures define LOS as a function of average control delay for the intersection as a whole. **Table 1** relates the operational characteristics associated with each LOS category for signalized and unsignalized intersections.

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Table 1 – Intersection Level of Service Definitions

Level of Service	Description	Signalized (Avg. control delay per vehicle sec/veh.)	Unsignalized (Avg. control delay per vehicle sec/veh.)
A	Free flow with no delays. Users are virtually unaffected by others in the traffic stream	≤ 10	≤ 10
B	Stable traffic. Traffic flows smoothly with few delays.	$> 10 - 20$	$> 10 - 15$
C	Stable flow but the operation of individual users becomes affected by other vehicles. Modest delays.	$> 20 - 35$	$> 15 - 25$
D	Approaching unstable flow. Operation of individual users becomes significantly affected by other vehicles. Delays may be more than one cycle during peak hours.	$> 35 - 55$	$> 25 - 35$
E	Unstable flow with operating conditions at or near the capacity level. Long delays and vehicle queuing.	$> 55 - 80$	$> 35 - 50$
F	Forced or breakdown flow that causes reduced capacity. Stop and go traffic conditions. Excessive long delays and vehicle queuing.	> 80	> 50
Sources: Transportation Research Board, <i>Highway Capacity Manual 2000</i> , National Research Council, 2000 and Transportation Research Board, <i>Highway Capacity Manual 2010</i> , National Research Council, 2010			

According to the CCTA requirements, Lone Tree Way is classified as a route of regional significance. Routes of regional significance are governed by the CCTA Technical Procedures, which has a level of service requirement of LOS D or better. These requirements would apply to the two study intersections on Lone Tree Way.

For study intersections in the City of Antioch and not associated with routes of regional significance, the City has a level of service requirement of LOS "High D" or better.

Project impacts are determined by comparing conditions with the proposed project to those without the proposed project. Significant impacts for intersections are created when traffic from the proposed project causes the LOS to fall below a specific threshold. Mitigation may be required when traffic from the project causes the intersection to operate below acceptable levels of traffic operation.

The effects of vehicle queuing were also analyzed and the 95th percentile queue is reported for all study intersections. The 95th percentile queue length represents a condition where 95 percent of the time during the peak period, traffic volumes and related queuing will be at, or less, than the queue length determined by the analysis. This is referred to as the "95th percentile queue." Average queuing is generally less.

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Queuing is considered a potentially significant impact since queues that exceed the turn pocket length can create potentially hazardous conditions by blocking or disrupting through traffic in adjacent travel lanes. However, these potentially hazardous queues are generally associated with left-turn movements. Locations where the right turn pocket storage is exceeded are not considered potentially hazardous because the right turn movement may go at the same time as the through movement and the additional vehicles that spill out over the turn pocket will not be hindering or disrupting the adjacent through traffic as would be the case in most left turn pockets. Thus, for purposes of this analysis, a queuing impact was considered to occur under conditions where project traffic causes the queue in a left turn pocket to extend beyond the turn pocket by 25 feet or more (i.e., the length of one vehicle) into adjacent traffic lanes that operate (i.e., move) separately from the left turn lane. Where the vehicle queue already exceeds that turn pocket length under pre-project conditions, a project impact would occur if project traffic lengthens the queue by 25 feet or more.

Study Intersections Included in Analysis

The proposed project will generate new vehicular trips that will increase traffic volumes on the nearby street network. To assess changes in traffic conditions associated with the project, the following intersections, illustrated in **Figure 1**, were selected for evaluation in this traffic study:

1. Lone Tree Way/Fairside Way
2. Fairside Way/North Project Driveway
3. Lone Tree Way /East Project Driveway

EXISTING (2013) CONDITIONS

Existing Site Uses

The AutoZone is proposed to be built on the vacant lot on the northeast corner of the intersection of Lone Tree Way and Fairside Way.

Existing Uses in Vicinity of Site

The project site is surrounded by residential homes to the west, on the opposite side of Fairside Way, as well as to the north and east. To the south, on the opposite side of Lone Tree Way is Lone Tree Plaza, which includes a gas station, retail, and restaurant uses. Deer Valley High School is about one mile to the west of the project site.

Existing Roadway Network

Below is a description of the principal roadways included in this study.

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Fairside Way

Fairside Way is currently a two-lane undivided local street, with sidewalks and parking for a majority of the roadway. As Fairside Way nears Lone Tree Way, there is an existing raised median separating the northbound and southbound travel lanes. Fairside Way provides access to residential homes from Vista Grande Drive in the west to Lone Tree Way in the east, near the proposed project site. The speed limit on Fairside Way is not posted.

Heidorn Ranch Road

Heidorn Ranch Road is currently a four-lane divided roadway with a landscaped median, left turn lanes, and restricted parking from Lone Tree Way to the EBMUD aqueduct. North of Lone Tree Way Heidorn Ranch Road is currently a two-lane roadway. The speed limit on Heidorn Ranch Road is 45 mph south of Lone Tree Way.

Lone Tree Way

Lone Tree Way is an arterial roadway that joins Antioch with the City of Brentwood. Through the project study area, Lone Tree Way is a six-lane divided roadway with a landscaped median, left turn bays, and restricted parking. The speed limit on Lone Tree Way is posted at 45 mph in the study area.

Existing Site Access

There are currently no driveways for access to the existing vacant lot as shown in Figure 2.

Existing (2013) Lane Configurations and Traffic Control

Existing intersection lane configurations and traffic controls are illustrated in Figure 3. Traffic signals in the study area are located only at the intersection of Lone Tree Way and Fairside Way. The two proposed project driveways will be controlled by stop signs on the driveway approaches. It should be noted that the two proposed project driveways do not exist as current intersections and were therefore not analyzed in the without project condition.

Existing (2013) Peak Hour Turning Movement Volumes

Weekday intersection turning movement volumes were collected at project study area intersections in July 2013. Volumes were collected during the AM (7:00 AM to 9:00 AM) and PM (4:00 PM to 6:00 PM) peak periods of the weekday. However, since the volumes were collected in July, when school is off for summer vacation, the volumes were compared to seasonal information. After comparing volumes on State Route 4 throughout the year, it was determined that a typical July volume is significantly lower than the annual average. Therefore, volumes collected in March 2013 were used. These volumes were collected during the weekday when school was in session and not near any major holidays.

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AM and PM peak one-hour volumes are shown in **Figure 4**. Traffic volume data sheets are shown in the **Appendix**.

Existing Transit Facilities

Tri-Delta Transit provides bus service in Antioch. Routes 380, 383, and 385 pass directly adjacent to the project site, connect to the Hillcrest park-and-ride and the Bay Point BART station in Pittsburg, and provide convenient connections to many locations in the City and connections to other local and regional transit routes.

Route 380 operates between the Pittsburg/Bay Point BART Station to the Tri Delta Transit station. Near the project site, route 380 runs along Lone Tree Way. This route operates on weekdays from 3:15 AM to 11:30 PM on a frequency of 10-minute to 120-minute headways. There exists a transit stop along westbound Lone Tree Way, just east of the project site. This transit stop has a bus shelter. There also exists a bus turnout, so when a bus arrives, it does not block any of the travel lanes. There exists another transit stop along eastbound Lone Tree Way, just east of the project site. This transit stop has a bus shelter. There is no bus turnout, so when a bus arrives, it temporarily blocks the right turn lane into Lone Tree Plaza.

Route 383 operates between the Antioch Park and Ride along Hillcrest to the Delta Vista Middle School. Near the project site, route 383 runs along Lone Tree Way. This route operates on weekdays from 6 AM to 5:20 PM on a frequency of 45-minute to 145-minute headways.

Route 385 operates between the Antioch Park and Ride along Hillcrest to the Brentwood Park and Ride. Near the project site, route 385 runs along Lone Tree Way. This route operates on weekdays from 6:15 AM to 8:15 PM on a frequency of 24-minute to 135-minute headways.

Route 383 and Route 385 use the same transit stops along westbound Lone Tree Way and eastbound Lone Tree Way as Route 380.

Existing Bicycle and Pedestrian Facilities

Sidewalks provide walking facilities between the AutoZone store, nearby transit stops, and the adjacent residential and commercial land uses. Throughout the study area there are paved sidewalks present along Lone Tree Way, Fairside Way, and Heidorn Ranch Road. Adjacent to the proposed site, there are existing sidewalk facilities along Lone Tree Way and Fairside Way.

A Class I paved bike trail is present north of Lone Tree Way and runs parallel to Fairside Way. There are no Class II bike lanes directly adjacent to the project site.

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There are Class II bike located nearby on Heidorn Ranch Road, Canada Valley Road, Hillcrest Avenue, Vista Grande Drive, and Country Hills Drive.

Existing (2013) Levels of Service at Study Intersections

Traffic operations were evaluated at the study intersections under existing traffic conditions.

Results of the analysis are presented in **Table 2**, along with the minimum jurisdictional standard for acceptable levels of service (as previously described in Operating Conditions and Criteria). Additional detail of the analysis is provided in the **Appendix**.

All the study intersections satisfy operational standards of LOS D or better.

Table 2 – Existing (2013) Level of Service Summary

#	Intersection	LOS Criteria	Intersection Control ¹	Existing (2013)			
				AM Peak		PM Peak	
				LOS	Delay	LOS	Delay
1	Lone Tree Way / Fairside Way	D	Signal	A	9.2	A	9.5
2	Future Project Intersection <i>Worst Approach</i>	D	SSSC				
3	Future Project Intersection <i>Worst Approach</i>	D	SSSC				

¹ Each study intersection is controlled by either a traffic signal or side-street stop-controlled (SSSC).

Note: Intersections that are operating below acceptable levels are shown in **BOLD**.

AUTOZONE PROJECT

Proposed Site Uses

As noted previously, the proposed AutoZone store will be constructed in the vacant lot on the northeast corner of the intersection of Lone Tree Way and Fairside Way. The proposed store will be a 7,928 square foot automobile parts sales store.

Project Trip Generation

Trip generation for development projects is typically calculated based on rates contained in the Institute of Transportation Engineer's publication, *Trip Generation 9th Edition*¹. *Trip Generation* is a standard reference used by jurisdictions throughout the country for the estimation of trip generation potential of proposed developments.

¹ *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012.

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A trip is defined in *Trip Generation* as a single or one-directional vehicle movement with either the origin or destination at the project site. In other words, a trip can be either “to” or “from” the site. In addition, a single customer visit to a site is counted as two trips (i.e., one to and one from the site).

For purposes of determining the worst-case impacts of traffic on the surrounding street network, the trips generated by a proposed development are typically estimated between the hours of 7:00-9:00 AM and 4:00-6:00 PM. While the project itself may generate more traffic during some other time of the day such as around noon, the peak of “adjacent street traffic” represents the time period when the uses generally contribute to the greatest amount of congestion, with the PM peak commonly being the greatest congestion period. For this reason, this evaluation focused on the weekday AM and PM peaks. This methodology is in harmony with the City’s standard for the preparation of traffic impact studies.

The proposed AutoZone store is most appropriately classified as an Automobile Parts Sales (ITE Land Use 843).

Internal Capture

Internal capture reductions were considered, but since the project site will only be used for the AutoZone store and no other land uses, no internal capture reductions were taken.

Project Trip Pass-By

The AutoZone store will create a specific number of vehicle trips; nevertheless, many of the trips will already be on the road and will likely stop as they pass by the site. Some vehicles are likely to stop as they pass by the store as a matter of convenience on their path to another destination. These are not new vehicle trips but are considered to be pass-by trips. Pass-by trips were calculated based on data published in ITE’s *Trip Generation Handbook, 2nd Edition*² which includes weekday AM and PM information. To be consistent with the trip generation assumptions noted earlier, weekday PM pass-by reductions were based on Automobile Parts Sales (Land Use 843) for the proposed AutoZone store. The following pass-by rates were used in the analysis:

- AM Pass-by Rate – 0% (Automobile Parts Sales)³
- PM Pass-by Rate – 43% (Automobile Parts Sales)

Trip generation was calculated based on the previous discussions and is reported in **Table 3**. Additional trip generation calculations are contained in the **Appendix**.

²*Trip Generation Handbook, 2nd Edition*, Institute of Transportation Engineers, June 2004.

³ ITE data not available for AM peak; therefore, pass-by was conservatively assumed to be 0%.

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Table 3 – AutoZone Trip Generation

TIME PERIOD	LAND USE	Trip Rate			Trips		
		In	Out	Total	In	Out	Total
AM Peak	Automobile Parts Sales (7.928 KSF)	1.13	1.08	2.21	9	9	18
	Automobile Parts Sales Pass-by (0%)				0	0	0
	Net New Vehicle Trips				9	9	18
PM Peak	Automobile Parts Sales (7.928 KSF)	2.93	3.05	5.98	23	24	47
	Automobile Parts Sales Pass-by (43%)				(10)	(10)	(20)
	Net New Vehicle Trips				13	14	27

As noted in **Table 3**, the project will generate approximately 18 new peak AM trips and approximately 27 new peak PM trips. (Additional driveway trips also occur as a result of pass-by trips.)

Project Trip Distribution and Assignment

Because of the nature of the development, most customers to the AutoZone store are expected to travel from nearby locations in Antioch and Brentwood, with additional trips originating in Pittsburg, Oakley and unincorporated Contra Costa County.

A project distribution was developed based on distributions prepared in previous traffic reports, existing traffic count information, and the general orientation of population sources to the site. **Figure 5** shows the traffic distribution assumed in this traffic report.

Based on the assumed trip distribution, new vehicle trips generated by the AutoZone store were assigned to the street network as shown in **Figure 6**. **Figure 7** shows the pass-by trips expected at the project driveways and **Figure 8** shows the total project vehicle trips.

C59

E12



EXISTING (2013) PLUS PROJECT LOS TRAFFIC CONDITIONS

Project traffic was added to the existing volumes at the study intersections and the volumes are shown in **Figure 9**. Traffic operations were evaluated under the Existing (2013) Plus Project Traffic Conditions. Results of the analysis are presented in **Table 4**. Additional detail is provided in the **Appendix**.

As shown in **Table 4**, all intersections function within acceptable standards due to the AutoZone project. All intersections operate at LOS B or better, which is below the LOS D threshold.

C60

E13



Table 4 – Existing (2013) Plus Project Level of Service Summary

#	Intersection	LOS Criteria	Intersection Control ¹	Existing (2013)				Existing (2013) + Project			
				AM Peak		PM Peak		AM Peak		PM Peak	
				LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
1	Lone Tree Way / Fairside Way	D	Signal	A	9.2	A	9.5	A	9.4	B	11.1
2	Fairside Way / North Project Driveway	D	SSSC								
	Worst Approach										
3	Lone Tree Way / East Project Driveway	D	SSSC								
	Worst Approach										

¹ Each study intersection is controlled by either a traffic signal or side-street stop-controlled (SSSC).

Note: Intersections that are operating below acceptable levels are shown in **BOLD**.

C61
E+4



VEHICLE QUEUING FOR ALL SCENARIOS

As congestion increases it is common for traffic at signals and stop signs to form lines of stopped (or queued) vehicles. Queue lengths were determined for each lane and measure the distance that vehicles will backup in each direction approaching an intersection. Synchro software calculates the queues based on HCM 2000 methodology. The 95th percentile queue is calculated by using 95th percentile traffic to account for fluctuations in traffic and represents a condition where 95 percent of the time during the peak period, traffic volumes and related queuing will be at, or less, than determined by the analysis and is used as the benchmark for impacts as a standard transportation engineering practice. Average queuing is generally less. Ninety-fifth percentile queuing was estimated under the various development conditions and in consideration of the planned intersection and signal timing improvements.⁴ A typical vehicle length of 25 feet is used in the queuing analysis. As stated in the Operating Conditions and Criteria, a significant impact was assumed to occur if the queue increases by one or more vehicles and the vehicle queue exceeds the turn pocket length. A summary of the queuing results is included in the **Appendix**. The results indicated instances where queuing in the dedicated turn lanes may exceed the storage limits of the turn pockets.

Since there are no locations where the queuing exceeds the existing turn pockets with and without the project, there are no significant queuing impacts.

POTENTIAL EFFECTS ON TRANSIT, BICYCLE, AND PEDESTRIAN MOBILITY

The project was evaluated to determine if it would likely conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks) or generate pedestrian, bicycle, or transit travel demand that would not be accommodated by transit, bicycle, or pedestrian facilities and plans.

Patrons to AutoZone have the option of driving, taking transit, walking or bicycling. For those taking transit, they can reach the site via Routes 380, 383, and 385 of the Tri-Delta Transit system.

For all transit routes, the nearest transit stop is along Lone Tree Way in the westbound direction, just east of the project. This stop can be accessed by the paved sidewalk along the north side of Lone Tree Way. Another transit stop exists on eastbound Lone Tree Way, just east of the project. This stop can be accessed by the crosswalk at the intersection of Lone Tree Way and Fairside Way and the paved sidewalk along the south side of Lone Tree Way.

⁴ Existing queuing was calibrated in the Synchro model based on existing signal timing parameters and field observations.

C62

E15



According to the 2010 U.S. Census⁵, 5.5% of Antioch residents use transit to travel to work. This typically represents the highest level of transit ridership during the day, with other periods being lower, such as when shoppers commonly travel to the store. If it is conservatively assumed that 5.5% of the customers associated with the AutoZone store will use transit during the peak hours of the day, it represents approximately one passenger in the weekday AM and two passengers in the weekday PM peak periods.

Data was not readily available for peak hour ridership levels on the Tri-Delta Transit system but during the weekday periods, the routes operate as often as every 20 minutes and observations indicate that sufficient capacity exists on the buses to accommodate the potential additional transit demand. Furthermore, dispersion of the project-generated riders to the bus routes would result in a minimal effect on transit capacity. Thus the project impact on transit service is determined to be less than significant.

There are adequate pedestrian walkways from the project site to the existing sidewalks on Lone Tree Way, Fairside Way, and Heidorn Ranch Road within the study area. Furthermore, pedestrians will be able to use the continuous sidewalk facilities within the neighborhoods and on streets adjacent to the AutoZone site. This will allow AutoZone patrons and employees to conveniently walk from nearby destinations or access transit services. Pedestrian crosswalks are present on approaches at signalized intersections near the project site.

Cyclists will be able to use the Class I paved bike trail north of Lone Tree Way to travel from residential neighborhoods to the east and west of the project site. Class II bicycle facilities (i.e., striped bike lanes) are also available on Hillcrest Avenue, Vista Grande Drive, Heidorn Ranch Road, and Canada Valley Road as well as several other streets outside the study area. This extensive bicycle network allows patrons and employees living within biking distance to travel to and from the project.

The City's Municipal Code requires one bicycle parking space for every 25 off-street vehicle parking spaces required. The bicycle rack should be fastened to the ground to help prevent theft of bicycles and to make it more secure. Bicyclists shall be able to secure both wheels and the frame of a bicycle with a six-foot cable and lock. Bicycle parking spaces should be located near the entrances to the store, but out of the travelled pathway.

There are adequate transit facilities adjacent to the project site with continuous sidewalks and ramps to the transit stop locations. Therefore the AutoZone's impact on transit, pedestrian, or bicycle facilities is determined to be less than significant.

⁵ American Factfinder, U.S. Census Bureau, 2010.

C63

EH6



SITE ACCESS AND CIRCULATION

On-site circulation was evaluated at the project's two driveways and within the project site. **Figure 2** shows the project site plan.

Each of the proposed project driveways are unsignalized and right-in/right-out only driveways. Along Lone Tree Way, there is a raised, landscaped median adjacent to the project driveway, restricting left turns in and left turns out. Along Fairside Way, there is also a raised, landscaped median adjacent to the project driveway, restricting left turns in and left turns out. Each driveway provides single ingress and egress access.

The proposed configuration of the site assumes that drivers exiting the AutoZone would have to make U-Turns to travel to destinations east of the store. For example, drivers exiting onto Lone Tree Way, that wish to get back to SR-4, would need to cut across multiple lanes of traffic to get into the westbound left turn lane at the Lone Tree Way/Fairside Way intersection. Given the short distance between the driveway and intersection, this could be a potentially hazardous maneuver especially if heavy traffic is present on Lone Tree Way. From the turn lane, drivers can make a U-Turn back towards SR-4.

Drivers that exit from the Fairside Way driveway would make a right turn out of the driveway, and then make a U-Turn around the adjacent center median to travel southbound to the Lone Tree Way/Fairside Way intersection. From there they can turn left back towards SR-4 or other easterly destinations. The street width in this area is sufficiently wide to allow full size passenger cars, SUVs, and light pick-up trucks to make the U-Turn but larger vehicles could not make the movement and may attempt to drive along Fairside Way which is undesirable.⁶ The U-Turn location is near a curve in Fairside Way but sufficient sight distance is available for the movement.⁷

Semi-trucks making deliveries to the store are proposed to enter the site from the Fairside driveway and exit onto Lone Tree Way. However, their wheelbases are too long to make U-Turns from Lone Tree Way back towards SR-4 without encroaching into other travel lanes or driving on the curb.⁸ As a result they may attempt to use Fairside Way to Vista Grande Drive as a more convenient route to return to the freeway. Trucks or non-neighborhood trips should be prevented from using this route to maintain the quality of life for residents living along Fairside Way.

To address the above access issues, it is recommended that the median on Fairside Way be modified to allow passenger vehicles and large trucks to make left turns directly

⁶ See **Figure 10** for U-Turn movement by passenger cars, SUV, and light pick-up trucks.

⁷ Stopping sight distance is 125 feet per Caltrans Highway Design Manual Table 201.1 assuming speed along the curve is 20 mph or less. Actual sight distance is 135 feet.

⁸ See **Figure 11** for U-Turn movement by large semi-truck. Similar turn constraints are present at other locations along Lone Tree Way.

C64

E17



from the driveway without having to make U-turns around the end of the median.⁹ The median opening should be configured to prevent southbound left turns from Fairside Way into the AutoZone driveway along with a NO LEFT TURN sign prohibiting the movement.¹⁰ Traffic volumes on this leg of Fairside Way are very low so relaxing the access control at this location is not expected to have any adverse effect on traffic safety or intersection operation.

A sign should also be posted at the Fairside driveway exit indicating trucks and non-local traffic are not permitted on Fairside Way north of the site. As an alternative, the exit should be signed to prohibit right turns from the site.

AutoZone should provide a map to truck drivers illustrating acceptable routes along major streets and that also indicates that truck traffic is not allowed on Fairside Way (north of the site). Truck deliveries should be limited to non-peak daytime hours to minimize disruption to other street traffic and nearby uses.

The proposed project throat depths at the site driveways are as follows:

- Lone Tree Way/South driveway entrance – 15 feet
- Fairside Way/West driveway entrance – 100 feet

Blocked parking aisles can generate on-site congestion and inhibit efficient parking lot circulation. An analysis of on-site queuing with the AutoZone indicates that vehicles are not expected to queue up beyond the depth of the driveway throats.

The AutoZone store is proposing 21 standard parking spaces and two accessible parking spaces. The City's Municipal Code does not have a specific category that applies to automobile parts sales. However, Section 9-5.1004 says that "where the use is not specified in the table the Zoning Administrator shall determine the probable equivalent use and the number of parking and loading spaces required. The use of ITE studies may be incorporated into the analysis."

Since a specific category for this use is not specified in the Code, data from the Institute of Transportation Engineers was consulted to determine the appropriate number of parking spaces the site should provide. According to ITE data for Automobile Part Sales (Land Use 843), the project on average would be expected to generate a peak parking demand of 17 parking spaces.¹¹ Therefore, the site is expected to have sufficient on-site parking. Parking calculations are included in the **Appendix**.

⁹ Modification of the median will also require elimination of some median landscaping to provide adequate operation and safety.

¹⁰ See **Figure 12** for a conceptual layout of the recommended median modification.

¹¹ *Parking Generation 4th Edition*, Institute of Transportation Engineers, 2010.

C65

E18

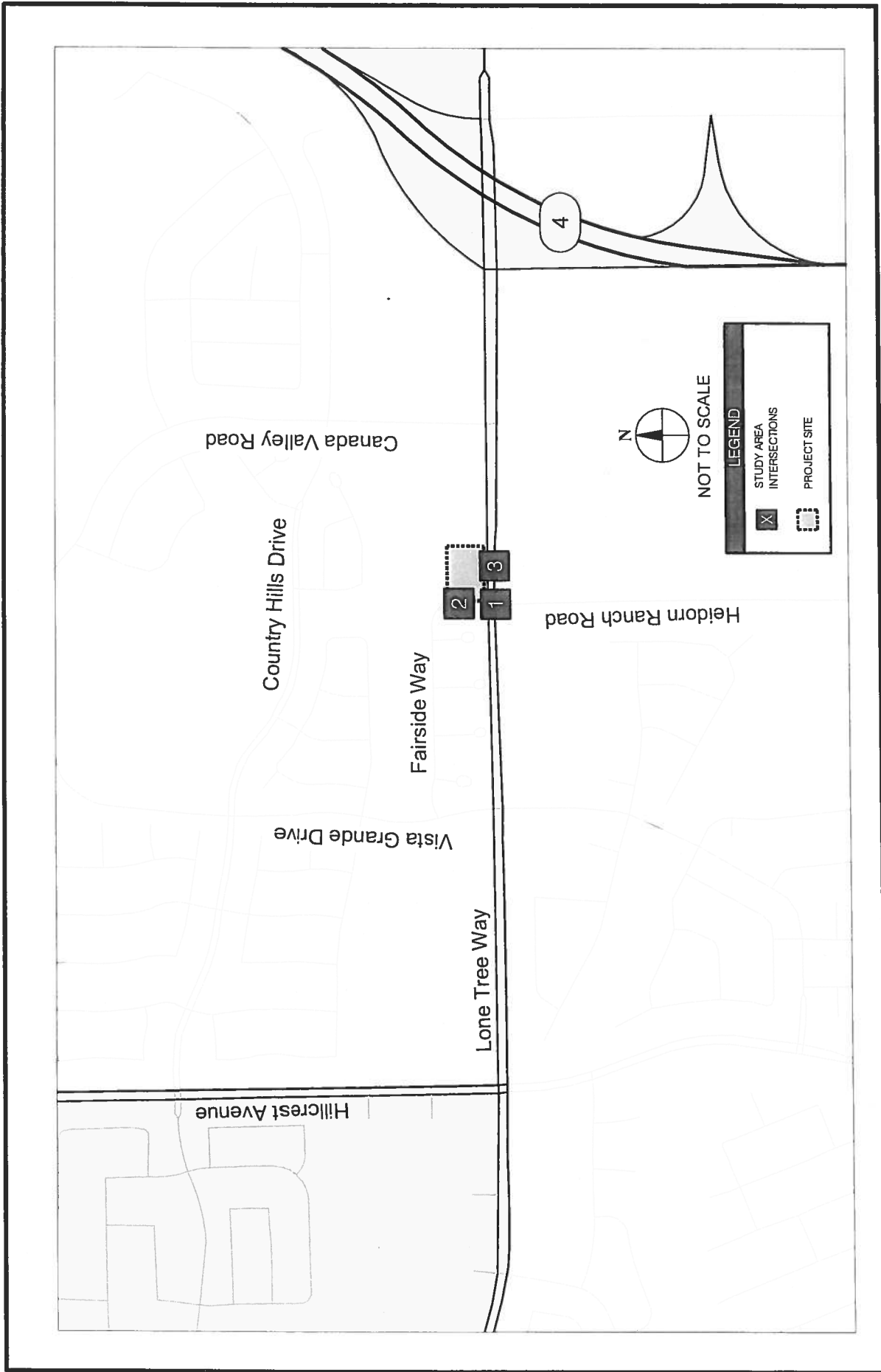


SUMMARY OF IMPACTS AND RECOMMENDED MITIGATION

Based on the results of the traffic analysis and evaluation of the proposed site plan, the project is not expected to have any significant impacts.

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EH9



C67 E20



FIGURE 1
PROJECT LOCATION AND STUDY INTERSECTIONS

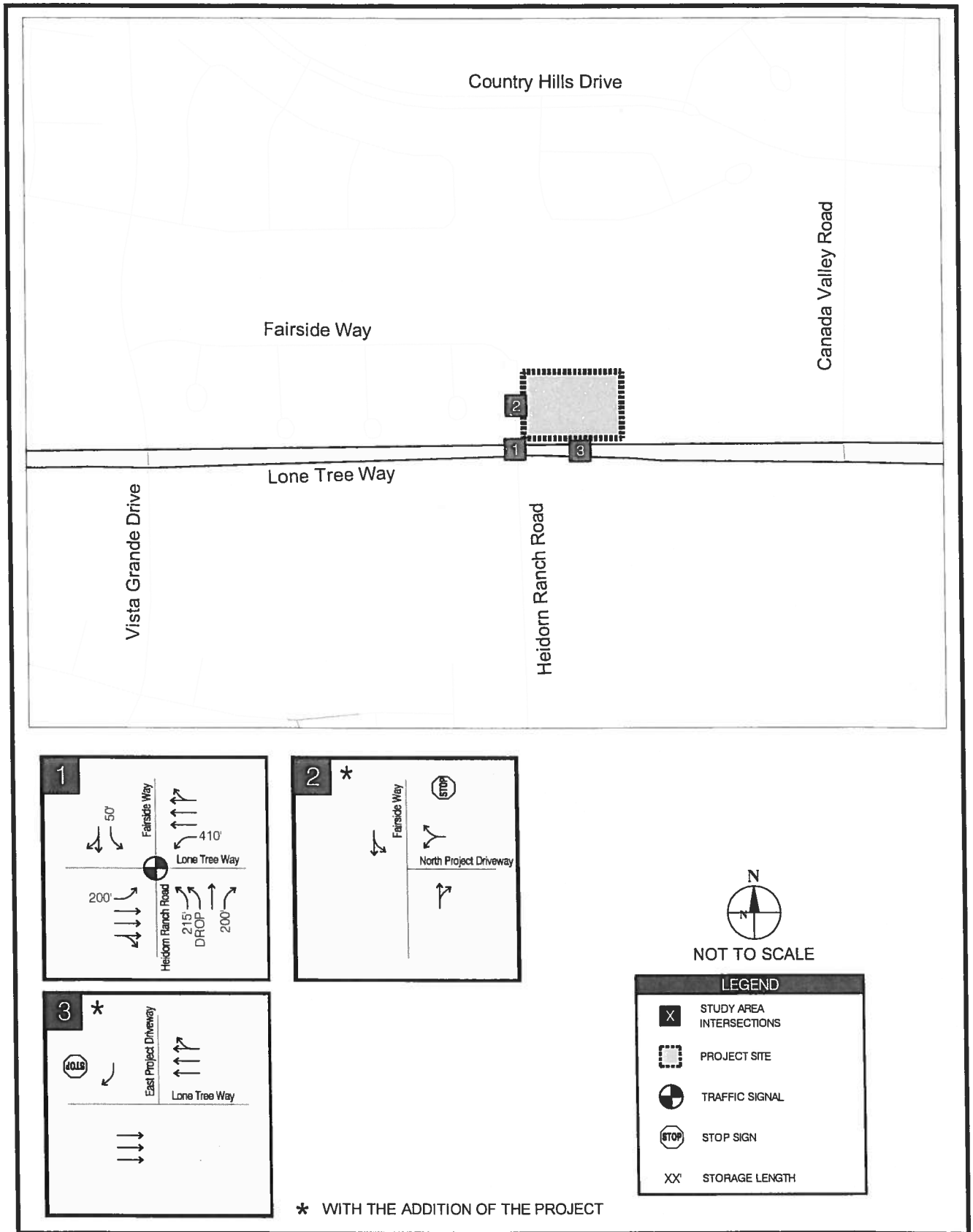


FIGURE 3
EXISTING (2013) CONDITION
LANE GEOMETRY AND TRAFFIC CONTROL

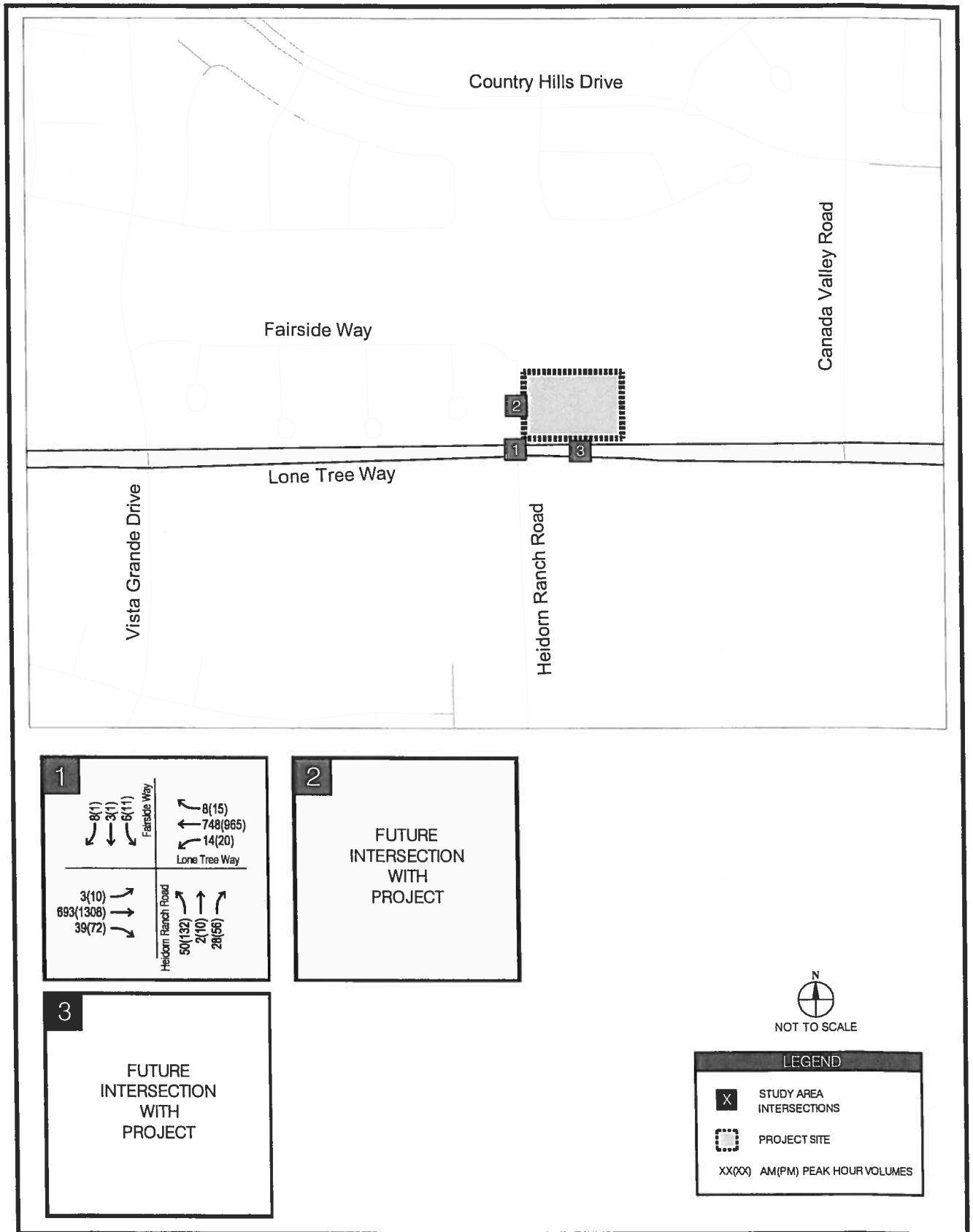


FIGURE 4
EXISTING (2013) CONDITION
PEAK HOUR TURNING MOVEMENT VOLUMES

C71 E24

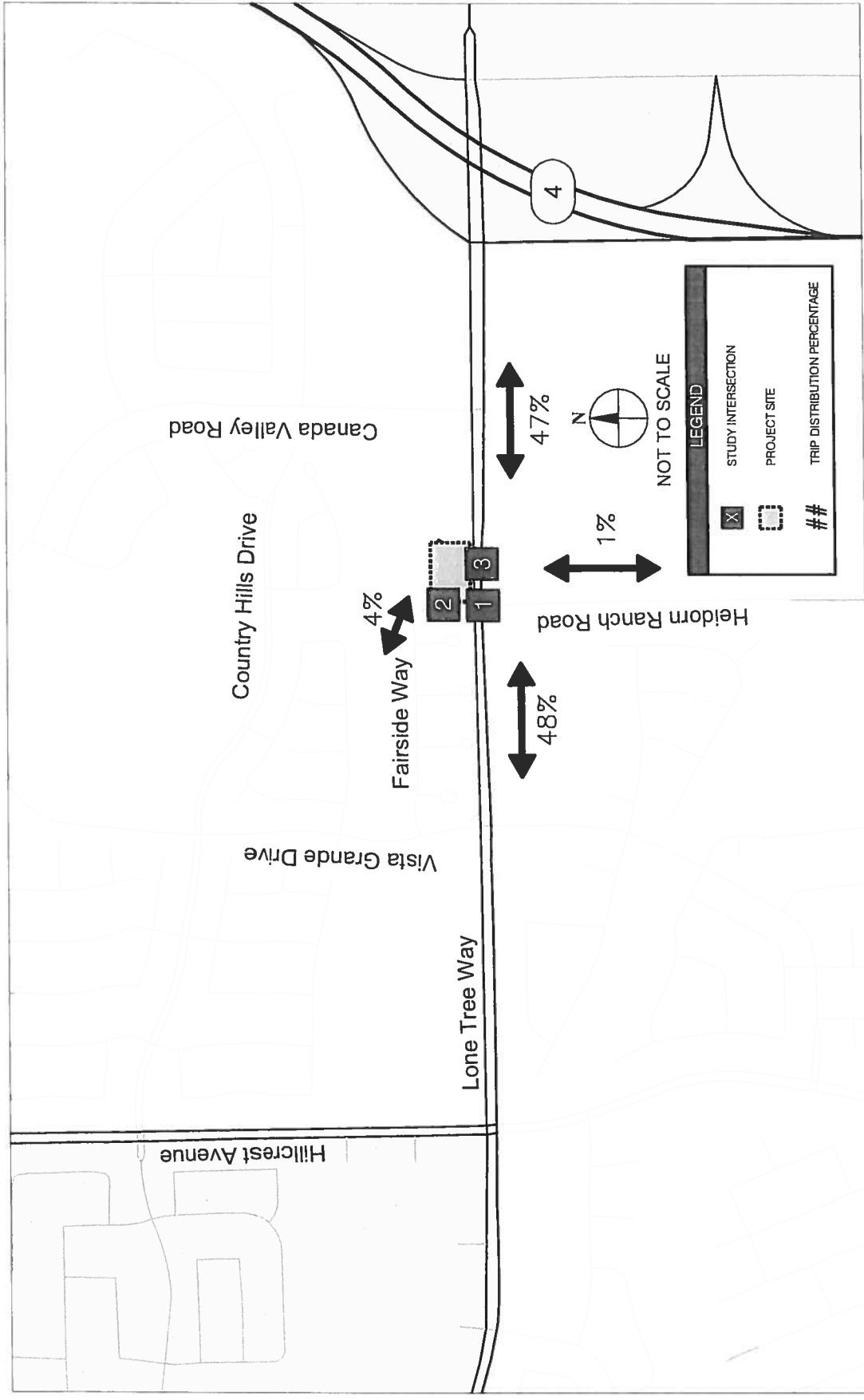
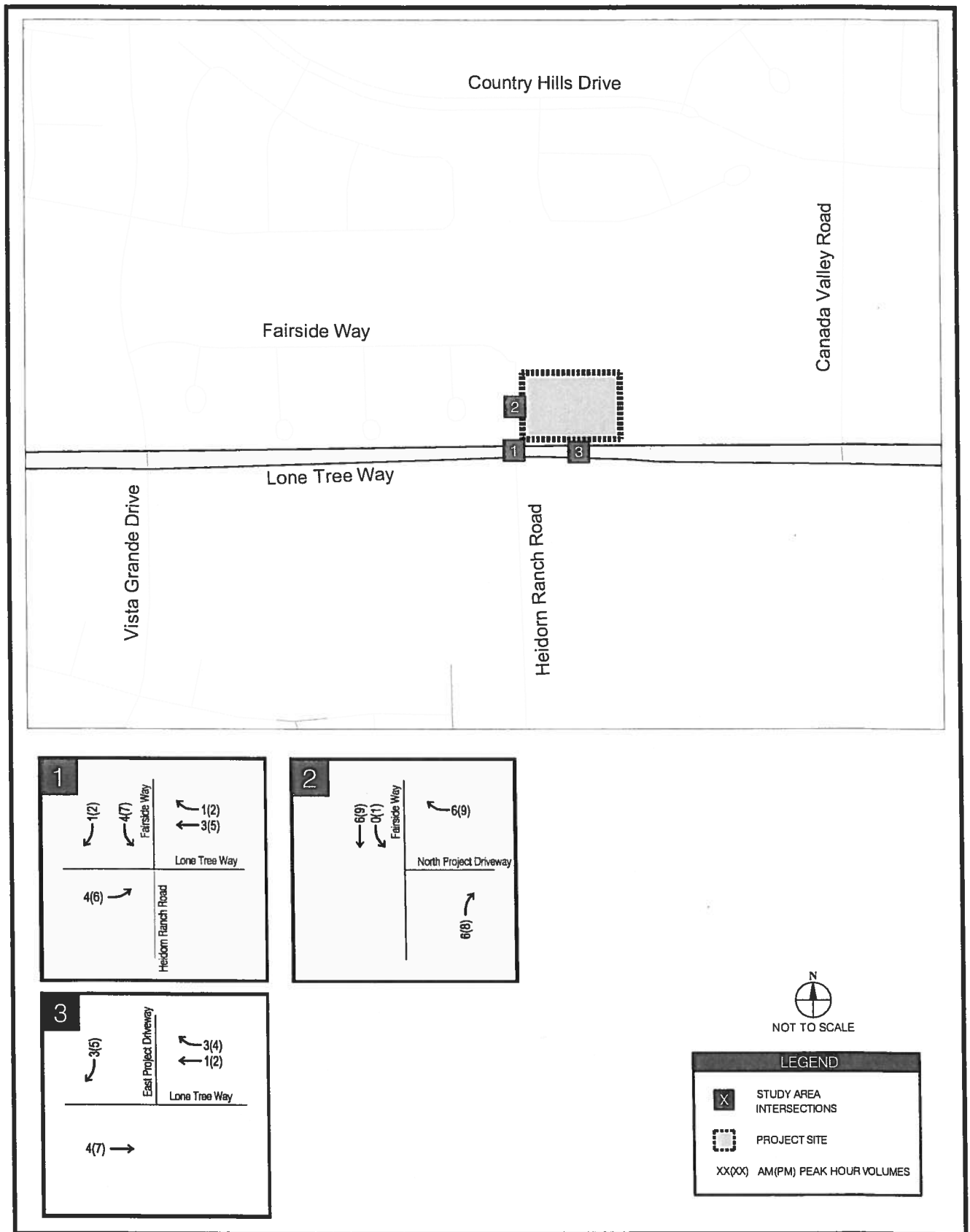


FIGURE 5
PROJECT TRIP DISTRIBUTION
 ANTIOCH AUTOZONE TRAFFIC IMPACT STUDY

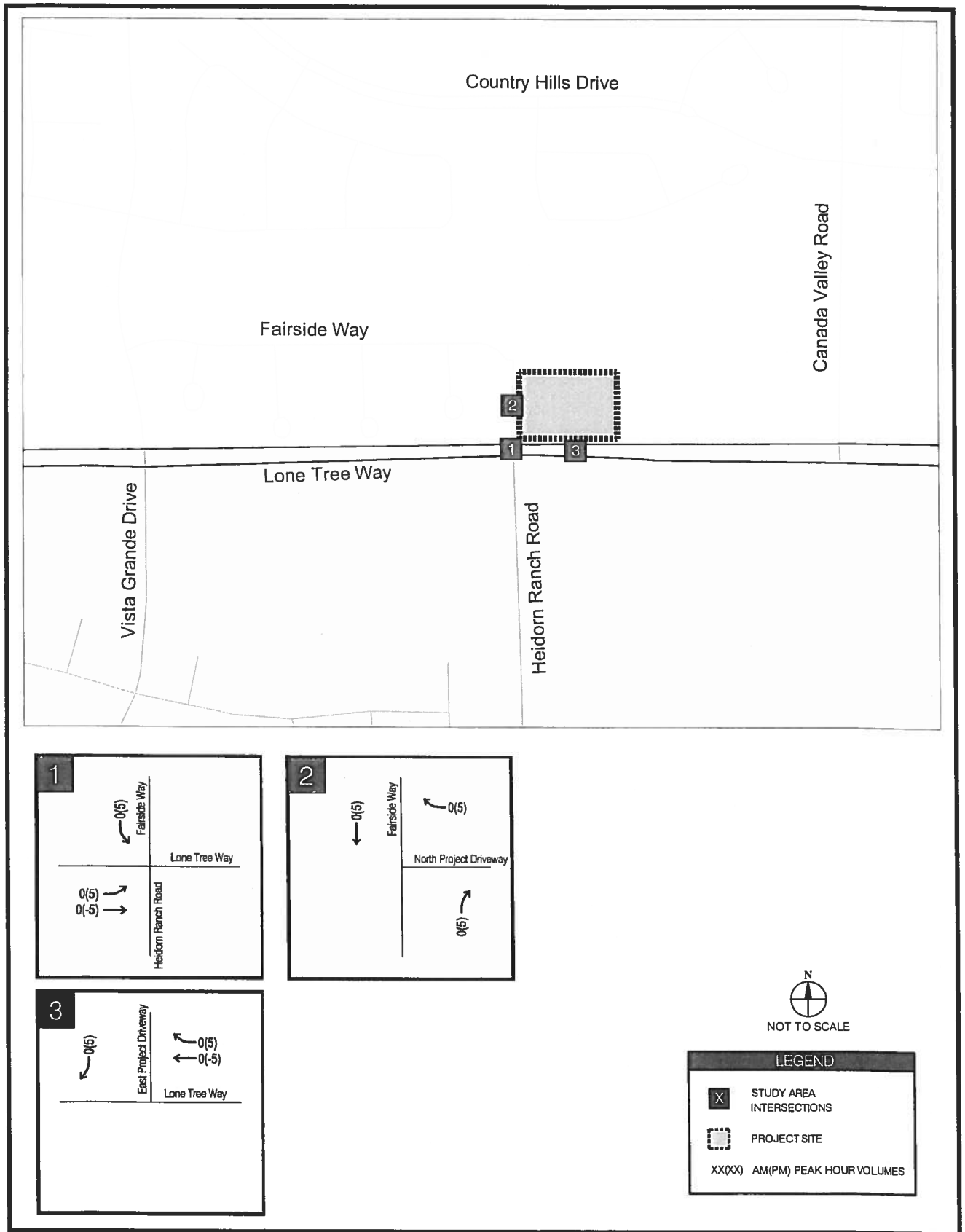


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and Associates, Inc.

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FIGURE 6
NEW PROJECT GENERATED PEAK HOUR VOLUMES

C72 E25



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and Associates, Inc.

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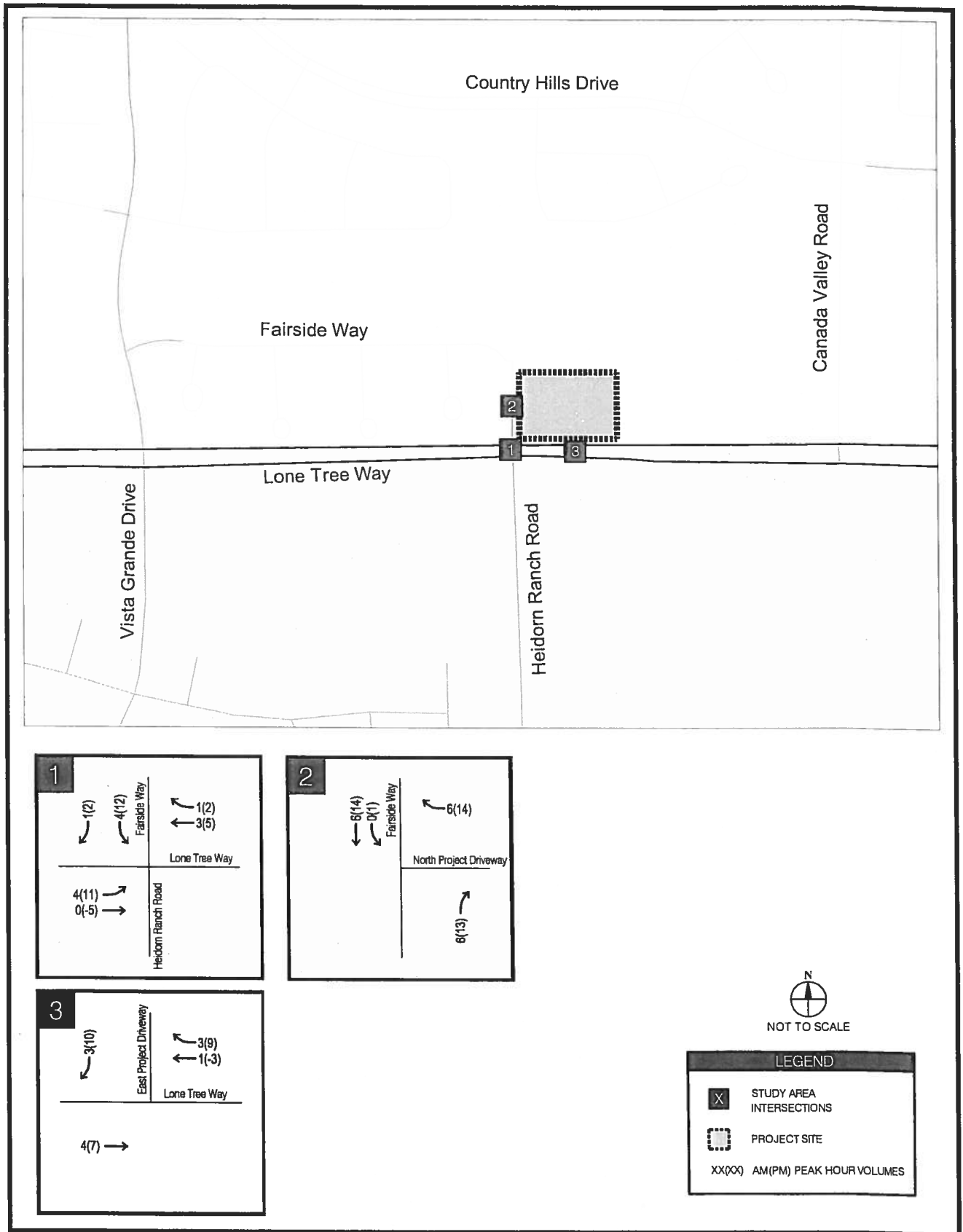
JW-097658001

OCTOBER 2013

FIGURE 7
PROJECT PASS-BY PEAK HOUR VOLUMES

ANTIOCH AUTOZONE TRAFFIC IMPACT STUDY

C73 E26



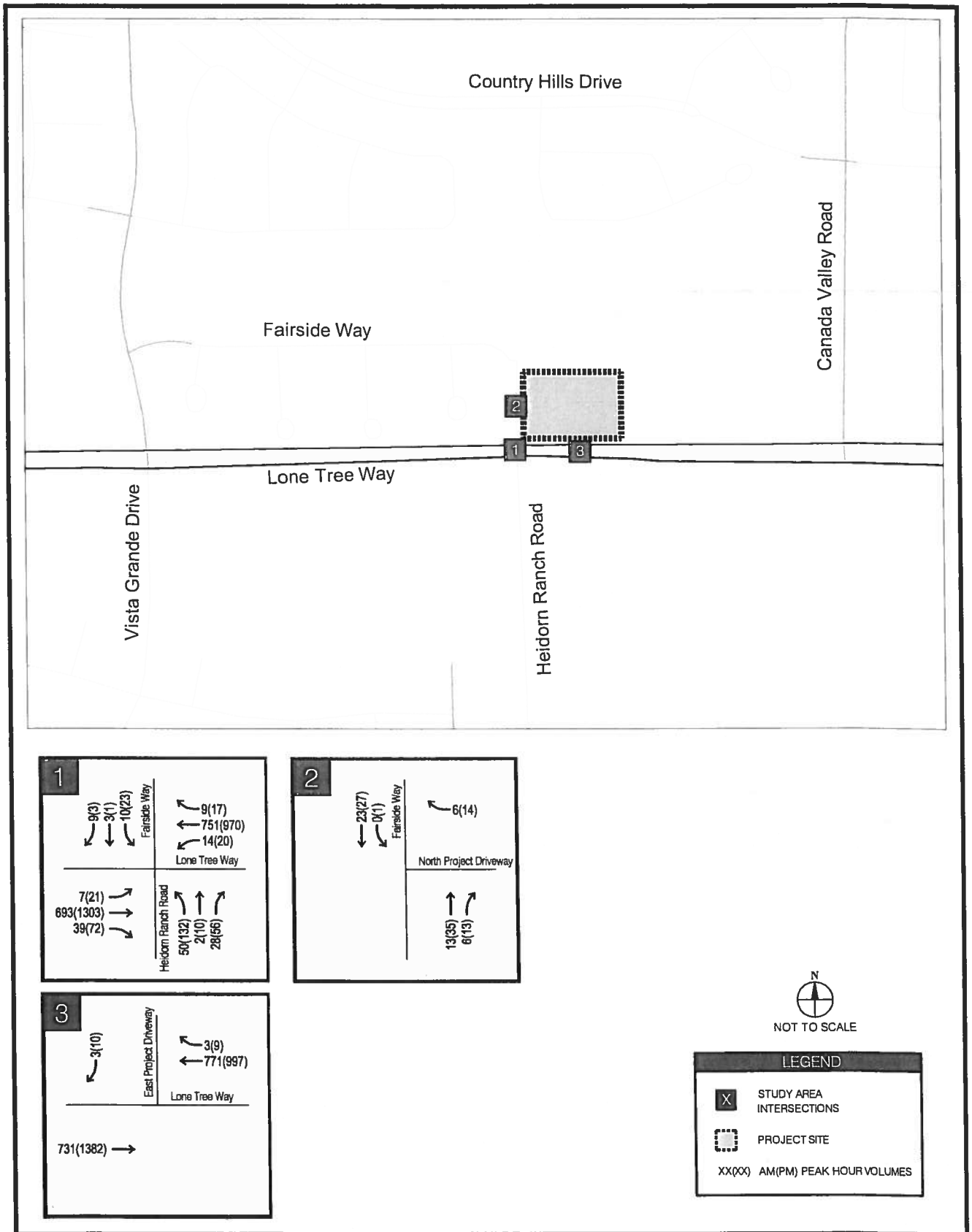


FIGURE 9

EXISTING (2013) PLUS PROJECT CONDITION
PEAK HOUR TURNING MOVEMENT VOLUMES

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and Associates, Inc.

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JW-097658001

OCTOBER 2013

ANTIOCH AUTOZONE TRAFFIC IMPACT STUDY

C75 E28

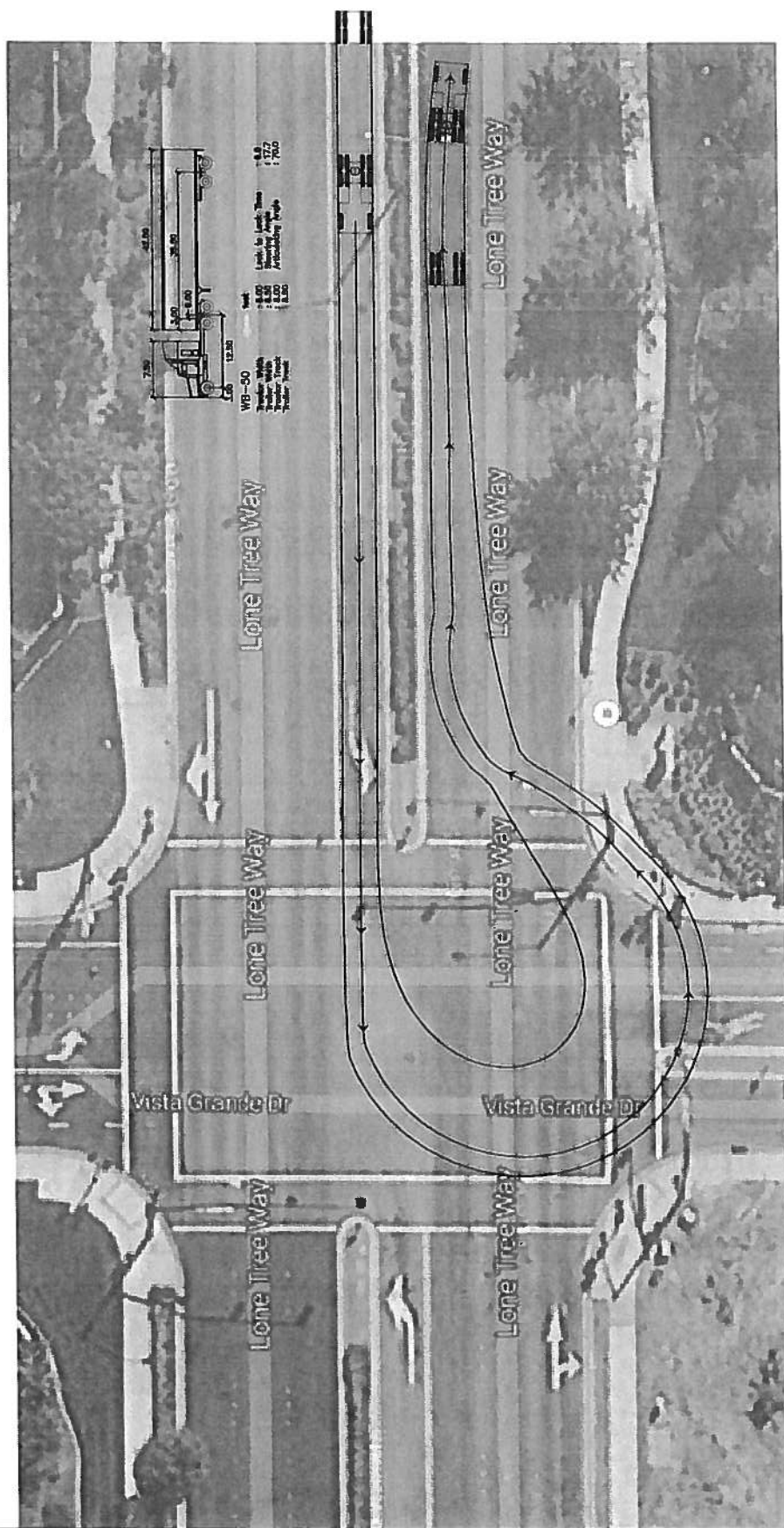


FIGURE 11
U-TURN AT VISTA GRANDE INTERSECTION

ANTIOCH AUTOZONE TRAFFIC IMPACT STUDY

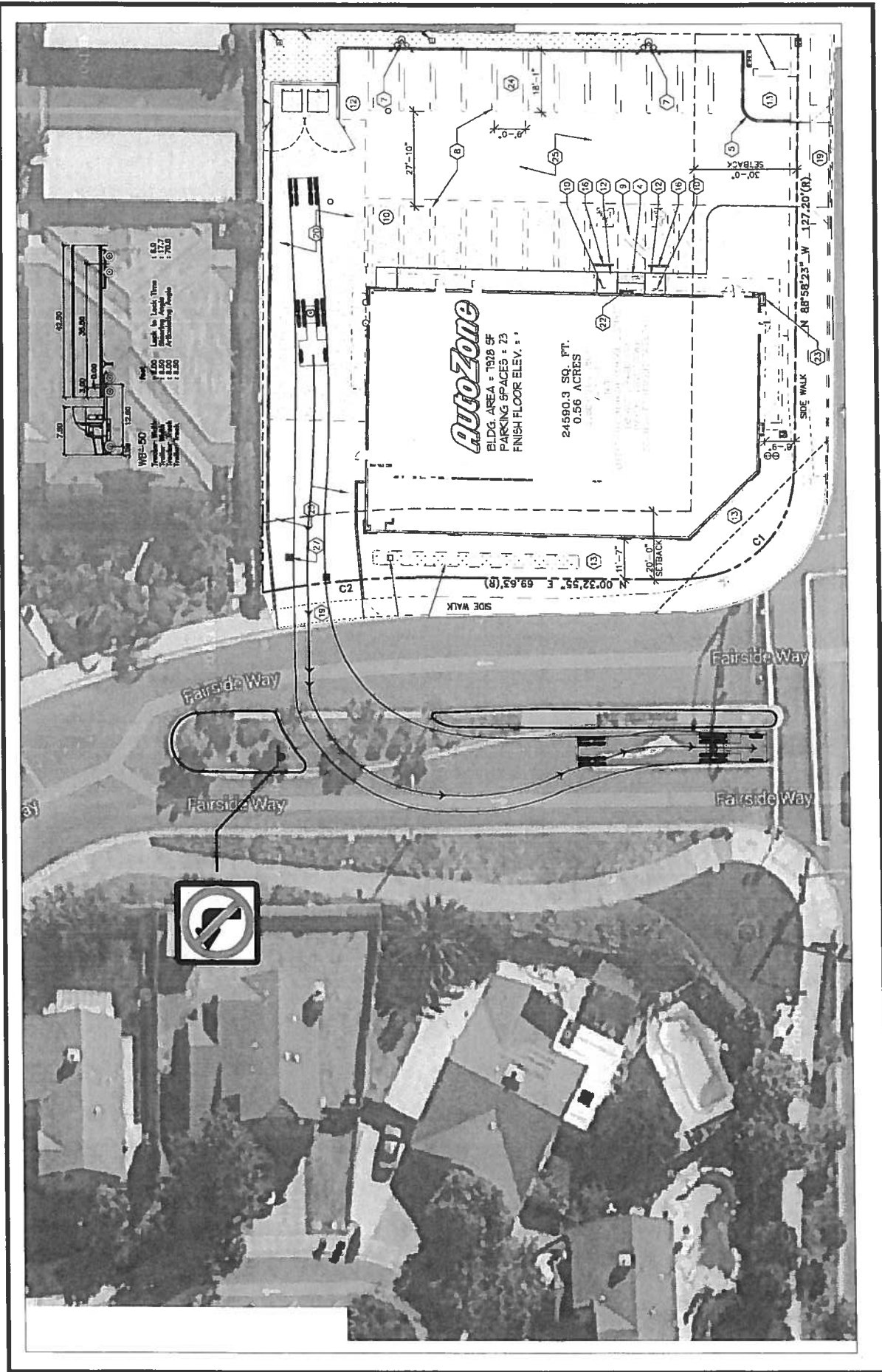


FIGURE 12
 PROPOSED MEDIAN ON FAIRSIDE WAY
 ANTIOCH AUTOZONE TRAFFIC IMPACT STUDY



Kimley-Horn
 and Associates, Inc.



C78
 113



APPENDIX

C79 E32



APPENDIX

TURNING MOVEMENT VOLUMES

EXISTING (2013) TRAFFIC CONDITIONS

TRIP GENERATION

EXISTING (2013) PLUS PROJECT TRAFFIC CONDITIONS

QUEUING SUMMARY

PARKING GENERATION



TURNING MOVEMENT VOLUMES



EXISTING (2013) TRAFFIC CONDITIONS



TRIP GENERATION



EXISTING (2013) PLUS PROJECT TRAFFIC CONDITIONS



QUEUING SUMMARY



PARKING GENERATION



ATTACHMENT "F"

November 7, 2013

Mindy Gentry, Senior Planner
City of Antioch
200 H Street
Antioch, California 94509

RE: Plan Review for Lone Tree Way and Fair Side Way – Auto Zone
Dahlin Job: 1047.006

Dear Mindy,

The following is my review of the plans submitted for a new Auto Zone on Lone Tree Way at Fair Side Way in Antioch. The plans received are dated 08/01/2011. The design is reviewed for consistency with Chapter 3.0 Commercial Design Guidelines of the City of Antioch Citywide Design Guidelines Manual.

3.1.2 Design Objectives:

In general the project fails to comply with the general goals of this section. The building lacks any real articulation and tries to satisfy this basic requirement through the use of plan-on types of building plane changes.

3.1.3 Site Planning:

3.1.3A Site Character / Compatibility:

The project substantially complies with this section.

3.1.3B Land Use Buffering:

The project substantially complies with this section with the exception of paragraph 4. The trash enclosure and the driveway at the northern side of the property are both located immediately adjacent to existing residential apartment buildings. It does not appear that much can be done about either, however, due to the geometry of the site. It would seem that a larger landscape buffer along the northern property line would be appropriate given the adjacency to the existing residences.

3.1.3C Building Siting:

The project fails to comply with the spirit of paragraph 2. While the corner has been angled, the purpose of this section of the design guidelines is for the building to address the corner in an effective manner. Simply angling a blank wall of the building does not celebrate or address the corner condition. The applicant should consider possibly flipping the entire site plan so that the building is on the eastern edge of the property with the open parking lot and landscaping at the corner. While this may not be a perfect solution, it would put the active side of the building towards the streets instead of the inactive side.

3.1.3D Site Amenities:

Since this is a single building the proposed project substantially complies with this section. However given the amount of paving that is proposed for the project, it would seem that some decorative paving and possibly some more urban landscape treatments like tree grates within the paved area at the south eastern corner of the building could be used to create a more attractive project without significant cost to the project.

3.1.3E Site Utilities and Mechanical Equipment:

It appears that all roof mounted mechanical equipment is adequately screened by the proposed building elements. It is not clear if there are site utilities, utility connections for the building or mechanical equipment that need to be screened from public view per this section.

3.1.3F Trash and Storage Areas:

Compliance with this section cannot be determined by the documents submitted. There is no indication of the trash enclosure structure, except for the location.

3.1.4 Architecture:

3.1.4A Architectural Imagery:

The project as submitted does not comply with this section. While the building is not totally unattractive, it does not embrace any particular style of architecture either.

3.1.4B Building Form and Mass:

This project is not in compliance with this section at all. As submitted barely 50% of the building facing Lone Tree Way (South Elevation) and none of the building facing Fair Side Way (West Elevation) has glazing. The decorative metal accents provided as an attempt to break up the substantially flat facade of this building and the applied stone, while nice, do not do anything to comply with this section. There are no dimensions provided to the "applied" pilasters to the building but it would appear that there is less than a six (6) inch differential between surfaces which is wholly inadequate to meet the standard of "new structures shall be designed to avoid blank facades, particularly on major streets".

3.1.4C Wall Articulation:

The proposed design does not comply with this section of the guidelines. Paragraph 1b requires that in order to break the long, flat, monolithic wall facade columns shall be 8 inches deep, it is not clear from the provided drawings that the proposed design meets this standard. There are columns on the western side of the building that seem to meet the minimum standard, but not on the western face of the building which faces the street.

3.1.4D Roofs:

Clearly the submitted design does not have the full gabled, hipped and shed roofs that are "encouraged" by this section. The parapet roof that is proposed is compliant with the requirement that the parapet not be unbroken for more than 75 feet, and the proposed parapet roof design is successful in creating an acceptable design.

3.1.4E Materials / Colors:

The proposed design is generally compliant with this section. The proposed finish of the stucco is not indicated on the plans provided so compliance with paragraph 1a cannot be determined. The colors proposed for the building are acceptable.

3.1.4F Building Equipment and Utility Screening:

The proposed building complies with this section with regard to the roof mounted equipment for this project. As noted in the previous section, there is no indication of any site utility or mechanical equipment that may need screening. There is a Key Note 15 referencing a new transformer on a concrete pad, but I could not find a location of where this is to be placed.

3.1.4G Security:

The project is substantially compliant with this section. However, compliance with paragraph 1 cannot be determined from the documents provided.

3.1.5 Storefront:

The project is in general conformance with this section.

3.1.6 Parking and Circulation:

The project is in substantial conformance with this section.

3.1.7 Landscaping:

The project substantially complies with this section. However, it would appear that there is a conflict between the landscaping drawings submitted and the site plan submitted. On Sheet 3 of the submittal package the plans indicate that at the South Eastern corner of the building there is a substantial concrete area that adjoins the public sidewalk creating a mini plaza. In complete conflict with this, sheet L1 indicates this entire area is planted and that there is no connection between the public sidewalk and the building affording no approach for a pedestrian onto the site except via the driveway. The solution proposed by sheet L1 is not acceptable, there should be at least one entrance for a pedestrian onto the site via a walk and I believe that the more urban solution of a mini plaza could be more interesting in this case with the use of tree grates or other urban landscape solutions. Whichever direction the applicant chooses, this conflict needs resolution.

3.1.8 Lighting:

There are two parking lot 20' high yard lights proposed on the plan but there is not cut sheet provided for these lights so compliance with this section cannot be determined at this time.

General Comments:

The project is fairly well designed for corporate architect. However the purpose of the city of Antioch Design Guidelines is to DISCOURAGE the use of corporate architecture and this project does not even begin to address that goal. The applicant should consider redesigning the project from the site planning through the architecture in order to better address the goals of the commercial guidelines.

Respectfully Submitted,



Donald J Ruthroff AIA
Associate / Senior Architect
C24946, exp. 10/31/2015

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F3

ATTACHMENT "G"

Gentry, Mindy

From: Mark Marcotte [mkmarcotte@aol.com]
Sent: Monday, December 16, 2013 12:34 PM
To: Gentry, Mindy
Subject: MITIGATED NEGATIVE DECLARATION

Mindy: My name is Mark Marcotte. My brother and I own the Bella Rose Apartments adjacent to northeast corner of Lone Tree Way and Fairside Way.

In 2004, I worked with Karen Laws of the CCC Real Property Division to have this parcel sold off as surplus land. She agreed and we paid the fees necessary to expedite the process.

Unfortunately for us, the Liberty School District got first right to it and did purchase the parcel. I met with Dan Smith explaining my reason for wanting the parcel but he was unmoved. So here we are.

I want to formally object to the proposal to put an AutoZone store on this corner. It is just doesn't seem to fit the neighborhood. If Autozone is denied, we have already told the School District that we will purchase the lot for the same price. We would conform to the existing zoning. We would add one 8 unit building and landscaping on the parcel. The building would match our existing buildings. Seems to me this would be a better use. No new driveways would be needed and a lot less traffic than an auto parts store would be generated.

Sincerely,

Mark Marcotte

400 May Road
Union City, CA 94526
510-870-6212

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RECEIVED

DEC 31 2013

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

12/30/13

To City of Antioch,

We would like to write to voice our concern over the proposed building of an AutoZone store on the corner of Fairside Way and Lone Tree Way in Antioch. We have been homeowners here since 2001 and believe this would be a terrible location for an AutoZone or any type of commercial business.

Here are some reasons this is bad idea:

1. This neighborhood has many children who often are playing in the street or sidewalks that I feel would be in danger with additional traffic. The AutoZone store would likely increase traffic not just on that corner but from people taking a "shortcut" down Fairside Way to get in and out of the store parking lot. We already have seen a significant increase in traffic in the past year or so on Fairside Way from motorists backed up westbound Lone Tree Way getting impatient with the red light and making a right hand turn onto Fairside then speeding down our residential street to cut over to Vista Grande.
2. I think there would be increased noise from not only cars but all the other things like garbage and delivery trucks to the business. We hear loud delivery trucks even from the Lone Tree Plaza so this would be much louder being so close to homes and apartments to echo off of. Also we live near a corner and sometimes it's tricky even backing out of our driveway with traffic coming around the corner.
3. I have also had experience in the past from living near an auto parts store where people did noisy repairs in the parking lots at all hours then used the side streets to "test drive" their vehicles (racing, revving motors etc). The neighborhood also became a junkyard for abandoned cars that couldn't be repaired or were waiting for parts etc.

In short, a business doesn't belong in the middle of a residential area and an auto parts store especially would be very detrimental to all the surrounding area. As homeowners and taxpayers here in Antioch I support wanting to build commercial businesses just NOT in the middle of a heavily populated residential area.

thank you,

Debra and Darryl Janis
5334 Fairside Way
Antioch, CA 94531
(925) 628-9743

C91
62



245 YGNACIO VALLEY ROAD WALNUT CREEK, CA 94596
1970 BROADWAY, SUITE 800 OAKLAND, CA 94612

TEL: 925.944.1626 FAX: 925.944.1666
TEL: 510.272.1060 FAX: 510.272.1066

February 5, 2014

City of Antioch Planning Commission
200 H Street
Antioch, CA 94509

**Re: AutoZone
General Plan Amendment (GP-13-01)
Specific Plan Amendment (SP-13-01)
Re-Zoning (Z-13-01)
Final Development Plan (PD-13-02)
Variance (V-13-01)
Conditional Use Permit (UP-13-04)
Design Review (AR-13-04)**

Dear Chair Sanderson and Members of the Commission:

LCA Architects is a professional architectural and planning firm that has been in business in Contra Costa County for almost 40 years. During that period we have worked on many projects in Antioch including the Bella Rose Apartments immediately adjacent to the proposed AutoZone.

The purpose of this letter is to request that you deny the proposed AutoZone project, inclusive of all 7 required actions that constitute the application. Our request is based upon the fact that permitting the project would result in "Spot Zoning"; create an obvious land use conflict; be incompatible with the surrounding neighborhood; and overburden a small piece of property that is inadequate in land area to accommodate many City required design elements. Please consider the following:

- 1) A Mitigated Negative Declaration (MND) is not the appropriate CEQA document for this project. Because of the several significant impacts (including Land Use Compatibility) an EIR must be prepared. I am not aware of any recent projects in Contra Costa County (which included a General Plan Amendment) that did not prepare an EIR.

01

- 2) Changing the General Plan designation to Commercial would result in inconsistencies with other General Plan Elements and internal conflicts with other portions of the General Plan. These conflicts (with the Housing Element, Land Use Element and Community Design Element) are all the more reason for an EIR. Furthermore, the project provides no substantial public benefit, which is a common requirement for a project-driven General Plan Amendment.
- 3) The proposed rezoning is a misuse of the Planned Development (PD) design flexibility. The purpose of a PD is to apply creativity in order to achieve superior design and/or other public benefits. In this case, the PD is being used simply to violate the zoning requirements.
- 4) The proposed variance for parking and landscape area reduction cannot be supported by the necessary findings. The site is flat, regular, and unencumbered by easements or other unusual constraints. Even if there were no land use conflicts, the property is clearly too small for the proposed project.
- 5) The proposed project will result in a traffic nightmare. Traffic will be diverted through residential neighborhoods and/or make dangerous multi-lane crossing maneuvers to make a U-Turn on Lone Tree Way. The omission of the recommended deceleration lane on Lone Tree Way will likely result in rear end collisions or forced high speed lane changes to avoid accidents. Any mitigation that is provided will result in traffic maneuvers which are counterintuitive and likely to increase City legal liability.

In conclusion, this project is clearly too much of the wrong Land Use for this property. We request the Planning Commission deny the 7 proposed applications and retain this property for multi-family housing, consistent with the General Plan and Housing Element.

Best regards,



Norm Dyer
LCA Architects Inc.

ND:nd

ATTACHMENT "E"

RESOLUTION NO. 2014-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING ADOPTION TO THE CITY COUNCIL OF A FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE AUTOZONE PROJECT

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a Variance, a Use Permit, and Design Review;

WHEREAS, the City prepared an Initial Study/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");

WHEREAS, a draft Initial Study and Mitigated Negative Declaration ("IS/MND") was circulated for a 20-day review period, with the public review period commencing on December 12, 2013 and ending on January 2, 2014;

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

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

WHEREAS, on February 19, 2014, 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 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 - Thursday 8:00 am - 11:30 am and the MMRP is attached as Exhibit A to this Resolution.

NOW THEREFORE BE IT RESOLVED

1. The Planning Commission 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 Initial Study and Mitigated Negative Declaration; 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 General Plan, Specific Plan, and Zoning Ordinance amendments; and
 - c. The Final Initial Study and Mitigated Negative Declaration reflect the City's independent judgment and analysis.
2. The Planning Commission hereby RECOMMENDS that City Council of the City of Antioch APPROVE AND ADOPT the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Report Program for the Project.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

**LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM**

INTRODUCTION

The California Environmental Quality Act (CEQA) requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of Antioch in its implementation and monitoring of measures adopted from the Lone Tree AutoZone #4166 Project Mitigated Negative Declaration (MND).

MITIGATION MEASURES

The mitigation measures are taken from the Lone Tree AutoZone #4166 Project MND and are assigned the same number they had in the MND. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for monitoring the actions.

MMRP COMPONENTS

The components of each monitoring form are addressed briefly, below.

Mitigation Measure: All mitigation measures that were identified in the Lone Tree AutoZone #4166 Project MND are presented and numbered accordingly.

Timing/Implementation: Each action must take place prior to the time at which a threshold could be exceeded. Implementation of the action must occur prior to or during some part of approval, project design or construction or on an ongoing basis. The timing for each measure is identified. The project applicant would be responsible for implementation of the mitigation measures.

Enforcement/Monitoring Party: The City of Antioch is responsible for ensuring that mitigation measures are successfully implemented.

LONE TREE AUTOZONE #4166 PROJECT **MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>AQ-1 The project applicant shall require that the project contractor fully implement all of the BAAQMD dust abatement measures provided below.</p> <ul style="list-style-type: none"> a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d) All vehicle speeds on unpaved roads shall be limited to 15 mph. e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points. g) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. h) A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. 	Ongoing during construction activities	City of Antioch Planning Division	
<p>AQ-2 The project applicant shall specify in project plans the implementation of the following measures to be implemented in order to reduce the emissions of toxic pollutants generated by heavy-duty diesel-powered equipment during construction.</p> <ul style="list-style-type: none"> a) Keep all construction equipment in proper tune in accordance with 	Prior to construction activities	City of Antioch Planning Division	

LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>manufacturers' specifications.</p> <p>b) Use late-model heavy-duty diesel-powered equipment during construction to the extent that it is readily available in the San Francisco Bay Area.</p> <p>c) Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the San Francisco Bay Area.</p> <p>d) Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at construction sites to the extent that it is readily available and cost effective in the San Francisco Bay Area. (This requirement does not apply to diesel-powered trucks traveling to and from the site.)</p> <p>e) Utilize alternative-fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area.</p> <p>f) Limit truck and equipment idling time to 5 minutes or less.</p> <p>g) Rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible.</p>			
<p>BIO-1 Burrowing Owl. If clearing and construction activities will occur during the nesting period for burrowing owls (February 1–August 31), a qualified biologist shall conduct focused surveys for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFG's Staff Report on Burrowing Owl Mitigation, published March 7, 2012. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.</p> <p>If no burrowing owls are detected, no further mitigation is required. If active burrowing owls are detected, the project proponent will implement the avoidance, minimization, and mitigation methodologies outlined in the CDFG's Staff Report on Burrowing Owl Mitigation prior to initiating project-related activities that may impact burrowing owls.</p>	<p>Prior to construction activities</p>	<p>City of Antioch Planning Division</p>	

LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>BIO-2 Migratory Birds. If clearing and/or construction activities will occur during the migratory bird nesting season (April 15–August 15), preconstruction surveys for nesting migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.</p> <p>If active nest(s) are identified during the preconstruction survey, a qualified biologist shall monitor the nest to determine when the young have fledged. Monthly monitoring reports, documenting nest status, will be submitted to the City of Antioch Planning Division until the nest(s) is deemed inactive. The biological monitor shall have the authority to cease construction if there is any sign of distress to a raptor or migratory bird. Reference to this requirement and the Migratory Bird Treaty Act shall be included in the construction specifications.</p>	Prior to construction activities	City of Antioch Planning Division	
<p>BIO-3 Active Raptor Nests. If construction activities will occur during nesting season for raptors (January 15–August 15), all suitable raptor nesting habitat within 0.5 mile of the impacted area shall be surveyed for active raptor nests within 14 days of construction commencement. If an active raptor nest is located within 0.5 mile of the construction site, a no-activity buffer will be erected around the nest while it is active to protect the nesting raptors. This buffer distance may be amended to account for nests that are not within the line-of-sight of the construction activity. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.</p>	Prior to construction activities	City of Antioch Planning Division	
<p>CUL-1 If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial</p>	Ongoing during construction activities	City of Antioch Planning Division	

LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>Sites established by the Native American Heritage Commission, may also be required.</p> <p>Work cannot continue within the no-work radius until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either (1) not cultural in origin; or (2) not potentially significant or eligible for listing on the NHRP or CRHR. If a potentially eligible resource is encountered, the archaeologist, lead agency, and project proponent shall arrange for either (1) total avoidance of the resource, if possible; or (2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA for managing unanticipated discoveries have been met.</p>			
<p>GEO-1 The project applicant shall incorporate all of the recommendations from the geotechnical report (GeoRox Engineering 2012) into project design, grading plans, and site preparation and construction activities. Recommendations include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Overexcavation of the building area and parking area. • Special sloping and shoring procedures for excavations. • Use of clean fills and soils with appropriate moisture contents to reduce impacts associated with expansive soil. • Use of drilled concrete piers in the foundation design. <p>The geotechnical report also recommends that a geotechnical consultant examine imported fill soils to ensure their suitability for use as backfill. The geotechnical consultant shall also be present during excavation activities to review depth of overexcavation, provide expertise in the event that subsurface obstructions or unsuitable materials are encountered, observe exposed excavation, and verify acceptability of temporary slopes.</p>	<p>Prior to project design review and during excavation activities</p>	<p>City of Antioch Building Division</p>	
<p>NOI-1 The following measures shall be included as conditions of the project:</p> <ol style="list-style-type: none"> a) Use of forklifts for the loading and unloading of trucks shall be prohibited. b) The loading and unloading of trucks shall be limited to the daytime hours of between 7:00 a.m. and 7:00 p.m. c) Delivery trucks shall be prohibited from accessing and parking on-site 	<p>Prior to project occupancy</p>	<p>City of Antioch Planning Division</p>	

LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
<p>between the hours of 7:00 p.m. and 7:00 a.m. Signs identifying this requirement shall be prominently posted at the site entrance.</p> <p>d) The on-site idling of haul trucks associated with loading/unloading activities shall be prohibited. Signs identifying this requirement shall be prominently posted at the loading/unloading area</p>			
<p>NOI-2 Prior to the issuance of any grading permits, the applicant shall submit a construction-related noise mitigation plan for City review and approval, to include the following:</p> <p>a) The plan shall depict the location of construction equipment storage and maintenance areas, and document methods to be employed to minimize noise impacts on adjacent noise-sensitive land uses.</p> <p>b) The required construction-related noise mitigation plan shall specify that haul truck deliveries are subject to the same hours specified for construction equipment.</p> <p>c) The plan shall denote any construction traffic haul routes where heavy trucks would exceed 100 daily trips (counting those both to and from the construction site). To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.</p> <p>d) The plan shall incorporate any other restrictions imposed by the City.</p>	Prior to construction activities	City of Antioch Planning Division	
<p>NOI-3 Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p>	During construction activities	City of Antioch Planning Division	
<p>TRAF-1 The median on Fairside Way shall be modified to allow passenger vehicles and large semi-trucks to make left turns directly from the west driveway in a manner similar to that depicted in Figure 8 (of the MND). The median should be configured to prevent southbound left turns from Fairside Way into the project west driveway, and a "NO LEFT TURN" sign prohibiting the movement shall be placed in the median along Fairside Way. This would preclude the need to U-turn around the existing median or drive through the residential neighborhood along Fairside Way to Vista Grande Drive.</p>	Prior to construction activities	City of Antioch Planning Division; City of Antioch Engineering and Development Services Division	

LONE TREE AUTOZONE #4166 PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
The project applicant shall hire a professional engineer to design and a professional contractor to construct the median modification. The median modification shall be constructed prior to or concurrent with construction of the proposed project. The modified median shall be completed prior to operation of the proposed project.			
TRAF-2 A sign prohibiting right turns for non-local traffic, including delivery truck traffic, shall be placed by the project applicant at the Fairside Way driveway exit.	Prior to project occupancy	City of Antioch Planning Division; City of Antioch Engineering and Development Services Division	
TRAF-3 The project applicant shall develop delivery access routes and provide that information to vendors that make deliveries to the proposed project. A map illustrating acceptable routes along major streets and indicating that truck traffic along Fairside Way is prohibited shall also be developed and available at the AutoZone store, so staff working during deliveries can provide the map to delivery drivers. Truck deliveries shall also be limited to non-peak daytime hours to minimize disruption to other street traffic and nearby uses.	Prior to project occupancy	City of Antioch Planning Division; City of Antioch Engineering and Development Services Division	

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN
AMENDMENT FOR THE AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a Variance, a Use Permit, and Design Review;

WHEREAS, the proposed General Plan Amendment (GPA) would modify the land use designation shown on the map in Figure 4.3 from High Density Residential to Neighborhood Commercial and is not considered to be a "substantial" amendment;

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included analysis of proposed amendments to the General Plan, 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");

WHEREAS, the CEQA document found that potentially significant impacts associated with the Project could be mitigated to a less than significant level;

WHEREAS, the Planning Commission has recommended that the City Council approve and adopt the Final IS/MND;

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

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

WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter as required by law, and received and considered evidence, both oral and written; and

NOW, THEREFORE BE IT RESOLVED, that based on the oral and written record and the findings established in this resolution, the recommended adoption of the Final IS/MND and MMRP to the City Council, the Planning Commission hereby recommends to the City Council adoption of the amendments shown to the General Plan in Exhibit A because it is in the public's interest pursuant to the following findings:

- a. The Final IS/MND and MMRP determined the Project's environmental impacts could be mitigated to a less-than significant level through modifications to the site and architectural plans and facility operations.
- b. The project is considered infill development on a site that is presently served by the necessary infrastructure improvements and is substantially surrounded by developed properties.
- c. The site is appropriate for commercial use because:
 - 1) There are commercial uses across Lone Tree Way and within close proximity to the Project.
 - 2) The Project is located on an arterial street, which is consistent with other retail uses within the City of Antioch.
 - 3) The Project will provide retail services that will benefit surrounding residential uses.
- d. The Project will help to fulfill the commercial and tax revenue-generating goals of the East Lone Tree Focus Area by providing jobs that generate disposable income while increasing retail sales tax to defray the cost of City services.
- e. The Project will provide jobs within Antioch and will further the General Plan's goals of providing more of a jobs and housing balance by encouraging businesses to locate in Antioch.

BE IT FURTHER RESOLVED, that based on the entire record and the findings established in this resolution, the recommended adoption of the Final IS/MND and MMRP to the City Council, the Planning Commission hereby recommends that the City Council approve and adopt the proposed amendment to change the General Plan Figure 4.9 from High Density Residential to Neighborhood Commercial for the Project site.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

EXHIBIT A

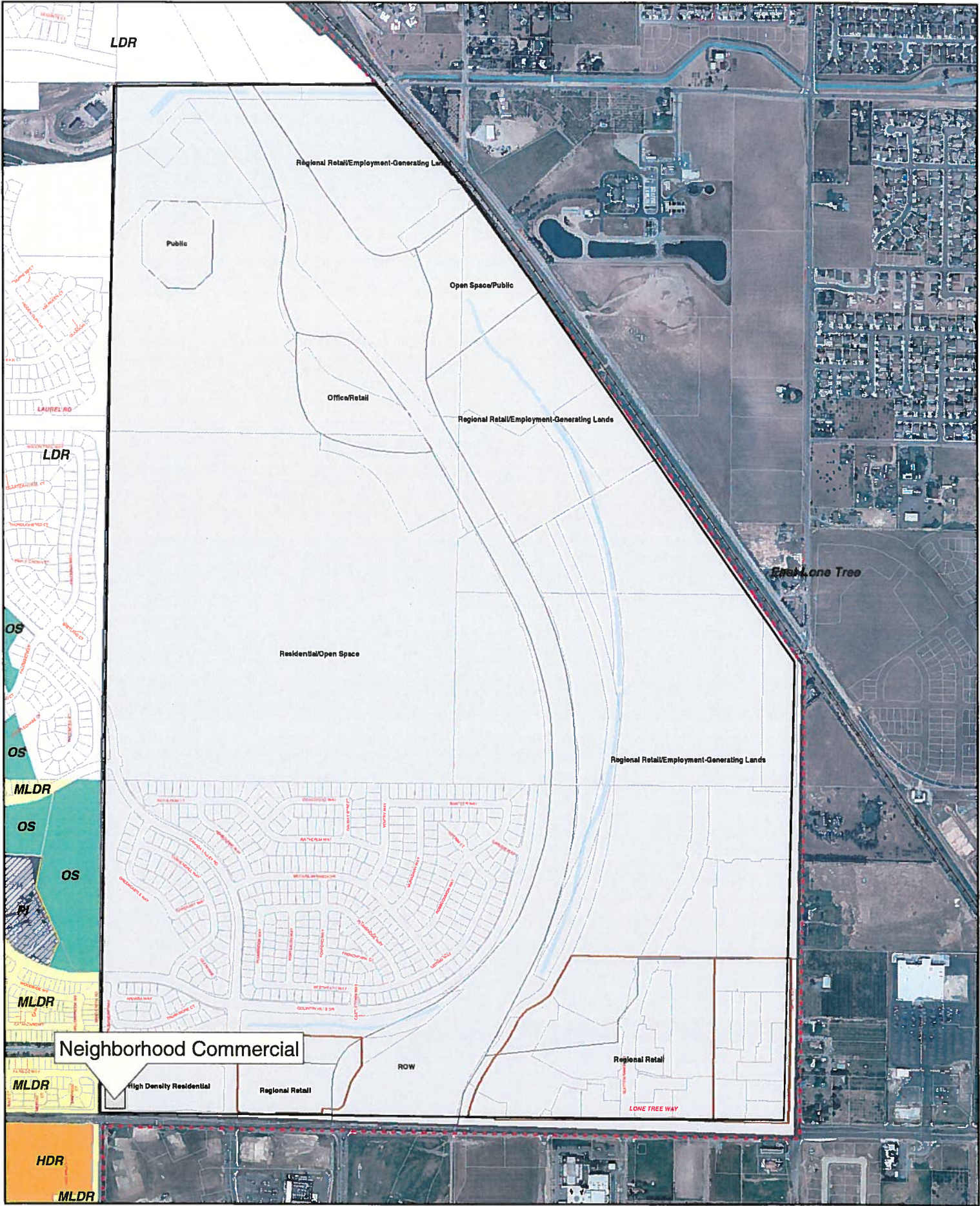


Figure 4.9



0 312.5 625 1,250 1,875 2,500 Feet

RESOLUTION NO. 2014-**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
INITIATING AMENDMENTS TO TITLE 9 OF THE ANTIOCH MUNICIPAL CODE
"PLANNING AND ZONING" AND RECOMMENDING THAT THE CITY COUNCIL
ADOPT AN ORDINANCE REZONING APPROXIMATELY 0.56 ACRES COMPRISING
THE AUTOZONE PROJECT FROM SPECIFIC PLAN (SP) TO PLANNED
DEVELOPMENT (PD)**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a Variance, a Use Permit, and Design Review;

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included analysis of proposed amendments to the Title 9 of the Antioch Municipal Code, 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");

WHEREAS, the CEQA document found that potentially significant impacts associated with the project could be mitigated to a less than significant level;

WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

WHEREAS, the Planning Commission has recommended to the City Council to approve and adopt the Final IS/MND and MMRP; and

WHEREAS, the Planning Commission has recommended to the City Council to amend the General Plan from High Density Residential to Neighborhood/Community Commercial; and

WHEREAS, the Planning Commission had recommended to the City Council to amend the Specific Plan from Medium High Density Residential (R_H) to Community Retail (C_N).

NOW THEREFORE BE IT RESOLVED, based on the oral and written record; the recommendation of adoption of the Final IS/MND and MMRP; and the recommendation of the General Plan and Specific Plan amendments to the City Council, the Planning Commission makes the following findings:

- a. The Final IS/MND and MMRP determined the Project's environmental impacts could be mitigated to a less-than significant level through modifications to the site and architectural plans and facility operations.
- b. The project is considered infill development on a site that is presently served by necessary infrastructure improvements and that is substantially surrounded by developed properties.
- c. The project will help to fulfill the employment and tax revenue generating goals of the East Lone Tree Focus Area by providing jobs that generate disposable income.
- d. The site is appropriate for commercial use because:
 - 4) There are commercial uses across Lone Tree Way and within close proximity to the Project.
 - 5) The Project is located on an arterial street, which is consistent with other retail uses within the City of Antioch.
 - 6) The project will provide retail services that will benefit surrounding residential uses.
- e. The project will help to fulfill the commercial and tax revenue-generating goals of the East Lone Tree Focus Area by providing jobs that generate disposable income while increasing retail sales tax to defray the cost of City services.
- f. The project will provide job types that are not been readily developed within Antioch and will further the General Plan's goals of providing more of a jobs and housing balance by encouraging businesses to locate in Antioch.
- g. The rezone is in conformance with the City of Antioch General Plan.

BE IT FURTHER RESOLVED, the Planning Commission hereby recommends to the City Council initiation of an amendment to Title 9 of the Antioch Municipal Code "Planning and Zoning" and recommending adoption of the ordinance to rezone approximately 21 acres, known as the AutoZone Project, from Specific Plan (SP) to Planned Development (PD), generally located west at the Northeast corner of Lone Tree Way and Fairside Way (APN 056-120-086).

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

RESOLUTION NO. 2014-**

February 19, 2014

Page 3

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING
A REZONING OF APPROXIMATELY 0.56 ACRES REFERRED TO AS THE
AUTOZONE PROJECT FROM SPECIFIC PLAN (SP) TO PLANNED DEVELOPMENT
(PD) DISTRICT**

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

SECTION 1. Findings. The Antioch City Council hereby finds, determines and declares as follows:

A. The City of Antioch holds the right to make and enforce all laws and regulations not in conflict with general laws, and the City holds all rights and powers established by state law.

B. The Planning Commission conducted a duly noticed public hearing on February 19, 2014 at which it adopted a resolution to initiate and recommend approval to the City Council of this ordinance regarding rezoning approximately 0.56 acres from Specific Plan (SP) to Planned Development (PD) District. The City Council held a duly noticed public hearing on _____ at which all interested persons were allowed to address the Council regarding adoption of this ordinance.

C. The City prepared an IS/MND and MMRP to evaluate the potential environmental impacts of the AutoZone Project, including this Ordinance, in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines"). The City Council deemed the Final IS/MND to be adequate on _____.

D. The Final IS/MND and MMRP determined the project's environmental impacts could be mitigated to a less-than-significant level.

E. The City Council approved a General Plan map amendment changing the Project site's designation from High Density Residential to Neighborhood/Community Commercial. The rezone is in conformance to the General Plan.

F. The City Council to amend the Specific Plan from Medium High Density Residential (R_H) to Community Retail (C_N). The rezone is in conformance with the Specific Plan.

G. The Project is considered infill development on a site that is presently served by necessary infrastructure improvements and that is substantially surrounded by developed properties.

H. The site is appropriate for commercial use because:

- 1) There are commercial uses across Lone Tree Way and within close proximity to the Project.
- 2) The Project is located on an arterial street, which is consistent with other retail uses within the City of Antioch.
- 3) The Project will provide retail services that will benefit surrounding residential uses.

I. The Project will help to fulfill the commercial and tax revenue-generating goals of the East Lone Tree Focus Area by providing jobs that generate disposable income while increasing retail sales tax to defray the cost of City services.

J. The Project will provide job types that are not been readily developed within Antioch and will further the General Plan's goals of providing more of a jobs and housing balance by encouraging businesses to locate in Antioch.

SECTION 2. The real property described in Exhibit A, attached hereto, is hereby rezoned from Specific Plan (SP) to Planned Development (PD) District and the zoning map is hereby amended accordingly. The Final Development Plan, with attachments consisting of various maps, written documents, and renderings of the proposed development along with all conditions imposed by the City of Antioch are hereby incorporated by reference and made a part of this zoning change. These documents are on file at the City of Antioch Community Development Department.

SECTION 3. The permitted uses shall be the same as the Neighborhood/Community Commercial (C-2) designation as outlined in Section 9-5.3803 – Table of Land Use Regulations.

SECTION 4. Development Standards for the AutoZone Planned Development District are presented in **Table 1 – AutoZone Planned Development Standards:**

Table 1 – AutoZone Planned Development Standards

Standard	Required
Minimum Building Site	20,000 sq. ft
Minimum Lot Width	100' (Interior) 100' (Corner)
Maximum Height	32', with exceptions to architectural features encompassing less than 20% of the total roof area and less than 8 feet in height and parapets less than 30 inches in height.
Maximum Lot Coverage	35% (Building Area)/75% Hard Surfaces
Minimum Front and Side Yard	Reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:

	Arterial street: Minimum 8-foot setback with landscaping on all frontages. Local street: Minimum 11-foot setback
Minimum Interior Yard	5-foot minimum setback
Minimum Rear Yard	10-foot minimum setback
Architectural Requirements	As approved by the Planning Commission (PC). Any substantial deviations from approved architectural plans will require review and approval by PC.
Parking Lot Design	As approved by the Planning Commission (PC), parking lot landscape buffers may be as little as 5 feet and no landscape islands are required within the parking lot.

SECTION 5. Publication; Effective Date.

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 at a regular meeting of the City Council of the City of Antioch, held on the ____ day of _____ and passed and adopted at a regular meeting thereof, held on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

Exhibit A

LEGAL DESCRIPTION

RESOLUTION NO. 2014 - **

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A FINAL PLANNED
DEVELOPMENT, VARIANCE, USE PERMIT, AND DESIGN REVIEW FOR THE
AUTOZONE PROJECT**

WHEREAS, the City of Antioch received a request from AutoZone to construct a 7,766 sq. foot retail store, parking lot, landscaping, and associated infrastructure along with a master use list on a 24,590 square foot vacant lot located on the northeast corner of Lone Tree Way and Fairside Way (APN: 056-120-086) (the "Project"). The Project includes a General Plan amendment from High Density Residential to Neighborhood Commercial, a Specific Plan amendment from Medium High Density Residential (R_H) to Community Retail (C_N), a rezone from Specific Plan (SP) to Planned Development (PD), a Variance, a Use Permit, and Design Review;

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration, which included analysis of the proposed Planned Development, Variance, Use Permit, and design review 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");

WHEREAS, the CEQA document found that potentially significant impacts associated with the Project could be mitigated to a less than significant level;

WHEREAS, on February 19, 2014, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

WHEREAS, the Planning Commission has recommended to the City Council to approve and adopt the Final IS/MND; and

WHEREAS, the Planning Commission has recommended to the City Council to amend the General Plan from High Density Residential to Neighborhood/Community Commercial; and

WHEREAS, the Planning Commission had recommended to the City Council to amend the Specific Plan from Medium High Density Residential (R_H) to Community Retail (C_N); and

WHEREAS, the Planning Commission has initiated amendments to Title 9 of the Antioch Municipal Code "Planning and Zoning" and has recommended the City Council adopt an ordinance rezoning the AutoZone Project site from Specific Plan (SP) to Planned Development (PD) District.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission is able to make the following required findings for approval of a Final Planned Development to the City Council, as set for in Section 9-5.2308 of the Antioch Municipal Code:

SECTION 9-5.2308(A): The development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The Project is located within an area designated for residential and commercial development in the General Plan. After approval of the General Plan and Specific Plan amendments and the rezone, the Project is consistent with the policies of both the General Plan and zoning code and can exist independently without the need to expand infrastructure services or develop surrounding property to support the Project. The Project site is surrounded by existing, developed residential and commercial lands therefore the Project will not be detrimental to the planning area, rather it will further the commercial and tax revenue generating goals of the East Lone Tree Focus Area and further the goals of the General Plan by offering jobs to improve the jobs and housing balance.

SECTION 9-5.2308(B): The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The City commissioned Kimley-Horn and Associates to prepare a traffic study to estimate and evaluate the amount of traffic that may be generated by the Project. A copy of the report is included in the Appendices to the Final Auto Zone IS/MND. The report evaluated the most recent traffic data and projections for the project area and the region, and found that the project satisfies the standards of the City's Growth Management Program. Utility service capacity for water, wastewater, storm drainage and solid waste were analyzed for the Project in the Final IS/MND and it was found that the Project would have a less than significant impact and there will be adequate capacity.

SECTION 9-5.2308(C): The commercial components of the Project are justified economically at the location proposed.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The project will result in 20-30 construction jobs and 15 new permanent jobs as well as additional annual sales tax revenue in the City of Antioch consistent with the employment and tax revenue generating goals of the East Lone Tree Focus Area.

SECTION 9-5.2308(D): Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan.

PLANNING COMMISSION'S DETERMINATION: There are no residential components to the Project.

SECTION 9-5.2308(E): Any industrial component conforms to applicable desirable standards and will constitute an efficient, well-organized development with adequate provisions for railroad and/or truck access and necessary storage and will not adversely affect adjacent or surrounding development.

PLANNING COMMISSION'S DETERMINATION: There are no industrial components to the Project.

SECTION 9-5.2308(F): Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offers certain unusual redeeming features to compensate for any deviations that may be permitted.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The rezoning of the property from Specific Plan SP to Planned Development PD District allows for flexibility of the Project's design. The Project is located in an area with the potential to offer a wide variety of commercial uses to serve the neighboring residential uses while improving the jobs and housing balance. In combination with other uses located on the south side of Lone Tree Way, the Project would contribute to commercial synergy by increasing the diversity of available services in the area.

SECTION 9-5.2308(G): The area surrounding the Project can be planned and zoned in coordination and substantial compatibility with the proposed development.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The area surrounding the Project is already developed with residential uses and compatible commercial uses in close proximity to the site and the Project is consistent with the job and tax creation objectives of the East Lone Tree Focus Area.

SECTION 9-5.2308(H): The project conforms to the General Plan of the City.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The approval of the General Plan amendment resulted in a project that conforms to the General Plan.

BE IT FURTHER RESOLVED that the Planning Commission does hereby make the following findings for approval of a Variance:

SECTION 9-5.2703(B)(2)(a): That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity;

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: Corner properties require large land reservations to ensure adequate buffers and separation between improvements and the public right-of-way. At this site, this condition results in site constraints that are unique to, and inhibit the use and enjoyment of the property. The granting of a variance is necessary to allow the owner to develop and use of the property in a way that is comparable with the rights enjoyed by other properties in the Project vicinity.

SECTION 9-5.2703(B)(2)(b): That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The approval of the variance for a commercial use of this scale would not be detrimental to the public health and welfare or injurious to the property or its environs as there are other similar uses in close proximity. As modified by conditions of approval, the Project would incorporate buffers, landscaping, screening and architectural improvements that are compatible with surrounding uses as established by City Design Guidelines.

SECTION 9-5.2703(B)(2)(c): 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; and

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The project site is small when compared to other commercial property in the Project vicinity that is similarly sited at the corner of an intersection. Due to the setback and site distance requirements of corner properties, this condition results in site constraints that are unique to the subject property and that inhibits the owner's use and enjoyment of the property. The granting of a variance is necessary to allow the owner to develop and use of the property in a way that is comparable with the rights enjoyed by other properties in the Project vicinity.

SECTION 9-5.2703(B)(2)(d): That the granting of such variance will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: Granting a variance approval will not adversely affect the comprehensive

General Plan in that it will result in small scale non-residential development consistent with the job creation and jobs-housing balance objectives of the City.

BE IT FURTHER RESOLVED that the Planning Commission does hereby make the following findings for approval of a Use Permit:

SECTION 9-5.2703(B)(1)(a): That 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;

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The approval of a Use Permit for a commercial use of this scale would not be detrimental to the public health and welfare or injurious to the property or its environs as there are similar uses in close proximity. As modified by the conditions of approval, the Project would incorporate buffers, landscaping, screening and architectural improvements that are compatible with surrounding uses as established by City Design Guidelines.

SECTION 9-5.2703(B)(1)(b): That the use applied for at the location indicated is properly one for which a use permit is authorized;

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The proposed master use list is similar to other commercial districts within the City that are zoned Neighborhood/Community commercial (C-2). More specifically, the proposed commercial use is consistent and compatible with neighborhood commercial activity and provides valuable services to surrounding residential properties.

SECTION 9-5.2703(B)(1)(c): That the site for the proposed use is adequate in size and shape to accommodate such use, and all yard spaces, walls, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood;

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The project site contains adequate land area to support commercial use and is configured to allow for development that is compatible with Project needs and adjoining uses. As modified by the conditions of approval, the Project will incorporate site improvements (e.g. parking, mechanical equipment and screening, etc.) and necessary amenities to support use and enjoyment of the property in a manner that is compatible with the property and its environs.

SECTION 9-5.2703(B)(1)(d): That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use; and

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: The Project site is located at the intersection of Lone Tree and Fairside

Ways. These roadways have adequate width and improvements to accommodate the traffic that would be generated by the proposed AutoZone store. This conclusion is supported by the Kimley-Horn and Associates Traffic Impact Study dated November, 2013 indicating the traffic generated by the proposed use is adequately handled by the adjacent streets and highways.

SECTION 9-5.2703(B)(1)(e): That the granting of such use permit will not adversely affect the comprehensive General Plan.

PLANNING COMMISSION'S DETERMINATION IN SUPPORT OF THIS FINDING: Granting a Use Permit approval will not adversely affect the comprehensive General Plan in that it will result in small scale non-residential development consistent with the job creation and jobs-housing balance objectives of the City.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council approve the Design Review application because the Project is consistent with the purpose of design review because the development complies with the objectives of the General Plan, the East Lone Tree Focus Area, and the Citywide Design Guidelines as follows:

1. As modified by conditions of approval, the Project includes adequate articulation of the building form and elevations to create varied rooflines, building shapes, and patterns of shade and shadow and create architectural interest and compatibility with surrounding development. The site plan and architectural form are consistent with the Design Guidelines 3.1.2, 3.1.3B, 3.1.3.C, 3.1.3D, 3.1.3E, 3.1.3F, 3.1.4A; 3.1.4B; 3.1.4C; 3.1.4D; 4.1.4E, and 4.1.4F, 3.1.7, and 3.1.8.
2. As modified by the conditions of approval, the building includes sculpted building corners and incorporates an architectural element that increases the building height and mass to "anchor" the property corner at the intersection of Lone Tree and Fairside Ways. While the building corner has been angled to provide vehicle sight distance at the intersection, project conditions are intended to further orient the structure to the corner conditions by creating architectural interest and orienting active areas to the street.
3. As modified by conditions of approval, trash enclosures will be located away from neighboring residences and visually screened from public view to minimize nuisance for adjacent property owners. Similarly, conditions of approval requiring screening of utility and mechanical equipment (e.g. electric and gas meters, electrical panels, and junction boxes) from the view of public streets and neighboring properties.
4. All areas not covered by structures, service yards, walkways, driveways, and parking spaces shall be landscaped while encouraging pedestrian

enhancements. To comply with section 3.1.3D of the Design Guidelines, conditions of project approval require the applicant to incorporate decorative paving and more urban landscape treatments (e.g. tree grates within the paved area of the south eastern corner of the building). To comply with section 3.1.7 of the Design Guidelines, conditions of approval further require the Project to include a pedestrian connection between the public sidewalk and the building that is independent of the driveway.

BE IT FURTHER RESOLVED that the Planning Commission, after reviewing the staff report and considering testimony offered, does hereby recommend to the City Council APPROVAL of the Final Development, Variance, Use Permit, and Design Review (PD-13-02, V-13-01, UP-13-04 and AR-13-04) to construct the AutoZone Project subject to the following conditions and the findings for the conditions, which are attached to this resolution as Exhibit A:

A. GENERAL CONDITIONS

1. The Project shall be constructed and operated in compliance with City of Antioch Municipal Code requirements and standards.
2. Conditions required by the Planning Commission (and the City Council if applicable), which call for a modification or any change to the site plan shall be submitted, and shall be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission (and City Council if applicable) 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 19, 2016), 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. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours 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 AMC6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with a contact number of the applicant, City staff, and the air quality control board.

C. SITE AND PROJECT DESIGN

1. Prior to issuance of a building permit, the applicant shall submit site and architectural plans demonstrating that the Project will conform to the following access requirements:
 - a. The required 50 foot sight distance triangles shall be maintained at all intersections and no object greater than 3 feet in height shall be placed in that triangle. All fencing, landscaping, signage, and slopes shall also not restrict sight distance.
 - b. Asphalt paving 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.

- c. All access driveways shall be constructed to City standards, subject to review and approval by the City Engineer.
 - d. All parking lot dimensions and striping shall meet minimum City standards.
 - e. All parking and access shall meet the ADA/Title 24 requirements as determined by the Chief Building Official using Checklist #1, Parking, CA Title 24, Sections 1129B.1 and 1130B. The location of such spaces shall provide safe and convenient access to the building as determined by the Chief Building Official.
 - f. Bike racks shall be provided in compliance with the Antioch Municipal code and shall be durable and visually subdued. Based on their performance, "loop racks" and "ribbon bars" are encouraged, and shall be sized according to parking requirements. The applicant shall submit details of the bike racks for staff review and approval.
 - g. Any cracked or broken sidewalks shall be replaced as required by the City Engineer.
2. The City Engineer shall determine if it is necessary to engage in 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, this may be extended to include field inspections by such professional to verify implementation of the plans. Cost of these services shall be borne by the developer.
3. Prior to issuance of a building and/or grading permits, the applicant shall revise the site plans for review and approval by staff that incorporate the following:
- a. 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 City staff approval and the trash enclosures shall not be located within any easement areas.
 - b. Incorporate decorative paving in the parking area and on the project site.
 - c. Incorporate adequate and appropriate design elements to screen all utilities, utility connections, mechanical equipment, and trash enclosures from public view.
 - d. A lighting plan that ensures adequate lighting for safety and security without resulting in excessive spillover or glare on surrounding properties.

Light standards shall be designed to be attractive and to avoid heights in excess of 25 feet. All exterior light fixtures shall be approved by staff prior to the issuance of a building/grading permit.

4. Prior to issuance of a building and/or grading permits, the applicant shall submit revised architectural plans for review and approval by staff that incorporate the following:
 - a. Detailed building specifications and samples to demonstrate that exterior finishes are compatible with City design objectives and the surrounding environment; and
 - b. Architectural improvements to screen building mounted equipment and utilities so that they are screened from public view.
 - c. Signage.
 - d. Any revisions to the building exterior materials, paint colors, and/or overall color scheme shall require a new application and shall be subject to Design Review approval.
5. Prior to issuance of a building and/or grading permits, the applicant shall submit revised site plans and delivery plan for review and approval staff that ensures that site access and circulation accomplish the following:
 - a. Delivery trucks shall enter the site from Lone Tree Way and exit onto Fairside Way. Delivery trucks shall only deliver to the store between the hours of 8:00 AM and 6:00 PM.
 - b. The median on Fairside Way shall be modified to allow large trucks and passenger vehicles to make left turns directly onto Fairside Way. The median opening shall be configured to prevent southbound left turn from Fairside Way into the AutoZone driveway with a NO LEFT TURN sign posted, as directed by the City Engineer.
 - c. A shall sign be posted at the Fairside Way driveway exit indicting that truck and non-local traffic are not permitted on Fairside Way.
 - d. The median landscaping on Fairside Way shall be restored and re-landscaped as approved by the City Engineer.
 - e. The driveway from Lone Tree Way shall be designed as a commercial driveway with curb returns as approved by the City Engineer.

D. 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. Underground utilities shall be designed to flow approximately parallel to the centerline of the street, or as approved by the City Engineer.
3. All on-site curbs, gutters and sidewalks shall be constructed of Portland Cement concrete.
4. The sewer collection system shall be constructed to function as a gravity system.
5. The applicant shall submit hydrology and hydraulic analysis with a storm water control plan to the City for review and approval prior to the recordation of the final and to Contra Costa County Flood Control for review at no cost to the City as directed by the City Engineer.
6. A public utilities easement that encompasses public utilities shall be provided as directed by the City Engineer.
7. All ground mounted utility appurtenances such as transformers, AC condensers, backflow devices, etc., shall be located out of public view and adequately screened in such a manner as to minimize the visual and acoustical impact. Screening may include a combination of landscaping and/or masonry to the satisfaction of the Community Development Department. All gas and electrical meters shall be concealed and/or painted to match the building
8. The applicant shall prepare a final site plan and elevations of all on-site mechanical equipment (including HVAC condensers, transformers, switch boxes, backflow devices, PG&E transformers, etc.) and specifics of how such equipment shall be screened from public view. This plan, with an approval stamp from the City of Antioch shall be submitted to the utility provider for review. Any necessary changes or deviations from the approved utility location and/or screening shall be reviewed by the Community Development Department prior to installation and may be subject to discretionary Design Review processing and fees.
9. Improvements and fees that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
10. 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.

11. A reduced backflow prevention device shall be installed on all City water meter services.

12. Street lighting shall be provided in accordance with the Antioch Municipal Code.

E. LANDSCAPING

1. Landscaping and signage shall not create a sight distance problem.
2. That 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.
3. All trees shall be a minimum 15-gallon size and that all shrubs be a minimum 5-gallon size, with the exception that trees along the frontage of the project site may be larger than 15 gallons, if determined necessary by staff.
4. Landscape shall show immediate results and be permanently maintained at an "A" level.
5. There shall be a minimum of five feet (5') clear between any proposed trees and any concrete or asphalt paving within the City right-of-way. Trees closer than ten feet (10') to any concrete or asphalt paving shall use approved root guards.

F. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
 - a. The applicant shall provide emergency apparatus access roadways with all-weather (paved) driving surfaces 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. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC
 - b. Access roadways of less than 28-feet unobstructed width shall have signs posted or curbs painted red with the words NO PARKING-FIRE LANE clearly marked. (22500.1)CVC, (503.3)CFC. Access roadways of 28 feet or greater, but less than 36-feet unobstructed width shall have NO

PARKING - FIRE LANE signs posted, allowing for parking on one side only or curbs painted red with the words NO PARKING-FIRE LANE clearly marked. Parking is permitted only on the side of the road that does not have hydrants. (22500.1)CVC, (503.3)CFC

- c. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1250 GPM. Required flow must be delivered from not more than two hydrants flowing simultaneously for duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC. This includes the reduction for fire sprinklers.
- d. The developer shall provide one hydrant of the East Bay type. Hydrant shall be located on the southeast corner of the property. (C103.1) CFC
- e. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed fire apparatus access for review and approval prior to building permit. Final replacement of hydrants shall be determined by the Contra Costa County Fire Protection District and located as part of this review. (501.3) CFC
- f. The building as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2010 edition of NFPA 13. Submit three (3) sets of plans to the Contra Costa County Fire Protection District for review and approval prior to installation. Contra Costa County Ordinance 2010-15
- g. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with the development. (21351) CVC
- h. 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. (105.4.1)CFC, (901.2) CFC, (107)CBC
 - Building construction plans
 - Private underground fire service water mains
 - Fire sprinklers
 - Sprinkler Alarm and Supervisory system
 - Aboveground flammable or combustible liquid storage tanks
- i. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to Contra Costa County

Fire Protection District (CCCFPD). Submit plans to: Contra Costa County Fire Protection District, 2010 Geary Road, Pleasant Hill, CA 94523.

G. FEES

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

H. 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. The lot shall be graded to drain positively from the rear to the street or as approved by the City Engineer.
3. The grading plan for this development shall be approved by the City Engineer.
4. The final grading plan for this development shall be signed by a California licensed civil engineer and approved by the City Engineer.
5. All elevations shown on the improvement plans shall be on the USGS 1929 sea level datum.
6. The minimum concrete gutter flow slope shall be 0.75%.

I. 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. Any undeveloped areas on-site shall be maintained in an attractive manner which ensures fire safety.
3. The Project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204 (G).
4. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
5. No signs shall be installed on this site without prior City approval.

J. CONSERVATION/NPDES

1. Prior to issuance of a building permit, the applicant shall revise project plans and construction documents to incorporate water conservation measures, including low volume toilets and the use of drought tolerant landscaping.
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 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.
3. No automobile maintenance shall be performed in the parking lot and signage on site shall be posted notifying customers of this requirement. All areas used for washing, steam cleaning, maintenance, repair or processing shall be discharged into the sanitary sewer as approved by the City Engineer.
4. The following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) shall be complied with as appropriate, or as required by the City Engineer:

- a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
- b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility. 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 on all catch basins "No Dumping, Drains to River" decal buttons.
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.
- l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The applicant shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
- m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
- n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.
- o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.

K. FINAL IS/MND AND MITIGATION MONITORING AND REPORTING PROGRAM

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

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER,
Secretary to the Planning Commission

Exhibit A

AUTO ZONE (GP-13-01, SP-13-01, Z-13-01, PD-13-02, V-13-01, UP-13-04, DR-13-04)

FINDINGS IN SUPPORT OF CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The City of Antioch has established a Municipal Code to protect the public health, safety, and welfare of the citizens within the City. This condition of approval is necessary for the developer to mitigate any project impacts that may threaten the health, safety, or welfare of its citizens.
- 2-3. In order for the Project to be constructed to the City's approved standards, the plans need to adequately reflect the changes made by the Planning Commission (and City Council if applicable) and City staff needs to inspect the site for compliance with the conditions of approval prior to final inspection approval. These conditions protect the public safety, health, and general welfare of the residents of the Project and surrounding residential and other uses by providing an adequate reflection of the approved project prior to the issuance of building permits. A site inspection is also conducted to ensure the Project was built as conditioned.
4. The regulatory environment of land development and base line conditions change frequently as well as thresholds established by the California Environmental Quality Act; therefore this condition is necessary to ensure any project going forward is subject to the most current regulations in order to promote the public health, safety, and welfare in the City of Antioch.
5. The Project is being pursued by a developer and the City's responsibility is to promote orderly development within the City. This condition is necessary to protect the City from the financial and time expenses for defending challenges to land use entitlements or environmental reviews that are financially benefitting the applicant, particularly given the City's own financial challenges.
- 6-7. The Project takes City time and staff to process development applications through the land use entitlement process. The development of property is at the benefit of the applicant; therefore the conditions are necessary to ensure the applicant pays the expenses to process the application rather than having that burden placed on the taxpayers for another's benefit and satisfies all necessary requirements to make use of public lands that serve the Project site.

8. It is necessary to ensure administrative consistency and avoid confusion between plan versions by identifying the most recent entitlements that govern site development and use.
9. The development of this Project could require construction within the public right-of-way and/or private and public easements. These conditions are necessary to protect private and public property interests, as well as the traveling public, by requiring the applicant to obtain permission prior to entering, accessing, or making modifications to property not owned by the applicant.

B. CONSTRUCTION CONDITIONS

- 1-3. The construction of the Project will span approximately one year and will include site preparation, earthmoving, and general construction, which includes the development of buildings, structures, and facilities. Construction activities will produce impacts related to noise, dust, vibrations, and traffic that must be addressed and mitigated. In addition, the City is under a State-wide mandate to divert its waste by 50% and thus the City has adopted an ordinance to reduce construction and demolition debris from going to the landfill. These conditions of approval are necessary to address these impacts from the Project to ensure the public health, safety, and welfare of the Antioch community are protected and that development in the City occurs in an orderly fashion consistent with the City's General Plan and Municipal Code and to not create temporary or permanent nuisances.

C. SITE AND PROJECT DESIGN CONDITIONS

1. Access to and circulation around the Project site has the potential to detract from harmonious development. This condition is necessary to ensure the public health, safety, and welfare of the Antioch community are protected by having safe access and circulation in the Project vicinity.
2. This condition is necessary to ensure that site and Project design respond to soils conditions as they become known through project refinements and additional technical study. It may be necessary for the City to engage professionals to verify the adequacy of the plans in order to preserve the health, safety, and welfare of the residents of this Project, the surrounding neighborhood, and the construction workers, and therefore this condition is necessary.
3. This condition is necessary to ensure harmonious development and avoid land use conflicts as established by Design Guidelines 3.1.3B, 3.1.3D, 3.1.3F, and 3.1.8.

4. This condition is necessary to ensure harmonious development and appropriate building design as established by Design Guidelines 3.1.3B, 3.1.3D, 3.1.3F, and 3.1.8.
5. The Project will be constructing streets and driveways to serve the Project and in order to maintain the health, safety, and welfare of the residents and those that will visit this Project; the streets and driveways need to be adequately designed for safe travel and maneuverability. The delivery hours are to ensure the quiet enjoyment of the surrounding residential neighborhood. Therefore these conditions are necessary for the Project.

D. UTILITIES

- 1-12. The Project will require electrical, water, sewer, and storm drain facilities. The Antioch Municipal Code requires all utility facilities (including, but not limited to, electric, communication, and cable television lines) which are located on-site or adjacent to the subdivision shall be placed underground. In order to minimize visual clutter utilities should be placed underground or subsurface. This condition is necessary to promote the desirability of the City through the minimization of visual clutter and to maintain the aesthetics of the City as well as adherence to the Antioch Municipal Code.

E. LANDSCAPING CONDITIONS

- 1-6. The Project has one commercial building to serve the Project with a parking lot and will require landscaping. The City has also adopted Citywide Design Guidelines, which sets standards for streetscape design in regards to landscaping. These conditions are necessary to promote the health, safety and general welfare of the citizens of the City of Antioch and adhering to the Design Guidelines by preserving and enhancing the City's natural environment to facilitate the creation of a convenient, attractive, and harmonious community; to minimize erosion and disturbed lands through revegetation; to conserve energy by the provision of shade trees over streets, sidewalks, and other paved areas; to reduce the risk of fire by the management of flammable vegetation; to improve the appearance of the built environment; and to encourage the appropriate use of and orderly development of land.

F. FIRE REQUIREMENTS

1. The Contra Costa Fire Protection District provides fire services for the City of Antioch and follows the California Fire Code. The conditions of approval are necessary on the Project to protect the public health and provide for the safety and welfare of life and property from fire and explosion hazards or dangerous conditions in new buildings and existing buildings; structures and premises; and

to provide safety and assistance to fire fighters and emergency responders during emergency operations.

G. FEES

- 1-5. The City of Antioch, the Contra Costa Flood Protection District, and the Antioch Unified School District provide existing infrastructure such as streets, utilities, traffic signals, schools, public right-of-way, parks, flood mitigation improvements, parks, and police services. The fees required by the conditions of approval serve two functions: 1) the funds will provide mitigation for the project's fair share impact and the Project's responsibility of costs for the existing infrastructure due to the increase in population and 2) to mitigate the costs of additional infrastructure and maintenance necessary due to the impact of the Project. The conditions of approval are necessary to mitigate impacts to public infrastructure from deterioration as well as provide additional infrastructure to serve the additional population.

H. GRADING

- 1-6. The project requires grading of the Project site, which could have impacts on the final elevations for the overall development and the adjacent properties. These conditions are necessary to ensure public health, safety, and welfare because the grading has to be designed and approved by a licensed civil engineer. The licensed civil engineer is responsible for the development of a plan detailing the site conditions, design, and construction recommendations based on specific information on subsurface soil, rock, and water conditions. The impacts of the grading will be mitigated by the conditions of approval to ensure appropriately functioning utilities, and the development will be in accordance with the surrounding properties.

I. PROPERTY MAINTENANCE

- 1-5. These conditions are necessary to ensure that the Project site is kept in good working order to ensure adequate trash collection, to avoid localized flooding, reduce fire risks, and ensure the continued health, safety and welfare of the project environs.

J. CONSERVATION/NPDES

- 1-3. The Project is proposing one commercial building, a parking lot and landscaping. These conditions of approval pertaining to water conservation measures, and water quality are necessary to reduce water demand and to protect aquatic resources. The condition of approval protects the general welfare of the State to use water resources efficiently and to not waste water.

4. The Project is proposing to create impervious surface as well as engage in land disturbing construction activities which will lead to increase storm water runoff. The City is under Federal and State mandate to control water pollution by regulating point sources that discharge into local water bodies. Point sources are discrete conveyances such as pipes or man-made ditches. The Project is proposing two storm water control basins and a variety of conveyances to handle the storm water from the development. These conditions of approval are necessary to address these impacts from the Project to ensure the public health, safety, and welfare of the Antioch community is protected by control point source pollutants.

K. FINAL IS/MND AND MITIGATION MONITORING AND REPORTING PROGRAM

1. As required by the State of California, through the California Environmental Quality Act, an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared for the Project. The impacts of the Project were identified to produce significant environmental impacts without mitigations. With the implementation of the mitigation measures, it reduces the project's impact to a less-than-significant level. The condition of approval is necessary to ensure the project complies with all mitigation measures so the Project does not create a significant environmental impact. The mitigation measures will ensure provision of a high quality environment with acknowledgement of the relationship to the general welfare of the people of the State. The capacity of the environment is limited and CEQA maintains thresholds for the health and safety of the people and take necessary action to prevent such thresholds from being reached. Lastly, the environmental document is to regulate activities which affect the quality of the environment so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment.

**STAFF REPORT TO THE CITY OF ANTIOCH PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 19, 2014**

Prepared by: Mindy Gentry, Senior Planner *MG*
Approved by: Tina Wehrmeister, Community Development Director *TW*
Date: February 13, 2014
Subject: Preliminary Development Plan for the Heidorn Village
Subdivision (PDP-13-01)

RECOMMENDATION

It is recommended that the Planning Commission provide feedback to the applicant and staff regarding the proposal and to provide direction to the applicant for the Final Development Plan submittal.

REQUEST

The applicant is requesting preliminary plan review of a proposal to develop a 117 unit residential subdivision on 20.3 acres. The project site is located in southeast Antioch on the west side of Heidorn Ranch Road, at the eastern terminus of Prewett Ranch Drive (APNs 056-130-013, -015, -017, and -018) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final development plan hearing.

Also, staff is looking for direction from the Planning Commission on this product type as it is anticipated that future developments will be coming forward with a similar small lot layout. In recent history, the City has not processed many residential development applications due to the economic downturn and historically, the majority of the proposed housing products have been larger lots (5,000 to 6,000 s.f.) with large homes; however due to the economy the housing market and community sentiment has changed dramatically. Staff is looking for direction and feedback on the Commission's thoughts about these types of developments.

BACKGROUND

The subject site was previously reviewed under the now expired Residential Development Allocation (RDA) and the preliminary development plan process for a 123 unit small lot development. All of the homes were proposed as two story and contained

20' shared driveways. Staff, the Planning Commission, and City Council all had concerns over the design of the project regarding setbacks, the inadequate backup distances of the shared driveways, and adequate space for garbage cans on the street to name a few. Ultimately, the project did not move forward and was not considered for entitlements.

ENVIRONMENTAL

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

ANALYSIS

Issue #1: Project Overview

The proposed project consists of 117 single family homes on approximately 20.3 acres. The lots are proposed at a minimum of 4,000 s.f. (50'X80') with the single story lots being a minimum of 4,400 s.f. (55'X80'). There are 18 single story lots, which are indicated on the plans with a box around the lot number. All corner lots have an additional five feet in width. The applicant has not included any proposed architecture as part of the application; therefore a design discussion is absent from this staff report.

A homeowner's association (HOA) will be required for the project, which will be responsible for maintaining all open space, internal streets, street lighting, perimeter landscaping, and water quality basins. The HOA will also be responsible for enforcing parking restrictions.

Issue #2: Consistency with the General Plan

The General Plan designation for the project site is Medium Low Density Residential which allows a maximum density of six units an acre. The zoning designation is Planned Development (PD). The proposed land use is consistent with the General Plan and zoning designations.

Medium Low Density Residential is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. The maximum allowable density is six dwelling units per acre. The proposed project density is just under the maximum density allowed under the General Plan, which would be 121 homes.

According to the General Plan achievement of maximum densities are not guaranteed nor implied by the General Plan. The final density is determined by development design; any onsite constraints such as physical or environmental; available

infrastructure; and other factors. Lastly, the development standards in the zoning code could also influence the number of lots thereby limiting the maximum allowable densities.

Issue #3: Site Plan

The proposed project is a small lot subdivision, which is a product type that has not been readily developed in the City of Antioch in recent years. The typical lot would be 50 feet by 80 feet, which is 4,000 s.f. The applicant has indicated the average lot coverage would be around 55%, which is higher than the typical 40%, which is the maximum for the comparable Medium Low Density Residential (R-6) zoning designation. The proposed setbacks for the project, which are similar to the R-6 zoning designation minimum setbacks, are as follows:

Setback	Distance
Front (Porch)	10'
Front (House)	15'
Front (Garage)	20'
Rear (Single Story)	10'
Rear (Two-Story)	20'
Side	5'

Each home would have a two car garage with at least a 20' driveway, which staff is recommending the driveways be at a right angle to the street.

The proposal includes houses that front onto Prewett Ranch Road, west of Street C, which is similar to the subdivision to the west. The site plan, east of Street C and up to the intersection of Heidorn Ranch Road, has homes backing on to Prewett Ranch Drive. On Heidorn Ranch Road there is a setback, which contains a water quality basin, of approximately 103 feet to the property line of lots 103-108. There are five areas that have access via a 24' driveway, which creates "flag" lots rather than the homes fronting onto a typical street. The driveways provide access to lots 16-17; 22-24; 48-50; 60-62; and 97-98.

The applicant has not provided any architecture for review except for the sample lotting on lots 37-47; which are placed in a relatively straight line. Staff recommends that the site plan stagger the placement of the homes to provide a more varied streetscape. Providing a varied front setback is consistent with General Plan Community Image and Design policy 5.4.7 b: *Provide recognizable variations in front and side yard setbacks within single-family residential neighborhoods.*

Because of the narrow shared driveways, the garbage cans for the homes that face the shared driveways will have to be rolled out to the street. The applicant has indicated to staff that they can provide dedicated areas for the garbage cans on each street. The applicant should show these areas on the site plan submitted with the final development plan.

Issue #4: Open Space and Park

The applicant is proposing a central park area in the development totaling approximately 29,600 s.f. The applicant has indicated that the park will provide picnic areas, barbeques, cluster mail boxes for the development, and benches. This is consistent with General Plan Community Image and Design policy 5.4.7 d: *Within multi-family and small lot single-family developments, cluster residential buildings around open space and/or recreational features.* There are also several other open space parcels provided throughout the development, with the most notable ones being on the frontage of Heidorn Ranch Road, totaling 37,800 s.f.; along Street D totaling 11,600 s.f.; and along the EBMUD right-of-way totaling 10,400 s.f. The applicant has not indicated which parcels will be used for water quality basins; however staff has recommended that the park maintain its useable space and that no water quality basins be located there.

Issue #5: Parking and Circulation

Circulation: The proposed plan features mostly private streets with sidewalks and parking on one side of the street with the exception of the two entries. The two entry streets have a 46' wide street section, which consists of sidewalks and parking on either side of the street with two travel lanes. The internal streets are proposed to have a 36' or 28' wide street section depending on the street. The difference is that the 36' wide street will allow for parking on both sides of the street, while the 28' street will allow for parking on only one side.

Parking: The project is providing two parking spaces in a garage for each unit. The Zoning Ordinance requires one on-street guest parking space per unit in close proximity. The plans do not show the required number of guest spaces on the site plan and staff has recommended as part of the final development plan submittal that a parking plan be provided. The parking plan shall number the lots and show the required corresponding guest parking for to each unit. The ordinance doesn't specify the placement of the spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving. Also included in the parking plan should be how the parking spaces within the shared driveways will function.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. The applicant's proposed site plan makes it difficult to provide the required number of RV parking spaces. Requiring RV parking may not be practical for this type of development and could be appropriately deterred by prohibiting RV parking in the development's Covenants, Codes and Restrictions (CC&Rs). This is consistent with other approved small lot subdivisions. The PD zoning allows flexibility with development standards; therefore, the Commission has the ability to require or not require RV parking for this project.

Issue #6: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems. Staff recommends that the City work with the developer on a reimbursement agreement for any items that will require other developers to pay their fair share for improvements completed with this project.

Prewett Ranch Drive & Heidorn Ranch Road: The applicant will be responsible for constructing the northerly half width of Prewett Ranch Drive. Prewett Ranch Drive will require a 76' wide street section from the intersection of Heidorn Ranch Road until approximately lot 98 to 99. This street section will include two travel lanes, a left turn pocket, and a median with sidewalks, bike lanes, and public right-of-way on either side of road. West of approximately lot 98 and 99, Prewett Ranch Road will then transition for back to a 60' right-of-way as shown in the street cross sections on the plans. Further a left turn lane needs to be provided from Prewett Ranch Drive onto Heidorn Ranch Road.

The applicant will also be responsible for the construction of Heidorn Ranch Road from the northerly property line to the intersection of Prewett Ranch Road, where the improvements will then transition back down to the existing roadway. A left turn pocket will also be required in both directions on Heidorn Ranch Road at Prewett Ranch Road, which needs to be accommodated for in the Final Development Plan. The plans also show Heidorn Ranch Road widened in front of the existing church property. There is a Deferred Improvement Agreement recorded on the property; therefore the applicant will have to work with the church to widen the road prior to the construction of the project. A reimbursement agreement with Brentwood for the road improvements is also recommended by staff.

Based on an earlier traffic study for the previously proposed project, a traffic signal will be required at the intersection of Heidorn Ranch Road and Prewett Ranch Drive, which is being proposed by the applicant. The signal is required to accommodate the traffic from the proposed development as well as future development in the area.

Utilities: The developer will be required to underground existing utilities on the west side of Heidorn Ranch Road from the EBMUD right of way to the intersection of Heidorn Ranch Road and Prewett Ranch Drive.

Due to the smaller lots, staff has concerns about the placement of the required utility boxes. In some cases on small lot developments, the utility boxes can be placed in a manner that dramatically reduces front yard landscaping. Therefore, staff is recommending the applicant submit a utility plan as part of the final development plan submittal showing the placement of all utility boxes. Further, since the streets are private, the applicant also needs to show the placement of the utilities within the private streets with proposed easement for the public utilities.

Issue #7: Architecture, Landscaping and Walls

The applicant has not proposed any architecture, landscaping, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the “front” elevations should also be placed on the side elevations facing the street.

There is decorative paving shown at the intersection of Street A, Street B, and Street D; at the entrance to the park; and in the crosswalk at the intersection of Prewett Ranch Road and Street C. The City’s Design Guidelines discuss having entries that incorporate special paving, architectural elements, and landscaping to set the overall tone for the community’s character. Staff has suggested adding a project entry feature to set the overall character of the project.

An element that is not contained within the proposal is a trail connection to the EBMUD right-of-way north of the project. Staff would support a trail connection to promote connectivity to adjacent neighborhoods as well as the commercial use to the north.

There is a proposed park, storm water basins, and other smaller open space areas that will be landscaped, which will be maintained by the project’s HOA.

Lastly, the applicant has not proposed any type of walls or fencing at this time. The Antioch Municipal Code states that any fences between residential and nonresidential uses shall be of masonry construction. Staff is recommending the area along Street D have a masonry wall to separate the residential use and the existing church facility. Also, the homes backing up to Heidorn Ranch Road and Prewett Ranch Drive shall have a masonry wall, which will have its height determined by a noise study. Staff is also recommending a fence, with pedestrian access, between the project and the EBMUD right of way to the north. Staff is recommending the fencing be a wrought iron type or other decorative fencing.

Issue # 8: Other Issues

Outside Agency Comments

Comments from the Contra Costa Flood Control District are included as Attachment “B”. The applicant should address these comments with the Final Development Plan submittal.

CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be

addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following along with any issues brought up by the Planning Commission at the February 19th hearing, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include at least a 20 foot deep driveway apron, which shall be at a right angle to the street.
3. A HOA shall be established for the project and will be responsible for maintaining all open space, internal streets, street lighting, perimeter landscaping, and water quality basins.
4. The project shall provide guest parking spaces within close proximity of the unit each space serves. The applicant shall submit a parking plan with the final development plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit. The parking plan shall also include how the parking on the shared driveways will function.
5. Homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations shall also be placed on the side elevations facing the street.
6. The project's CC&Rs will not allow any RV's, boats or jet skis to be parked within the project.
7. The developer design and construct storm drain facilities to adequately collect and convey storm water entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
8. The applicant shall submit a utility plan showing the location of water meter boxes; backflows for fire sprinklers; sewer cleanouts; cable, phone, and power boxes as it relates to frontage of the houses. The utility plan shall also show a proposed easement for the public utilities that will be located in the private streets.
9. The Final Development Plan shall include a project entry feature and landscaping to set the overall character of the development. The entry feature shall incorporate some of the following: lighting, public art, large specimen trees, stone wall features, architectural monumentation and water features. The entry feature shall include authentic materials such as brick, stone, wood, or iron work.
10. A trail connection shall be made to access the EBMUD trail to the north.

11. All open space areas such as the water quality basins, the park, the setback from Heidorn, and any other spaces shall be landscaped and included in the landscape plan to be submitted with the Final Development Plan.
12. A decorative masonry wall shall be provided the length of Street D and Street A adjacent to the church property as well as for the homes that back onto Heidorn Ranch Road and Prewett Ranch Drive. A wrought iron style or other decorative fence shall be provided the length of Street D adjacent to the EBMUD right-of-way.
13. The central park shall not contain any water quality basins.
14. All lots shall be a minimum of 4,000 square feet.
15. There shall be a minimum of 18 single story homes.
16. Included with the Final Development Plan submittal, a site plan shall show the location where garbage cans will be located on the main streets for trash pickup days. The areas shall be able to accommodate three bins plus three feet between the bins.
17. The Final Development Plan submittal shall include plans to widen Prewett Ranch Drive and Heidorn Ranch Road.

ATTACHMENTS

- A. Aerial Photograph
- B. CCFCD Letter

ATTACHMENT "A"

Aerial Photograph





Contra Costa County
Flood Control
 & Water Conservation District

Julia R. Bueren,
 ex officio Chief Engineer
 Steve Kowalewski,
 Deputy Chief Engineer

December 4, 2013

RECEIVED

DEC 09 2013

Mindy Gentry
 City of Antioch
 Community Development Department
 P.O. Box 5007
 Antioch, CA 94531-5007

CITY OF ANTIOCH
 COMMUNITY DEVELOPMENT

RE: Heidorn Village 117-SFR
 Our File: 3056-06 056-130-013,-015,-017,-018

Dear Ms. Gentry:

We have reviewed the Preliminary Development Plan for the Heidorn Village Subdivision, located near the intersection of Heidorn Ranch Road and Prewitt Ranch Road (APNs 056-130-013,-015,-017,-018). Our office received the Project Referral Request for Comments/Conditions Notice on November 21, 2013, and we submit the following comments:

1. The subdivision is located in Drainage Area 56 (DA 56). All development applications in this drainage area are subject to the provisions of Flood Control Ordinance Number 2002-24. This ordinance requires developments to pay drainage fees for construction or creation of new impervious surfaces within DA 56. The collected fees pay for drainage improvements that help mitigate the increased runoff generated by new developments. At this time, there is not enough information provided on the lot sizes and the open space areas to determine the DA 56 fees. Please have the developer's engineer submit a map or worksheet indicating each lot size area as well as all other impervious surface areas within the project's boundary. This information will be used to estimate DA 56 fee obligation for this development.
2. The Contra Costa County Flood Control and Water Conservation District (FC District) is not the approving local agency for this project as defined by the Subdivision Map Act. As a special district, the FC District has an independent authority to collect drainage fees that is not restricted by the Subdivision Map Act. The FC District reviews the drainage fee rate every year the ordinance is in effect and adjusts the rate annually on January 1 to account for inflation. The drainage fee rate does not vest at the time of Tentative Map approval. The drainage fees due and payable would be based on the fee rate schedule that is in effect at the time of fee collection.

3. The developer may be eligible for credit against their drainage area fees for existing impervious surface area on the property. The developer's should submit a worksheet, which includes a scalable map, that calculates the deduction of fees for the existing impervious surface and the total amount of credit requested.
4. The majority of the development property lies within the East Antioch Creek watershed, with the exception of the southeastern section, which is within the Lower Marsh Creek watershed. It is unclear with the Preliminary Development Plan where the development will drain to. The developer should submit a hydrology map to the City of Antioch (City) and the FC District that shows in more detail where the natural watershed boundary is.
5. We recommend that the City condition the developer to design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed.
6. The developer should be required to submit hydraulic and hydrology calculations to the FC District and the City that verify the adequacy of the downstream system, specifically DA 56 infrastructure. Previous subdivisions have constructed much of the DA 56 storm drain infrastructure downstream of the proposed development. The developer should be conditioned to provide full documentation, to both the FC District and the City, of the adequacy of the downstream drainage system to convey project run-off.
7. We recommend that the City condition the developer to contact the appropriate environmental regulatory agencies, such as the U.S. Army Corps of Engineers, State Department of Fish and Game, and State Regional Water Quality Control Board, to obtain all the necessary permits for this project or show that such permits are not necessary.
8. The applicant should be required to comply with the current NPDES (National Pollutant Discharge Elimination System) requirements under the City Stormwater Management and Discharge Control Ordinances and the C.3 Guidebook. We support the state's goal of providing best management practices to achieve the permanent reduction or elimination of stormwater pollutants and downstream erosion from new development.
9. Review of development plans and hydrology and hydraulic calculations for conformance with our drainage area plan falls under our Fee-For-Service program. Calculation of the eligible construction costs and fee credit also falls under our Fee-For-Service program.

We appreciate the opportunity to comment on the project and welcome continued coordination. If you have any questions, please contact me at (925) 313-2304 or hshaf@pw.cccounty.us.

Sincerely,



Homira Shafaq
Staff Engineer
Contra Costa County Flood Control
& Water Conservation District

HS:cw

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c: Mike Carlson, Flood Control
Tim Jensen, Flood Control
Teri E. Rie, Flood Control
Marsha Brown, Finance (APNs: 056-130-013,-015,-017,-018)
Douglas Krah (applicant)
1917 Parkmont Dr.
Alamo, CA 94507