

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

**WEDNESDAY, MAY 6, 2015**

**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 **WEDNESDAY, MAY 13, 2015**.

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
	Miller <b>(absent)</b>
	Westerman
	Zacharatos
	Parsons <b>(absent)</b>
	Mason

**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:** March 18, 2015

**APPROVED**

\* \* \*

END OF CONSENT CALENDAR \* \*

MINUTES

## **NEW PUBLIC HEARING**

2. **UP-14-14, V-15-01, AR-14-08 TACO BELL** – Taco Bell requests approval of a Use Permit for a 1,822 square foot fast food restaurant with a drive-thru; a Variance to reduce the A Street and 18<sup>th</sup> Street setbacks; a Variance to modify parking standards; and Architectural Review. The project site contains an existing 3,200 square foot building which will be demolished. The project site is located at 1706 A Street (APN 067-243-031).

**RESOLUTION NO. 2015-09**

## **CONTINUED ITEM**

STAFF REPORT

STAFF REPORT

3. Election of Chair and Vice Chair

**MOTTS – Chair**

**WESTERMAN – Vice Chair**

## **ORAL COMMUNICATIONS**

STAFF REPORT

## **WRITTEN COMMUNICATIONS**

## **COMMITTEE REPORTS**

## **ADJOURNMENT (8:01 pm)**

### **Notice of Availability of Reports**

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

directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**Notice of Opportunity to Address the Planning Commission**

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

**Accessibility**

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

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
6:30 p.m.**

**March 18, 2015  
City Council Chambers**

Chair Hinojosa called the meeting to order at 6:30 P.M. on Wednesday, March 18, 2014 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, March 25, 2015.

**ROLL CALL**

Present: Commissioners Parsons, Zacharatos, Westerman  
Vice Chair Motts and Chair Hinojosa  
Absent: Commissioner Miller  
Staff: City Attorney, Lynn Tracy Nerland  
Interim Director Community Development, Mitch Oshinsky  
Acting Senior Planner, Alexis Morris  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes: February 4, 2015  
February 18, 2015

In response to Chair Hinojosa, City Attorney Nerland explained that it was the Chair's prerogative whether to separate items on the Consent Calendar for separate action.

A motion by Commissioner Westerman, seconded by Commissioner Zacharatos, to approve the minutes of February 4, 2015 as presented lacked a majority vote when Commissioner Parsons and Vice Chair Motts abstained.

City Attorney Nerland explained the vote was recognition minutes had been prepared in an appropriate manner and explained and unless a Commissioner would like to change their vote, they could place the item on a future agenda.



Commissioner Parsons responded that she was not on the Commission at the time the meeting took place; therefore, she felt she needed to abstain from the vote. Vice Chair Motts added that if a revote was taken, he could vote to approve the minutes.

***On motion by Commissioner Westerman, seconded by Commissioner Zacharatos, the Planning Commission approved the minutes of February 4, 2015 as presented. The motion carried the following vote:***

**AYES:** *Hinojosa, Motts, Westerman, and Zacharatos*  
**NOES:** *None*  
**ABSTAIN:** *Parsons*  
**ABSENT:** *Miller*

***On motion by Commissioner Westerman, seconded by Vice Chair Motts, the Planning Commission approved the minutes of February 18, 2015 as presented. The motion carried the following vote:***

**AYES:** *Motts, Parsons, Zacharatos, and Westerman*  
**NOES:** *None*  
**ABSTAIN:** *Hinojosa*  
**ABSENT:** *Miller*

## **NEW PUBLIC HEARING**

2. **PD-06-04, UP-06-21, AR-06-17** – Ted Liu of Bedrock Ventures, Inc. requests an amendment to condition of approval number 3 from Resolution 2008/29. The amendment would extend the expiration date of the approvals for the Final Planned Development, Use Permit, and design review to March 11, 2017. The project consists of retail and offices, located at Hillcrest Avenue and East Tregallas Road (APN: 052-100-069 and -068).

Acting Senior Planner Morris presented the staff report dated March 6, 2015 recommending the Planning Commission approve an amendment.

In response to Chair Hinojosa, Acting Senior Planner Morris explained that there were not limits on the number of times an applicant could request extension of their project; however, as more time passes the environmental analysis may change so staff reviews that information each time to determine if any updates were needed.

Commissioner Parsons stated she believed language in the staff report indicated the Planning Commission was limited to granting a two-year extension or less.

City Attorney Nerland stated she would confirm that information within the municipal code.

In response to Chair Hinojosa, Acting Senior Planner Morris stated staff has read through the initial Mitigated Negative Declaration (MND) and found the baseline conditions and analysis of those conditions were up to date.

In response to Vice Chair Motts, Acting Senior Planner Morris stated the applicant indicated he had requested the extension for economic reasons.

Chair Hinojosa opened and closed the public hearing with no speakers requesting to speak.

Chair Hinojosa stated she felt the additional time would allow for an improved financial market; therefore, she would support granting the extension.

Vice Chair Motts agreed and stated the timing of transportation improvements in the area would also benefit the project.

Commission Zacharatos agreed and stated the eBART extension may make it easier for the applicant to secure financing.

Commissioner Parsons agreed with previous comments in support of the extension.

City Attorney Nerland stated that the language in the municipal code indicated the limit for the extension was two years or less, which was consistent with past practice.

#### **RESOLUTION NO. 2015-05**

***On motion by Commissioner Parsons, seconded by Commissioner Westerman, the Planning Commission unanimously approved an amendment to the City Council Resolution 2008/29 to extend approvals of the Final Development Plan, Use Permit, and design review for the Hillside Summit project. The motion carried the following vote:***

<b>AYES:</b>	<b><i>Hinojosa, Motts, Parsons, Zacharatos, and Westerman</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>Miller</i></b>

3. The City of Antioch is proposing to adopt the Housing Element Update for the 2015-2023 planning period. The Planning Commission will consider whether to recommend that the City Council adopt the 2015-2023 Housing Element. The Housing Element is available for review on the City's website at <http://ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/>. In compliance with the California Environmental Quality Act, a Negative Declaration is being proposed for adoption.

Acting Senior Planner Morris presented the staff report dated March 13, 2015 recommending the Planning Commission approve the attached resolution recommending that the City Council certify a Negative Declaration and adopt the 2015-2023 Housing Element of the General Plan.

Sophie Martin, Consultant, gave a Power Point presentation of the background and changes to the Housing Element.

In response to Vice Chair Motts, Ms. Martin explained there were a number of factors that affected the RHNA numbers assigned. She clarified the previous Housing Element was not in compliance and did not meet the RHNA; therefore, the 2007-2014 Housing Element was cumulative. She noted the cumulative cycle was stopped because the current Housing Element was in compliance. She further noted an additional factor was regional growth trends.

In response to Chair Hinojosa, Ms. Martin clarified the period was changed to an eight year cycle due to SB375, which aligned it with the preparation of the Regional Transportation Plan. She stated typically jurisdictions did not amend their Housing Elements in the interim; however, there was nothing to prevent that from occurring. She noted a change of zoning or allowing housing to occur on a site not identified in the Housing Element would not put the City out of compliance. She also clarified they had explained to HCD that zoning ordinance amendments previously adopted, clarified the development review process and standards for higher density development, as well as added additional districts that allowed for higher density. Additionally, there was also some level of discretionary review to ensure the City received quality development. She further noted the HCD reviewer did not see the previous ordinance to compare it to the improved ordinance; therefore, the compromise was that the City would monitor any development proposals.

Acting Senior Planner Morris added currently there was not a set plan or reporting requirements and staff would be determining how to monitor applications going forward. She noted when the City goes through another Housing Element cycle, they would have to report how monitoring occurred.

In response to Vice Chair Motts, Ms. Martin stated it was common for cities to have use permit requirements for higher density housing and HCD was cautious about cities using it as a tool to prevent something that they might view as undesirable.

In response to Chair Hinojosa, Acting Senior Planner Morris reported she was not aware of any City initiated changes being discussed with regards to the Hillside Planned Development District Ordinance or the guidelines.

In response to Chair Hinojosa, Ms. Martin speaking to appendix A, figure A4 identified as #8 labeled as a study area, explained that it was in the previous Housing Element.

Acting Senior Planner Morris added that she did not have a history of that parcel at this time and noted all of the Sand Creek focus policy area in the General Plan was technically zoned "S" as a study district, so each project that developed had to rezone to planned development.

Ms. Martin added she believed the parcel in question would be considered in the above moderate category for RHNA allocations.

Acting Senior Planner Morris stated she would supply clarification as to why this parcel was singled out.

Chair Hinojosa opened and closed the public hearing with no speakers requesting to speak.

In response to Vice Chair Motts, Ms. Martin explained Transportation Demand Management (TDM) referred to a set of policies, programs or actions that are aimed at encouraging people to rely less on single occupancy vehicles for travel. She stated the City could adopt a TDM ordinance that would commit larger development projects to incorporate measures to try to reduce the traffic volume generated from their project. She noted it encouraged multi-modal transportation and was successful around transit stations. She further noted trail development was not typically involved in a TDM program; however, the City could require a developer to contribute to the development of a bike lane or sidewalk improvements to facilitate travel.

Ms. Morris added that the City did not currently have a TDM policy.

Chair Hinojosa expressed concern regarding the lack of affordable housing in East County and spoke to the need to promote and encourage developers to build quality projects for seniors, disabled and lower income residents. For the record, she spoke in support of the City reinstating the Rental Inspection Program and including it as a requirement in the Housing Element. She reiterated her support for a Zoning Administrator process to streamline less involved applications and establishing a Land Use Subcommittee to expedite applications. She thanked the consultant and staff for updating the maps. She voiced her support for the Housing Element and Mitigated Negative Declaration as presented.

Commissioner Westerman stated he supported the Housing Element and would recommend approval of the Housing Element and Mitigated Negative Declaration.

Commissioner Parsons stated she also supported reinstating the rental inspection program. She stated the Housing Element was very thorough and supported its approval.

Commissioner Zacharatos stated she felt the Housing Element was very well written and noted she would support approval.

Vice Chair Motts voiced his support for reinstating the Rental Inspection Program and establishing a Land Use subcommittee. He reiterated his support for Chair Hinojosa's comments and voiced his support for approval of the Housing Element.

#### **RESOLUTION NO. 2015-06**

***On motion by Commissioner Westerman, seconded by Commissioner Parsons, the Planning Commission unanimously approved the resolution recommending the City Council certify a Negative Declaration and adopted the 2015-2023 Housing Element of the General Plan. The motion carried the following vote:***

<b>AYES:</b>	<b><i>Hinojosa, Motts, Parsons, Zacharatos, and Westerman</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>Miller</i></b>

#### **ORAL COMMUNICATIONS**

City Attorney Nerland updated the Planning Commission on the following items:

- The Tobacco Retailer Zoning Ordinance was approved by the City Council with direction to come back on how the number of tobacco retailers could be capped, with a diminishing cap.
- The Bingo Zoning Ordinance was approved by the City Council with direction to come back with an ordinance for an administrative use permit process to allow for additional nights of Bingo.
- The Municipal Code was amended to clarify the Planning Commission would be hearing zoning and subdivision appeals.
- The Bedford Center property was transferred to the non-profit.
- The Ink'd Up Tattoo appeal was heard and the project was approved by the City Council.

Chair Hinojosa welcomed Commissioner Parsons to the Planning Commission and stated she looked forward to serving with her.

#### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

Vice Chair Motts reported on his attendance at the Transplan and Regional Transportation Planning committee meetings.

### **ADJOURNMENT**

Chair Hinojosa adjourned the Planning Commission at 7:35 P.M.

Respectfully Submitted,  
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF MAY 6, 2015**

**Prepared by:** Cindy Gnos, Contract Planner  
Raney Planning & Management, Inc.

**Reviewed by:** Mindy Gentry, Senior Planner *MG*

**Date:** May 1, 2015

**Subject:** Use Permit, Variances, Design Review – Taco Bell (UP-14-14, V-15-01, AR-14-08)

**REQUEST**

The applicant, VMI Architecture, has submitted an application for the development of a 1,822 square foot Taco Bell with a drive-thru on a 0.43 acre parcel zoned Neighborhood/Community Commercial (C-2). The applicant is requesting a Use Permit for the fast food restaurant with a drive-thru, Variances to reduce the setbacks on both A Street and E. 18<sup>th</sup> Street, Variances to modify parking standards, and Design Review. The site is located at the northwest corner of the intersection of A Street and E. 18<sup>th</sup> Street (1706 A Street), and identified as Assessor Parcel Number (APN) 067-2430-031 (Attachment A).

The following details the actions/entitlements before the Planning Commission:

Use Permit: The applicant is requesting a Use Permit (UP-14-14) to construct a 1,822-square foot fast food restaurant with a drive-thru.

Variance: The applicant is requesting the following Variances (V-15-01):

- Reduce the setback on A Street from thirty (30) feet to six (6) feet from the back of walk to the drive-thru lane (building meets the setback requirement).
- Reduce the setback on E. 18<sup>th</sup> Street from twenty-five (25) feet to one (1) foot two (2) inches from the proposed Porte Cochere along the drive thru lane.
- Reduce the length of 15 parking spaces by six (6) inches.
- Reduce the length of three (3) parking spaces by one (1) foot - two (2) inches.
- Allowing more than ten (10) consecutive parking spaces in a row of parking without a parking lot landscape island.
- Reduce the required landscaping along the northern property boundary from five (5) feet to two (2) feet adjacent to the parking lot.
- Reduce the required landscaping along the western property boundary from ten (10) feet to five (5) feet adjacent to the project driveway.

Design Review: The applicant is requesting Design Review (AR-14-08) of the 1,822-square foot Taco Bell restaurant, landscaping, and signage.

## **RECOMMENDATION**

Staff recommends that the Planning Commission approve the Use Permit, Variances, and Design Review subject to the conditions contained in the attached resolution.

## **BACKGROUND**

The subject property is a small infill corner lot that is substandard square footage for a Neighborhood/Community Commercial (C-2) site; per the zoning code 20,000 square feet is the minimum lot size. The subject property is 18,000 square feet. The site currently contains an approximately 3,600-square foot retail building that has recently been vacated and would be demolished. Two community meetings were held on February 4<sup>th</sup> and April 16<sup>th</sup> in order to discuss neighborhood concerns for the proposed project (see Attachment B). The February 4<sup>th</sup> meeting was attended by 16 to 20 neighbors, and overall the group was supportive of the proposed project. During the second meeting on April 16<sup>th</sup>, the applicant shared updates and changes to the proposed project based on community residents' suggestions and input from City staff. The concerns discussed during these meetings are presented below.

## **ENVIRONMENTAL REVIEW**

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

## **ANALYSIS**

### **Issue #1: Project Overview**

The proposed project consists of the development of a 1,822 square foot fast food restaurant to be occupied by Taco Bell with a drive-thru on a 0.43 acre parcel zoned Neighborhood/Community Commercial (C-2). The restaurant would include a drive-thru, and 18 parking stalls. The site has been configured to include a dedicated drive-thru lane with a queue length that would accommodate 6 vehicles. Interior seating for the restaurant would accommodate 42 seats (see Attachment C).



Based on the neighborhood concerns raised at the February 4<sup>th</sup> and April 16<sup>th</sup> meetings, Taco Bell has agreed to reduce the hours of operation of the drive-thru from 2 AM to 1 AM Sunday through Thursday and from 3 AM to 2 AM Friday through Saturday. The dining room would close at 10 PM every day. The store would employ a minimum average team member count of four to five employees on-site at all times. The restaurant would have its own dedicated trash enclosure with separate recycling and trash bins.

The applicant is requesting a Use Permit for the fast food restaurant with a drive-thru, Variances to reduce the setbacks on both A Street and E. 18<sup>th</sup> Street, a Variance to reduce the length of 18 parking spaces, Variance for the parking lot design standards, and Design Review. The site is located at the northwest corner of the intersection of A Street and E. 18<sup>th</sup> Street (1706 A Street).

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

The General Plan designation for the project site is Commercial within the "A" Street Interchange Focus Area. As noted above, the Zoning designation is Neighborhood/Community Commercial (C-2) which requires a Use Permit for a fast food restaurant and a drive-thru window.

Surrounding land uses and their designations include:

North:	Commercial (C-2) within the "A" Street Interchange Focus Area
South:	Commercial (C-2) within the "A" Street Interchange Focus Area
East:	Commercial (C-2) within the "A" Street Interchange Focus Area
West:	Residential (R-6) within the "A" Street Interchange Focus Area

### **Issue #3: Architecture**

The applicant is proposing a 1,822-square foot freestanding building to be occupied by Taco Bell. The 22-foot tall, one-story restaurant would include a drive-thru, and 18 parking stalls. The exterior of the building is predominately stucco with plaster cornice and metal slat accents, including stone veneer pilasters. The main building color is Camel Back, with a Rockwood Clay accent color, stone veneer, and a bronze slat wall (see Attachment D).

Stantec Architects conducted a peer review of the proposed architecture and building design (see Attachment E). The building was reviewed for compliance with the City of Antioch Citywide Design Guidelines, General Plan Community Image policies, the City's zoning code, applicable State regulations – including AB 1881, and industry standards. Stantec concluded that the overall prototypical building design meets many of the Citywide Design Guidelines. Stantec recommended the west elevation could be improved by the enhancement of the entry feature to provide better definition of the parking lot side of the building. Adding stone veneer wainscot below the storefront and

additional reveals could help visually with the building's tall appearance. In addition, Stantec recommended additional screening for the drive-thru, consisting of wider planters, a wall, a green screen, and a consistent hedge material. Stantec believes street trees could also add a layering of screening to the drive-thru as well as strengthen the overall development and add character to the street. Even small trees required to accommodate the overhead wires along E. 18<sup>th</sup> Street, would help the project integrate with the street. However, staff does have concerns regarding the placement of trees along the drive-thru due to the planting strip being only 3'9" in width and because the crown of the tree could interfere with the Porte Cochere. In place of the two crape myrtles, staff recommends adding vines along A Street in front of the low wall and the columns. A condition of approval has been added to address this recommendation.

Stantec noted that the colors of the building complement the surrounding architecture. However, Stantec believes if the building is reversed, the entries and public walk could further be enhanced with a bench at the entries along both streets, which could allow the possibility of creating an outdoor space/patio by flipping the building functions. The applicant explored flipping the building and the drive-thru, but site constraints would make it not functional. Given the constraints of the site and the modifications made to the elevations of the drive-thru, staff feels the flipping of the building is not appropriate.

Revisions to the proposed restaurant's design have been made based on Stantec's recommendations, such as screening for the drive-thru and enhancement and relocation of the trash enclosure away from existing residential. The proposed screening for the drive-thru is a Porte Cochere, which is defined as a passageway or roofed structure designed to shelter vehicles. The proposed project's Porte Cochere would be attached to the main building and extend over the drive-thru aisle. The proposed Porte Cochere would consist of four 12-foot tall stone veneer columns.

#### **Issue #4: Site Layout, Parking, and Traffic**

Based on the February 4<sup>th</sup> and April 16<sup>th</sup> meetings, the nearby residents expressed a concern for traffic congestion. Site access would be provided with driveways located on E. 18<sup>th</sup> Street and A Street, with new ADA access along A Street. Project driveways would be placed farther away from the intersection when compared to the existing conditions. In addition, vehicles traveling north on A Street would not be able to make a left-turn into the project driveway, reducing potential congestion at the intersection of E. 18<sup>th</sup> Street and A Street.

Per the Antioch Municipal Code, fast food restaurants are required to provide one (1) parking space per 50 square feet of gross floor area for public seating plus queue space for six (6) cars if drive-thru service is provided and one (1) parking space per employee. The proposed Taco Bell restaurant consists of 565 square feet of dining space; therefore, requiring a minimum of 12 parking spaces and an additional six (6) employee parking spaces; therefore, 18 parking spaces are proposed. Using trip generation rates from the ITE Trip Generation 9<sup>th</sup> Edition, the proposed project could generate

approximately 47 weekday AM peak hour vehicle in-trips and 45 weekday AM peak hour vehicle out-trips. In addition, the proposed project could generate approximately 34 weekday PM peak hour vehicle in-trips and 32 weekday PM peak hour vehicle out-trips (see Attachment F). It should be noted that the existing 3,600-square foot retail building would also result in vehicle trips; therefore, not all vehicle trips generated from the proposed project would be new. In addition, a fast-food restaurant with a drive thru has a typical pass-by trip reduction of 50 percent in the PM peak hour. Further, the threshold within the City's General Plan is to require a traffic impact study for all new development that proposes to generate 50 peak hour trips or more at any intersection. Based upon these factors, it was determined that a traffic study was not required; however, staff has recommended conditions of approval regarding access to the driveways to enhance circulation in the area.

#### **Issue #5: Variances**

According to the Antioch Municipal Code, Variances are intended to resolve practical difficulties or physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity; or from street locations or traffic conditions in the immediate vicinity of the site.

In order to approve a Variance, the Planning Commission shall find the following:

- 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;
- b) That the granting of such variance would not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;
- 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
- d) That the granting of such variance would not adversely affect the comprehensive General Plan.

Setback Variances: As described above, the subject property has substandard square footage for a Neighborhood/Community Commercial (C-2) site. The subject property is an 18,000-square foot corner infill site, and therefore cannot meet City standards for setbacks and parking. The project site transitions to the downtown area of the City and a building closer to the street with parking in the rear represents a more urban characteristic found in the downtown area of a City. The proposed building meets the setback requirement along A Street; however, to allow for the drive-thru lane, the proposed project includes a Variance to reduce the setback from thirty (30) feet to six (6) feet from the back of walk to the drive-thru lane.

In addition, the proposed project includes a Variance to reduce the setback on E. 18<sup>th</sup> Street from twenty-five (25) feet to one (1) foot two (2) inches from the proposed Porte Cochere along the drive thru lane. The reduction in setback would not be detrimental to public health and welfare, as the drive-thru aisle would be located in the required setback, the drive-thru lane acts mainly as a drive aisle and would not affect public health or welfare. It should be noted that other commercial buildings in the immediate area do not meet all setback requirements. The commercial building located to the north directly adjacent to the project site appears to have a zero setback to the back of walk as well as the commercial building located to the east of the project site across A Street.

Parking Variances: The proposed project also includes Variances to reduce the length of all 18 parking spaces. The proposed project includes the construction of an 8-foot tall concrete block wall at the northern property line; therefore, the proposed project includes a Variance to reduce the length of three (3) parking spaces by one (1) foot - two (2) inches, which are located opposite the drive-thru entrance, and a Variance to reduce the length of 15 parking spaces by six (6) inches. The proposed site plan illustrates vehicle turning radius for the proposed parking stalls for adequate maneuverability. In addition, the reduction in the size of the parking spaces would not affect public health or welfare. Furthermore, the proposed project includes a Variance to allow more than ten (10) consecutive parking spaces in a row of parking without a parking lot landscape island. The required parking lot landscape island would be located in the northwest corner of the project site to provide additional screening from the adjacent existing residential uses.

Landscaping Variance: According to Section § 9-5.1716(A) of the Antioch Municipal Code, parking lots for non-residential uses shall have minimum interior perimeter planting areas of ten (10) feet in width adjacent to a residential district and five (5) feet adjacent to other districts. However, due to site constraints the proposed project includes a Variance to reduce the required landscaping along the northern property boundary from five (5) feet to two (2) feet adjacent to the parking lot, and a Variance to reduce the required landscaping along the western property boundary from ten (10) feet to five (5) feet adjacent to the project driveway.

#### **Issue #6: Other Issues**

Noise: An Environmental Noise Assessment was prepared for the project site by j.c. brennan & associates (see Attachment G).

The proposed project includes a single drive-thru speaker, which would generate noise on-site. The nearest residential property line is located approximately 70 feet to the west of the proposed drive-thru lane speaker. At this distance, drive-thru noise levels are predicted to be 48 decibel (dB)  $L_{eq}$  and 54 dB  $L_{max}$ . Even if the drive-thru lane operated 24-hours per day, the community noise equivalent level (CNEL) is calculated to be less than 55 dB, which would comply with the City of Antioch 60 dB CNEL exterior

noise level standard. The calculated noise levels due to the drive-thru do not account for any shielding due to the proposed 8-foot tall concrete block wall at the property line.

According to the Environmental Noise Assessment, parking lot noise would be approximately 52 dB CNEL at a distance of 50 feet, and approximately 50 dB CNEL at the nearest property line to the northwest. The calculated noise levels due to the parking lot do not account for any shielding of the proposed 8-foot tall concrete block wall at the property line. Therefore, noise levels generated from the proposed parking lot would comply with the City of Antioch Noise Element and Noise Ordinance.

The roof-top mechanical equipment consists of two 10-ton HVAC units, and a Strata Vent exhaust vent. Based upon the proposed design plans, the nearest residential property lines are located approximately 100 feet from the location of the nearest HVAC unit. The steady-state noise level of the three (3) pieces of equipment is 42.5 dBA. Assuming that the equipment operated 24-hours per day, the overall level would be less than 50 dBA CNEL. Therefore, the roof-top mechanical equipment would comply with the City of Antioch noise level standard of 60 dB CNEL.

Odors: The proposed project would include down vents that mitigate odors. The cooking area would utilize re-thermalizers in lieu of grills which result in very little odor and smoke compared to other restaurants in this category. In addition, the Grease Interceptor would be located below ground with a double ringed odor prevention system.

Site Maintenance: Based on the February 4<sup>th</sup> and April 16<sup>th</sup> meetings, the nearby residents expressed a concern for trash pick-up. In response to the trash concerns, the proposed project would provide ample trash receptacle opportunities, and would have future employees provide regular sweeps of neighboring properties to ensure the area is being well-maintained.

Drainage: A Storm Water Control Plan was prepared for the proposed project by skw & associates. Currently the project site drains to both E. 18<sup>th</sup> Street and A Street curb drains located near each driveway. According to the Storm Water Control Plan, the proposed project's constraints for storm water control on the project site does not contain a storm drain on-site and the site includes limited space for landscaping due to parking requirements and the drive-thru lane; however, there is opportunity for the use of permeable pavers to reduce impervious area. A condition of approval has been added for staff to approve the design of the permeable pavers.

Construction activities, such as grading operations, pavement saw cutting, concrete placement and landscaping are potential sources of stormwater pollutants. Operational activities such as trash collection, landscaping, and equipment cleaning are potential sources for stormwater pollutants. However, areas where these construction and operational activities are occurring, storm water would drain to the self-retaining drainage management areas (DMAs) in order to further reduce the potential for pollution.

Signage: The applicant is proposing signage on all four sides of the building. The north, west, and east elevations have an approximately 22.14-square foot Taco Bell logo sign and a 12.75-square foot sign with the words "Taco Bell". The south elevation has the 12.75-square foot sign with the words "Taco Bell". The wall signs are proposed to be internally illuminated. In addition, two directional signs are proposed at the entrance and exit of the drive-thru. The drive-thru entrance sign, noting "Drive-Thru" entrance is approximately 1.5 square feet, and the sign at the exit of the drive-thru, noting "Exit Only" is approximately 2.5 square feet. A condition of approval has been included to require the construction of an additional directional sign at the E. 18<sup>th</sup> Street driveway entrance stating "No Access to Drive-Thru from E. 18<sup>th</sup> Street." The proposed project also includes the construction of a 13-foot high by 7-foot wide monument sign, with a 50-square foot sign area.

The City of Antioch Sign Regulations (section 9-5.512) allow a maximum of approximately 172.5 square feet of signage based upon the building dimensions. The proposal includes 117.42 square feet of wall signs plus approximately four (4) square feet of directional signage and a 50-square foot monument sign, which complies with the City of Antioch Sign Regulations maximum square footage requirements. The proposed project's signage is in compliance with the Sign Design Guidelines chapter of the City of Antioch Citywide Design Guidelines excluding the 13-foot high internally illuminated monument sign. Per the City of Antioch Citywide Design Guidelines, monument signs shall not exceed a maximum of eight (8) feet in height. In addition, the Guidelines do not allow the use of internally illuminated cabinet type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal. A condition of approval has been included to require the monument sign to be in compliance with the Citywide Design Guidelines with review and approval by staff.

The location of the proposed monument sign is located within the 25-foot clear vision triangle for the driveway on E. 18<sup>th</sup> Street. A condition of approval has been included to require the monument sign to be located outside of the 25-foot clear vision triangle.

Security: Based on the February 4<sup>th</sup> and April 16<sup>th</sup> meetings, the nearby residents expressed a concern for security on-site. The project site would have a minimum of 12 security cameras located on-site. Taco Bell uses IP cameras which are accessible on all platforms and provide backup of up to 30 days of recordings. Cameras would be placed on lighting poles and around the roofline of the building.

Lighting: The applicant is proposing shielded pole lights in the planter areas of the parking lot, and the proposed signage on all four sides of the building is internally illuminated. Lighting has been indicated on the plans submitted by the applicant, including a photometric plan (see Attachment C).

Support Letters: Sandra Kelly, the Neighborhood Watch Block Captain for the area, drafted a letter in support of the proposed project's revisions and overall project

implementation. City staff has received a total of four (4) letters of support from residents in the area for the proposed Taco Bell project (see Attachment I). The residents have expressed a need for new businesses in the area that would enhance the blighted vacant site and would remain in business for a long period of time.

### **ATTACHMENTS**

- A. Aerial Photograph
- B. February 4<sup>th</sup> Community Meeting Notes
- C. Taco Bell Design Plans
- D. Color Material Board
- E. Architectural Peer Review
- F. Project Trip Generation
- G. Environmental Noise Assessment
- H. Ambient Noise Measurement Survey
- I. Support Letters

**PLANNING COMMISSION  
RESOLUTION NO. 2015-\*\***

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION  
APPROVING A SITE PLAN, USE PERMIT, VARIANCES, AND DESIGN REVIEW,  
FOR THE TACO BELL PROJECT**

**WHEREAS**, the City of Antioch did receive a request from VMI Architecture, Inc. for approval of a Use Permit, Variances, and Design Review of a new 1,822-square foot restaurant building with drive-thru service to be occupied by Taco Bell at the northwest corner of the intersection of A Street and E. 18<sup>th</sup> Street (1706 A Street), and identified as (APN) 067-2430-031.

**WHEREAS**, this project is categorically exempt from the provisions of CEQA pursuant to CEQA Guideline section 15061(b)(3); and,

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

**WHEREAS**, on May 6, 2015, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW THEREFORE BE IT RESOLVED** the Planning Commission makes the following required findings for approval of the requested Variances:

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

The subject property is a small infill corner lot that is substandard square footage for a Neighborhood/Community Commercial (C-2) site; per the zoning code 20,000 square feet is the minimum lot size. The subject property is an 18,000-square foot corner infill site, and therefore cannot meet City standards for setbacks, parking, and landscaping.

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

The reduction in setback would not be detrimental to the public health and welfare, as the Porte Cochere and drive-thru aisle would be located in the required setback. The reduction the size of parking spaces would not exclude vehicles from using the parking lot. The proposed site plan illustrates vehicle turning radius for the proposed parking stalls for adequate maneuverability. In addition, the proposed project includes the construction of an 8-foot tall concrete



block wall at the western and northern property line to provide a noise buffer for the existing residential uses and the proposed project is designed to meet the C.3 requirements; therefore, the reduction in perimeter landscape planting areas or the relocation of the parking lot landscape island would not affect public health or welfare.

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

The proposed project is a 1,822-square foot restaurant, located on a corner, which results in site constraints that inhibit privileges enjoyed by other properties that are not located on a corner lot. 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.

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

The granting of the setback, landscaping, and parking Variances would not change the allowed uses of the site and will not adversely affect the comprehensive General Plan.

**BE IT FURTHER RESOLVED** the Planning Commission makes the following required findings for approval of a Use Permit:

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

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

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

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

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

The 0.43-acre rectangular site is currently occupied by a vacant 3,600-square foot retail building and an associated parking lot with landscaping. With the requested variances, the site would be adequate in size and shape to accommodate both the proposed uses as well as all aspects associated with the use. In addition, with the requested Variances, all parking, landscaping, screening, and other required features, as conditioned, meet the requirements of the zoning code standards and are comparable to the surrounding uses in the area.

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

The project site is bounded by A Street and E. 18<sup>th</sup> Street. A Street is a major arterial and E. 18<sup>th</sup> Street is a collector, which are adequate in width and pavement type to carry the kind of traffic generated by the proposed use. Further, a trip generation analysis was conducted for the project site, and the proposed project is projected to generate approximately 1,007 daily vehicle trips. However, the typical customer for the proposed project is projected to be part of pass-by traffic that already exists along E. 18<sup>th</sup> Street and A Street; therefore, would not be considered a major traffic generator. In addition, the proposed use is consistent with the current Neighborhood/Community Commercial (C-2) zoning of the site.

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

The General Plan designation for the project site is Commercial within the "A" Street Interchange Focus Area. The proposed fast food use is consistent with the designation and with the surrounding uses and will not adversely affect the comprehensive General Plan.

**NOW THEREFORE BE IT RESOLVED** the Planning Commission of the City of Antioch does hereby **APPROVE** a use permit, design review, and all necessary Variances for a 1,811 square foot restaurant and drive-thru project on an approximately 0.43 acre parcel located at 1706 A Street (APN 067-2430-031), 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 May 6, 2017), 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 of 8:00 a.m. and 5:00 p.m., or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC 6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

**C. FIRE REQUIREMENTS**

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

**D. 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.

**E. PROPERTY MAINTENANCE**

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. 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).
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. No signs shall be installed on this site without prior City approval.
5. A trash pick-up plan shall be created which would require and schedule employees to participate in regular sweeps of neighboring properties during project operation. The plan shall be submitted to the Community Development Department for review and approval.

**F. GRADING**

1. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.
2. The grading plan for this development shall be approved by the City Engineer.
3. The final grading plan for this development shall be signed by a California licensed civil engineer and approved by the City Engineer.
4. All elevations shown on the improvement plans shall be on the USGS 1929 sea level datum.

**G. CONSERVATION/NPDES**

1. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP

shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.

2. The 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.

#### **H. UTILITIES**

- 1. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, except existing P.G.& E. towers, if any or as approved by the City Engineer.
- 2. 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. If necessary, a public utilities easement that encompasses public utilities shall be provided as directed by the City Engineer.
- 6. 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
- 7. 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.

8. Improvements and fees that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
9. 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.
10. A reduced backflow prevention device shall be installed on all City water meter services.

**I. 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.
4. Landscape shall show immediate results and be permanently maintained at an "A" level.

**J. PROJECT SPECIFIC CONDITIONS**

1. The applicant shall show routes and turning radii on the site plan demonstrating that a delivery truck can successfully enter, exit and maneuver on-site, and that a large SUV entering the site from E. 18<sup>th</sup> Street can successfully enter, exit and maneuver the drive-through aisle, as approved by the City Engineer.
2. Left turns into the site from A Street shall be signed as prohibited and that striping modifications shall be required for left turns into the site from E. 18<sup>th</sup> Street, as approved by the City Engineer.

3. A parking lot striping and signing plan shall be approved by the City Engineer.
4. Driveway access to neighboring properties shall be maintained at all times during construction.
5. A minimum of 12 security cameras shall be installed on-site. Security cameras shall be placed on lighting poles and around the roofline of the building. The cameras shall provide backup of up to at least 30 days of recordings.
6. The drive-thru shall close at 1 AM Sunday through Thursday and at 2 AM Friday through Saturday. The dining room shall close at 10 PM every day.
7. An additional directional sign shall be installed at the E. 18<sup>th</sup> Street driveway entrance stating "No Access to Drive-Thru from E. 18<sup>th</sup> Street."
8. The monument sign shall be located outside of the 25-foot clear vision triangle.
9. The monument sign shall be in compliance with the Citywide Design Guidelines and shall be reviewed and approved the staff. The monument sign shall not exceed eight (8) feet in height. Raceways shall not be allowed for wall mounted signage, which shall be internally illuminated channel letters, with review and approval by staff.
10. A revised landscape plan shall be submitted for review and approval by staff. Vines shall be planted along A Street to soften the low wall and the columns and vines shall be planted along the north side of the property line in front of the masonry wall.
11. Design and type of the proposed permeable pavers shall be submitted for review and approval by staff.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 6<sup>th</sup> day of May, 2015.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Mitch Oshinsky**  
**Secretary to the Planning Commission**

**EXHIBIT A**

**ANTIOCH TACO BELL (UP-14-14, V-15-01, AR-14-08)**

**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 conditions are approved standard City conditions that protect the public safety, health, and general welfare of the users of the project and surrounding uses. In order for the project to be constructed to the City's approved standards, the approved project plans must adequately reflect the required construction standards prior to the issuance of building permits. City staff needs to follow-up with a site inspection to ensure the construction activities are in compliance with the construction conditions prior to final inspection approval.

**C. FIRE REQUIREMENTS**

1. The Contra Costa County 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, existing buildings, structures, and premises; and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

**D. FEES**

- 1-5. The City of Antioch provides 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 condition of approval serve two functions: 1) to provide mitigation for the project's fair share impact and the project's responsibility of costs for the existing infrastructure 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.

**E. PROPERTY MAINTENANCE**

- 1-4. These conditions are necessary to ensure that the project site is kept in good working order to ensure adequate trash collection, avoid localized flooding, reduce fire risks, and ensure the continued health, safety, and welfare of the project environs.
5. The trash pick-up plan condition is necessary to ensure that the project site is kept in good working order to ensure adequate trash collection, avoid localized flooding, reduce fire risks, and ensure the continued health, safety, and welfare of the project area.

**F. GRADING**

- 1-4. The grading conditions are approved standard City conditions that protect the public safety, health, and general welfare of the users of the project and surrounding uses. In order for the project to be constructed to the City's approved standards, the approved project plans must adequately reflect the required grading safety standards prior to the issuance of building permits. City staff needs to follow-up with a site inspection to ensure the earth moving activities are in compliance with the grading conditions prior to final inspection approval.

**G. CONSERVATION/NPDES**

- 1-2. These conditions are related to site drainage. The conditions require slope restrictions, stormwater discharge requirements, storm drain signage, and adherence to regulations. The conditions are imposed to ensure safe runoff management in accordance with federal, State, and City regulations (e.g., the National Pollution Discharge Elimination System and Provision C.3 requirements) as well as implementation of Best Management Practices for reducing impacts to stormwater quality.

**H. UTILITIES**

- 1-10. The utilities conditions are approved standard City conditions that protect the public safety, health, and general welfare of the users of the project and surrounding uses. In order for the project to be constructed to the City's approved standards, the approved project plans must adequately reflect the required utility safety standards prior to the issuance of building permits. City staff needs to follow-up with a site inspection to ensure the project was built in compliance with the utilities conditions prior to final inspection approval.

**I. LANDSCAPING**

- 1-4. The landscaping conditions protect the public safety, health, and general welfare of the users of the project and surrounding uses by providing a safe and aesthetically appealing property. City staff needs to follow-up with a site inspection to ensure the project was built in compliance with the landscaping conditions prior to final inspection approval.

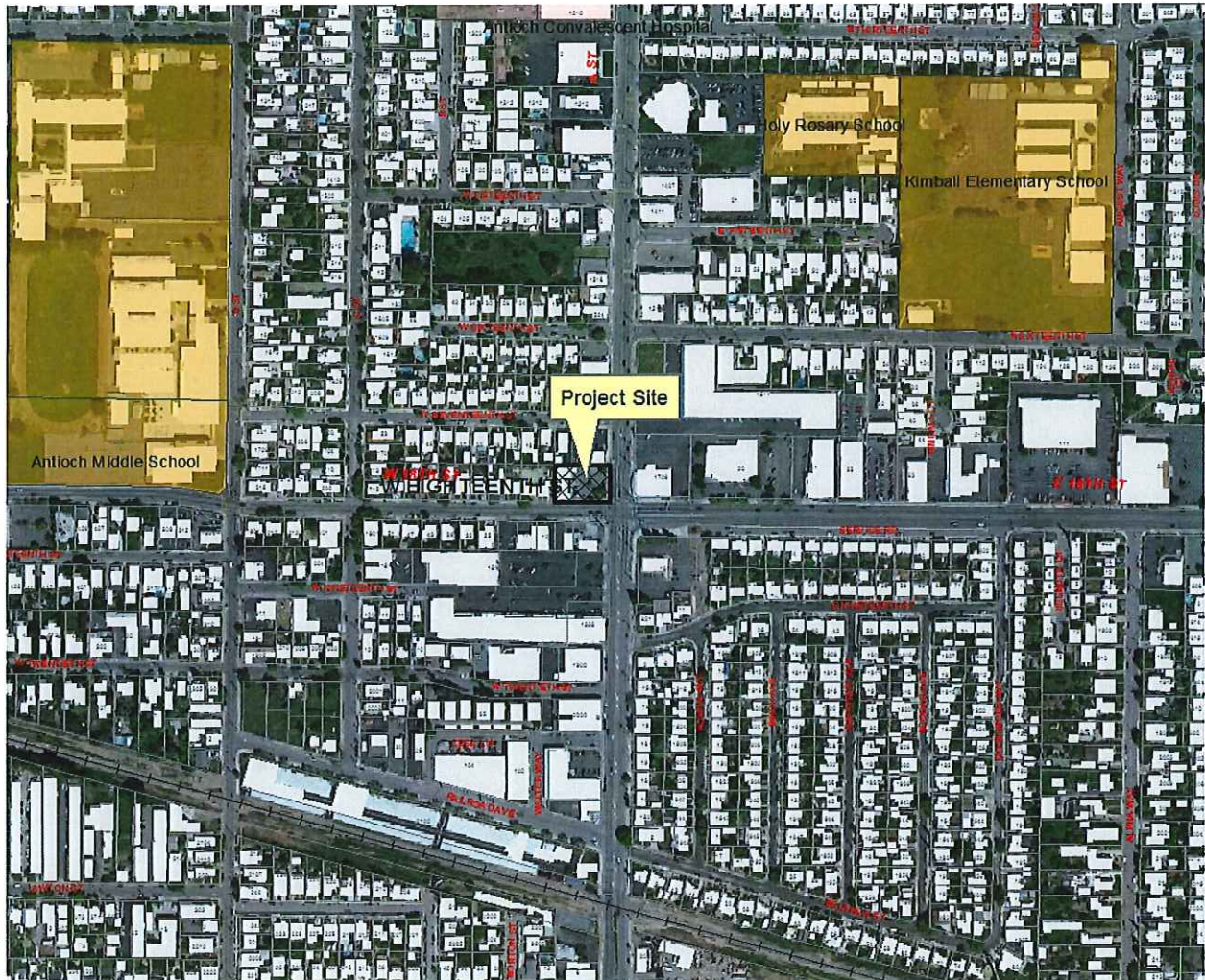
**J. PROJECT SPECIFIC CONDITIONS**

- 1-4. The project-specific conditions 1 through 4 are set forth by the City Engineer and the Planning Commissions in order for the project to be consistent with City standards. The conditions protect the public safety, health, and general welfare of the users of the project and surrounding commercial and other uses by providing a safe and efficient traffic circulation system. The plans need to adequately reflect the changes made by the City Engineer and the Planning Commission, and City staff needs to inspect the site for compliance with Project Specific Conditions 1 through 4 prior to final inspection approval.
5. The security cameras condition is essential to ensure that the proposed project is taking the necessary precautions to make sure the project site would limit security risks for customers and nearby residents.
6. The hours of operation condition is necessary to ensure compatibility with the adjacent residential uses.
7. The additional directional sign condition is necessary to inform customers that vehicles would not be able to safely maneuver and enter the drive-thru aisle via the E. 18<sup>th</sup> Street driveway entrance.
- 8-9. The monument sign conditions are necessary to ensure compliance with adopted standards and guidelines in the City of Antioch Municipal Code and the Citywide Design Guidelines.
10. A revised landscape plan is necessary to ensure the landscaping fits within the property constraints and is aesthetically pleasing.
11. Review and approval of the permeable pavers is necessary to ensure they are compliance with the C.3 guidelines, they meet the City standard for an all weather surface, and to ensure they are aesthetically pleasing.



# ATTACHMENT "A"

## Aerial Photograph





## ATTACHMENT "B"

Taco Bell  
1706 A Street  
Antioch, CA 94509

### **Antioch Taco Bell - Feb 4<sup>th</sup> Meeting Notes**

Meeting Location at Wendy's on 18<sup>th</sup> St and A St.

The meeting was attended by 16 to 20 neighbors and was scheduled through Sandra Kelly (neighborhood captain and block leader). Overall the group was supportive of the redevelopment of the project with the address of some concerns and shared appreciation for the inclusion in the process. The vocal support included references to:

- Redevelopment and cleanup of the existing site
- Continued revitalization and investment into the neighborhood
- Presence of a single tenant brand with local operations that will keep property well maintained
- High quality Architecture and Design of the building
- Reduction of potential crime on the current site by incorporating CPTED design principles including removal of dark alleys and corners and better lighting
- Reduction or elimination of vagrants on site
- Elimination of smoke and grease issues

While there was general overall support, the neighbors did acknowledge certain concerns and we have addressed them as follows:

1. Hours – concerned about the drive thru being open past midnight. Would like to see hours reduced from originally proposed

**RESPONSE:** Taco Bell has agreed to **REDUCE** hours of operation of the drive thru to 1am Sun-Thurs and to 2am Fri-Sat. Original hours were 2am Sun-Thurs and 3am Fri-Sat. Dining room closes at 10pm every day. "It's the local operators practice to only keep hour open based on neighborhood demand."

2. Trash – Neighborhood experiences high volume of trash in their yards from Wendy's, specifically on the 18<sup>th</sup> ST between Wendy's and the high school. They expect there could be a similar problem with the addition of Taco Bell.

**RESPONSE:** Local operators take pride in their stores and keep properties well maintained. Taco Bell has agreed to provide ample trash receptacle opportunities. Should neighbors have problems with litter Taco Bell will not hesitate to have employee's do regular sweep of neighboring properties.

3. Security – How does Taco Bell & this operator address security and would like to make sure security cameras will be on site.



**RESPONSE:**

Parking Lot and Building will have no fewer than 12 security cameras and possibly more. Taco Bell uses IP cameras which are accessible on all platforms and provide backup of up to 30 days of recordings. Cameras will be placed on site lighting poles and around roofline of building.

There are 4-5 Employees at the site at all times. No trash is taken out to the dumpster after the dining room closes at 10 pm.

4. Traffic – Concerns about congestion.

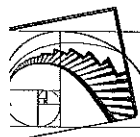
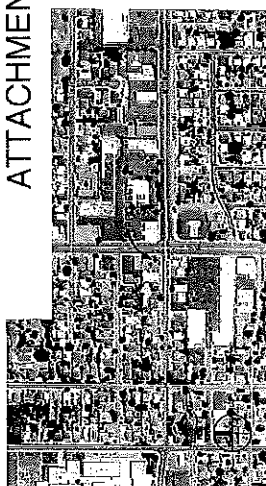
**RESPONSE:** Taco Bell has proposed a "Mini-Bell" which is 1,822sf. This is the smallest store model and reflects the neighborhood and store demand. Existing building currently at 3,676sf (more than double the square footage). Drive thru exiting will remain on site and not directly on to the street. Driveways will be placed farther away from the intersection when compared to the existing condition. The typical mini-bell customer is a part of pass-by traffic that already exists along 18th and A. It is not a major traffic generator.

We will continue to communicate these solutions to the neighborhood community prior to the Planning Commission meeting.

Other important project characteristics of the development include:

5. Sound - Taco Bell has completed sound study for locations near residential properties. The drive thru sound board is located as far away from residential properties as possible. Our study details that drive thru ordering board specifications result in a sound level of 55dB directly in front of the board. Level of sound from ordering board at neighboring property (approximately 130 lf away) would be 40dB or equal to the ambient noise levels of the area. Sound further reduced due to 8' Decorative Masonry Screen wall to be installed along property boundary
6. Pedestrian Access – New ADA access along A Street
7. Odor - Taco Bell installs down vents that mitigate odors. Cooking area utilizes re-thermalizers in lieu of grills which result in very little odor and smoke compared to other restaurants in this category. The existing odor issue will be significantly reduced and overall negligible. For residential properties to the west, the combination of the building being placed farther from the property boundary and not being downwind will also be noticeable. Grease Interceptor will be below ground with a double ringed odor prevention system.
8. Light – Shielded Light fixtures to be utilized.

# ATTACHMENT "C"



**VMI architecture**  
Design - Planning - Interior  
3000 E. Camelback Road, Suite 100  
Phoenix, AZ 85016  
Phone: (602) 998-1234  
www.vmiarch.com

VMI JOB NUMBER  
**1466**

## VICINITY MAP

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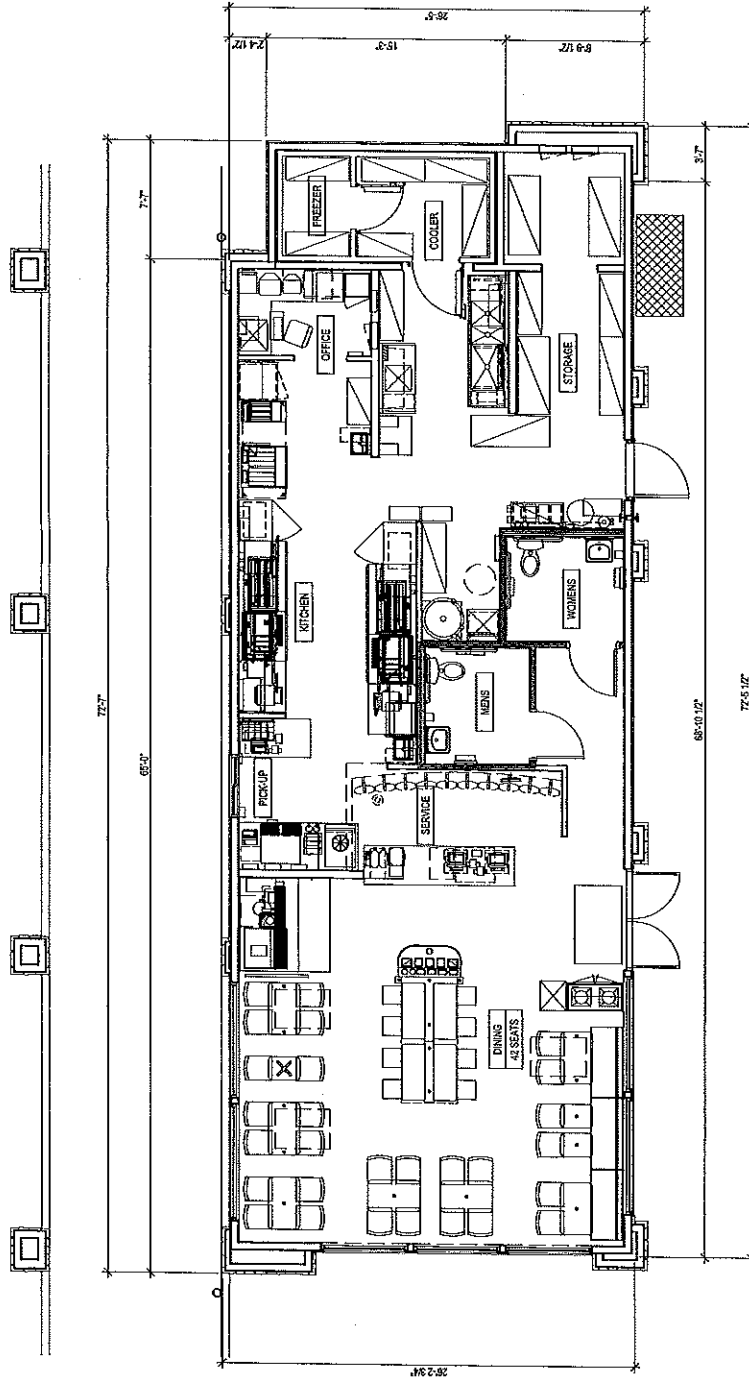
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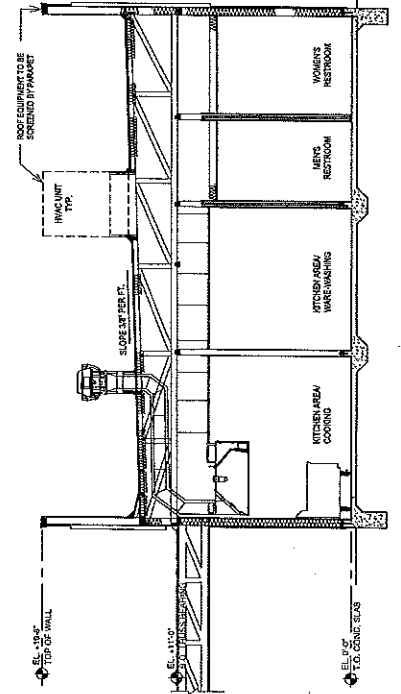
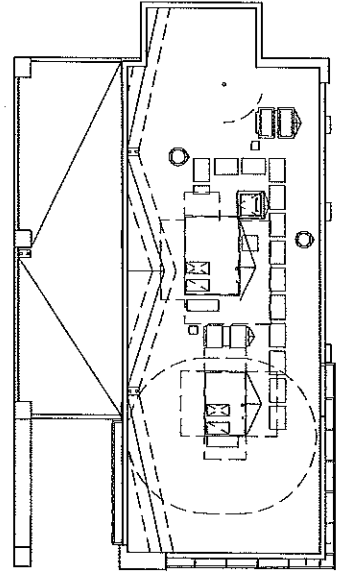
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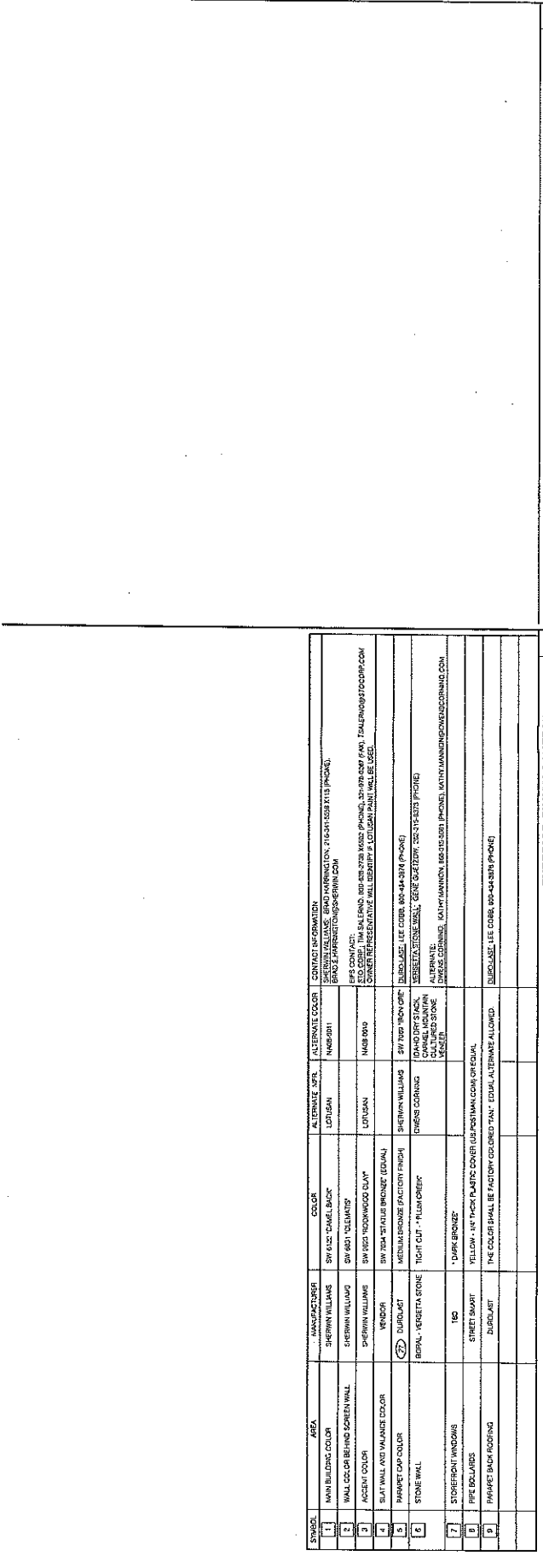
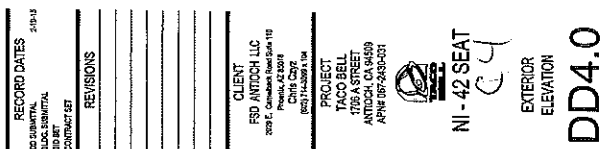
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FLOOR PLAN 1/4" = 1'-0" A





SPACE	AREA	MANUFACTURER	COLOR	ALTERNATE SIZE	ALTERNATE COLOR	CONTACT INFORMATION
1	MAIN BUILDING COLOR	SHERWIN WILLIAMS	SW 602 "CAMEL BIRD"	LOUISIAN	PAIGE SBTI	CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
2	WALL COLOR BEHIND SCREEN WALL	SHERWIN WILLIAMS	SW 601 "VELVET"	LOUISIAN		CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
3	ACCENT COLOR	SHERWIN WILLIAMS	SW 603 "SANDWICH CLAY"	LOUISIAN	NAOMI 900	CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
4	SLAT WALL AND VALANCE COLOR	DUPOUET	METALLIC BRONZE FACTORY FINISH	SHERWIN WILLIAMS	SW 702 "IRON ORE"	CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
5	PARAPET TOP COLOR	27	TIGHT CUT - PLAIN ORBIS	DAVID DRY STAIN, CHARLES LONNIN DANIEL LONNIN DANIEL LONNIN		CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
6	STONE WALL	BUSBY, VERETTA STONE	TIGHT CUT - PLAIN ORBIS	DAVID DRY STAIN, CHARLES LONNIN DANIEL LONNIN DANIEL LONNIN		CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
7	STOREFRONT WINDOWS	160	"DARK BRONZE"			CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
8	PIEC BELLARDS	SHREY SMART	YELLOW - 4" X 10" PLANTIC COVER USE POSITIONAL COLOR OFFICIAL			CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM
9	PARAPET BACK ROOFING	ZIEGLER	THE COLOR SHALL BE FACTORY COLORED TAN - EXDUAL ALTERNATE ALLOWED			CONTACT: SCOTT BROWN 505-251-1000 FAX: 505-251-1001 EMAIL: SCOTT@SCOTTBROWN.COM

1466  
JOB NUMBER[illegible]

DD4.1

DD4.1

## SOUTH ELEVATION

EAST ELEVATION

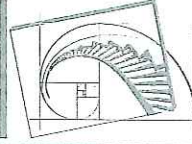
WEST ELEVATION	$1/4" = 1'-0"$	C
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REGISTRATION

The image displays two architectural elevation drawings of a Taco Bell restaurant facade, oriented vertically. The drawings include the following annotations and dimensions:

- Top View (Front Elevation):**
  - Plaster Cornice:** Located at the top of the facade.
  - Stone Veneer Pylon:** A vertical stone-clad element on the left side.
  - Internally Illuminated Wall Sign - 72.2 SQ. FT.:** A large sign featuring the Taco Bell logo and the text "TACO BELL".
  - Horizontal Metal Slat:** A decorative element above the sign.
  - Accent Lights:** Small lights integrated into the stone veneer.
  - Glass & Aluminum Storefront:** The entrance area on the right.
  - Porte Cochere:** A recessed entrance area with stone veneer columns.
  - Stone Veneer Columns:** Two columns flanking the porte cochere.
  - Bottom of Valance / Top of Porte Cochere Trills:** A horizontal line indicating the transition between the stone veneer and the porte cochere.
  - Bottom of Window / Top of Porte Cochere Trills:** Another horizontal line indicating the transition between the stone veneer and the porte cochere.
  - Section of Window:** A small window section above the porte cochere.
  - To Drive Thru Lane:** A dimension line indicating the width of the drive-thru lane.
- Bottom View (Side Elevation):**
  - Plaster Cornice:** Located at the top of the facade.
  - Stone Veneer Pylon:** A vertical stone-clad element on the left side.
  - Stone Veneer Columns:** Two columns flanking the porte cochere.
  - Porte Cochere:** A recessed entrance area with stone veneer columns.
  - Bottom of Valance / Top of Porte Cochere Trills:** A horizontal line indicating the transition between the stone veneer and the porte cochere.
  - Bottom of Window / Top of Porte Cochere Trills:** Another horizontal line indicating the transition between the stone veneer and the porte cochere.
  - Section of Window:** A small window section above the porte cochere.
  - To Drive Thru Lane:** A dimension line indicating the width of the drive-thru lane.





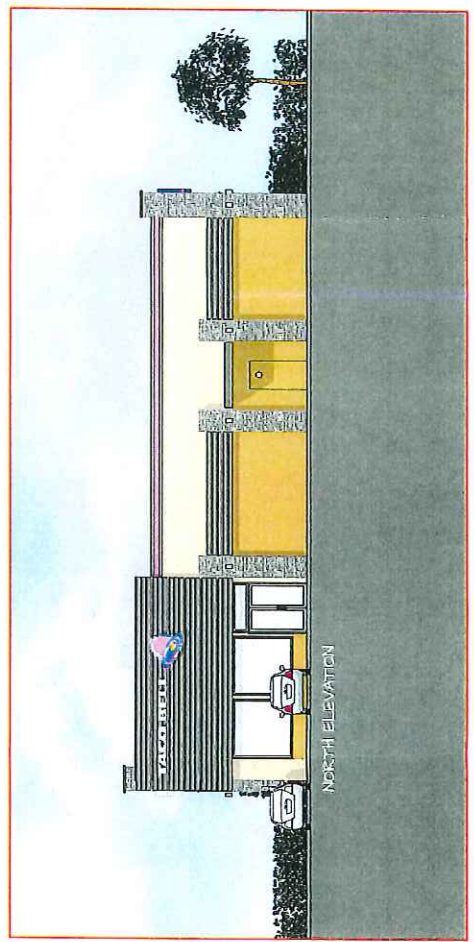
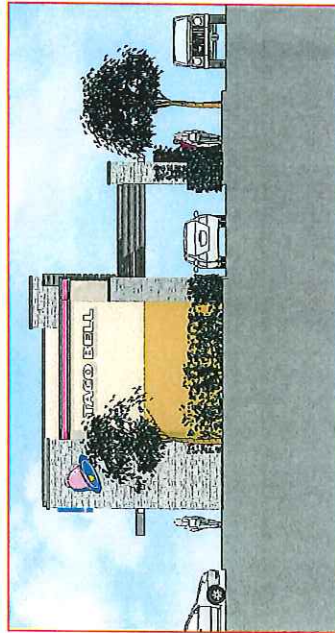
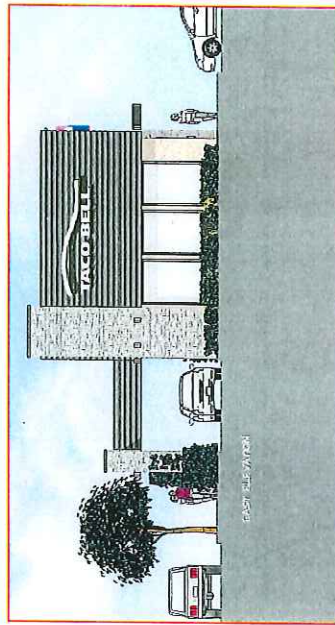
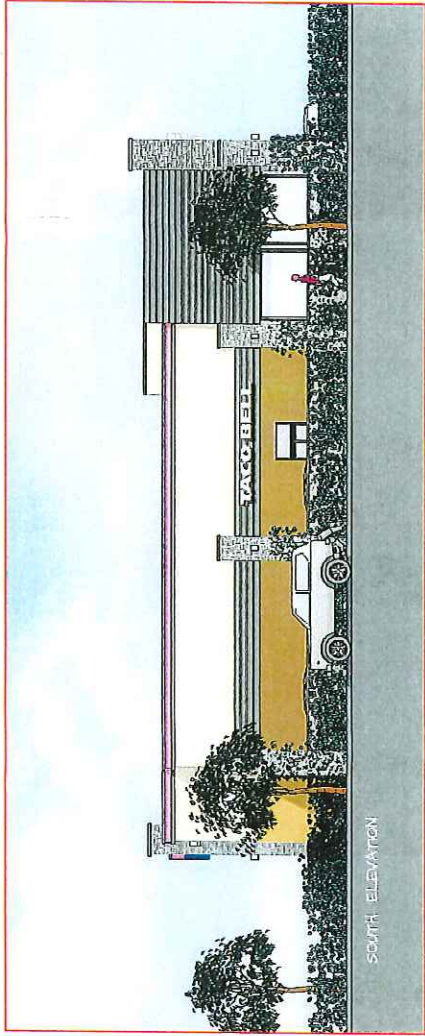
**VMil architecture**  
Design • Planning • Interiors  
607 529 Avenue Sur, Redwood City, CA 94061  
415-421-2500 415-451-9200 fax  
www.vmil.com

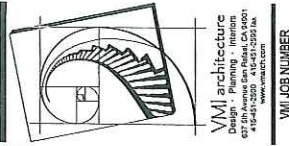
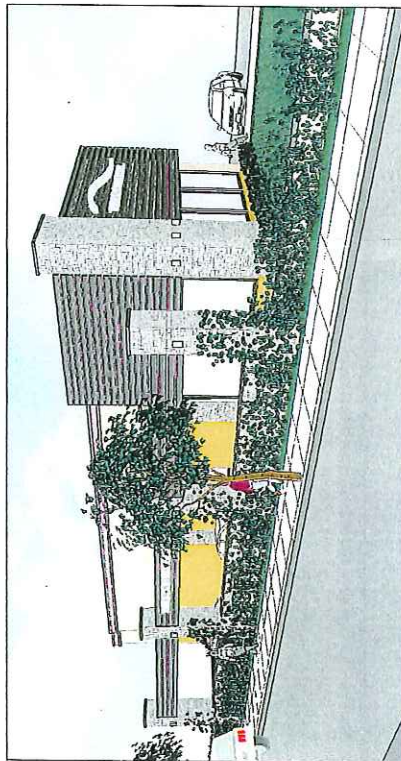
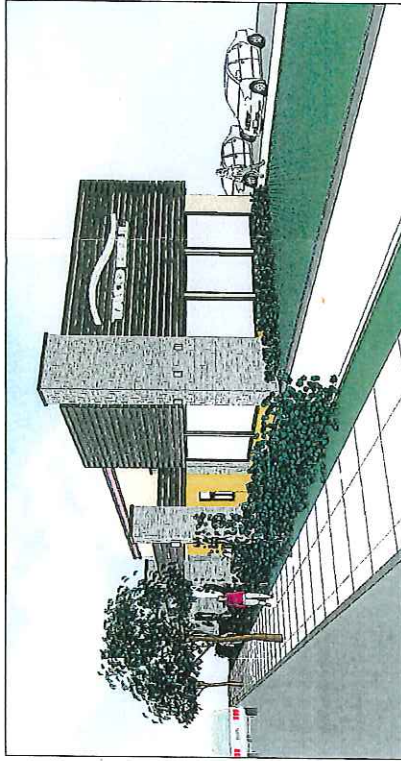
CLIENT  
FSD ANTIOCH LLC  
2020 E. Cambridge Road Suite 115  
Fresno, AZ 85316  
Chris Coyz  
(602) 714-3277 x.1384

PROJECT  
TACO BELL  
1706 A STREET  
ANTIOCH, CA 94509  
APN# 057-2430-031

NI-42 SEAT  
C6

0.5%





**VMI architecture**  
Design • Planning • Interiors  
637 5th Avenue San Rafael, CA 94901  
415-451-2500 415-451-2595 fax  
[www.vmiarch.com](http://www.vmiarch.com)

VMI JOB NUMBER

RECORD DATES	
NO SUBMITTAL	2-10-15
LOG. SUBMITTAL	
ID SET	
CONTRACT SET	

## REVISIONS

**CLIENT**  
**FSD ANTIOCH LLC**  
2020 E. Camelback Road Suite 110  
Phoenix, AZ 85018  
**Chris Czyz**  
(602) 714-2000 x. 104

PROJECT  
TACO BELL  
1706 A STREET  
ANTIOCH, CA 94509  
APN# 057-2430-031

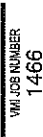


VI - 42 SEAT

PERSPECTIVES

DD6.0





## REVISIONS

**PROJECT**  
**TACO BELL**  
**1706 A STREET**  
**ANTIOCH, CA 94509**  
**APN# 067-2430-031**

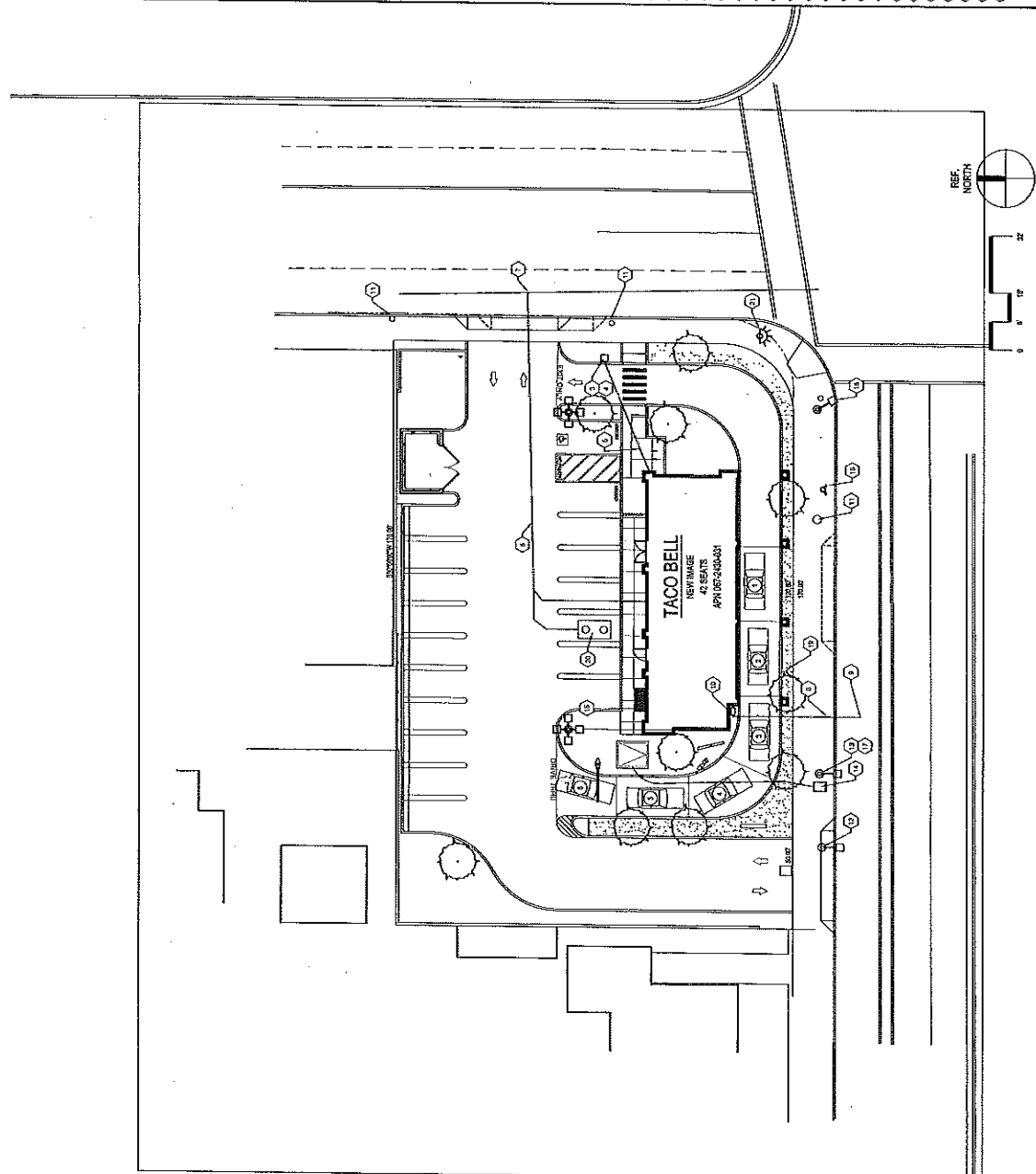


NI-42 SEAT

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UTILITY PLAN

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DATE 11TH FEB 1961 08 - 1015Z A

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POLES ARE 20'-0" FOR AN OVERALL FINISH MOUNTING HEIGHT OF 22'-6" A.F.G.

Calculation Summary	AVG	MAX	MIN	AVG/MIN	MAX/MIN
UNWEIGHTED	1.70	16.2	0.0	N.A.	N.A.
DRIVE-THRU LANE SURFACE	1.70	11.8	1.0	4.22	11.80
PARKING LOT SURFACE	1.74	4.7	1.2	2.42	3.62

LIGHT LEVELS ARE MAINTAINED FOOT-CANDLES, INITIAL LEVELS ARE SLIGHTLY HIGHER

# SITE LIGHTING SUMMARY

D

NOT USED	C
TACO BELL 1700 A ST. TACO BELL PREPARED BY: JOHN BULANE ACCUSURY LIGHTING & EQUIPMENT 877-797-7378 502-561-0357 FAX www.accusury.com DECEMBER 27, 2014	

RECORD DATES 21945  
NO. 1000000  
NO. 1000000  
NO. 1000000

## REVISIONS

NO.	DATE	DESCRIPTION
1		
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8		
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10		

## CLIENT

FSD ANTIOCH LLC  
2000 E. Cambridge Road, Suite 110  
Antioch, CA 94509  
(925) 707-1144

## PROJECT

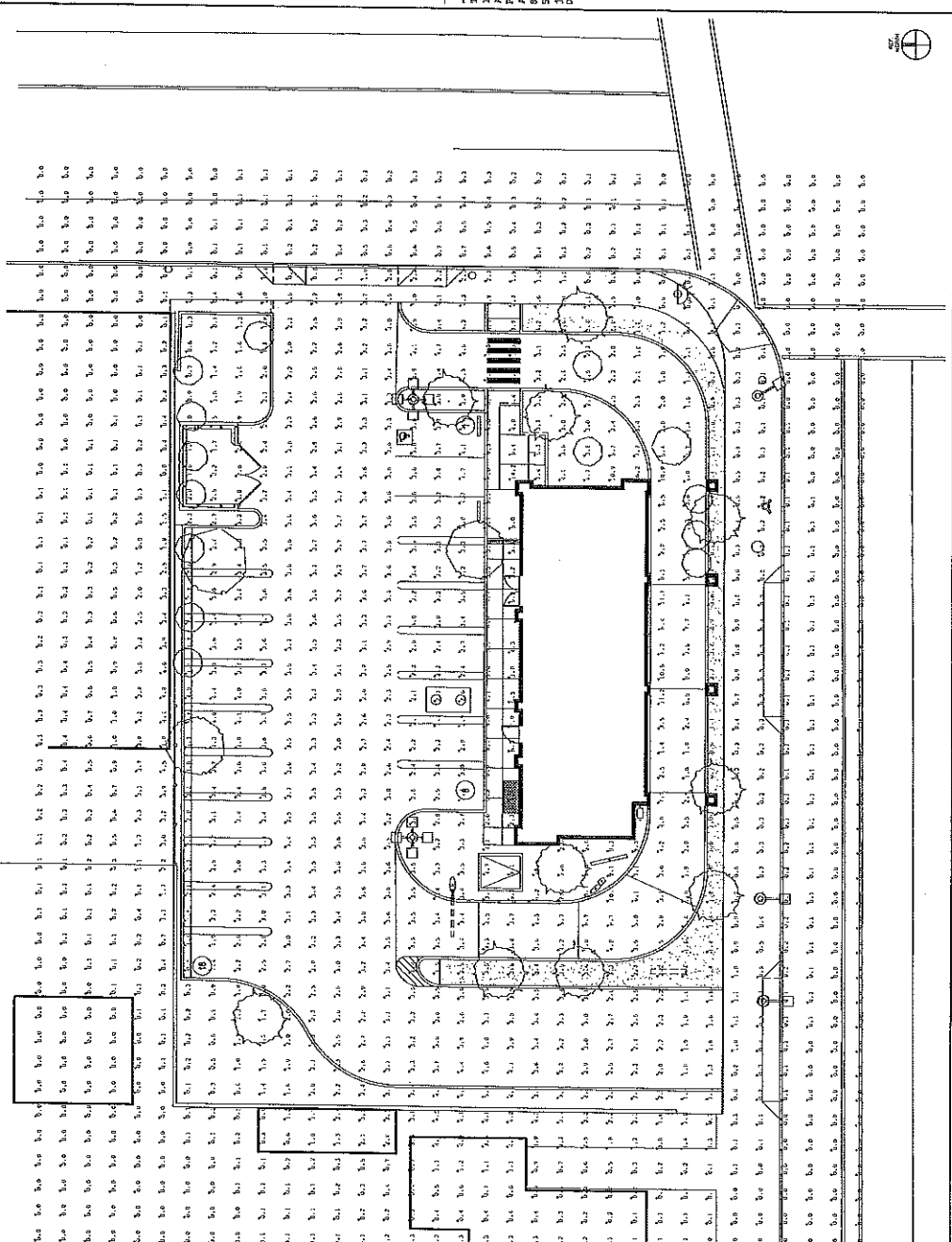
TACO BELL  
1700 A STREET  
ANTIOCH, CA 94509  
APN 017-200-081



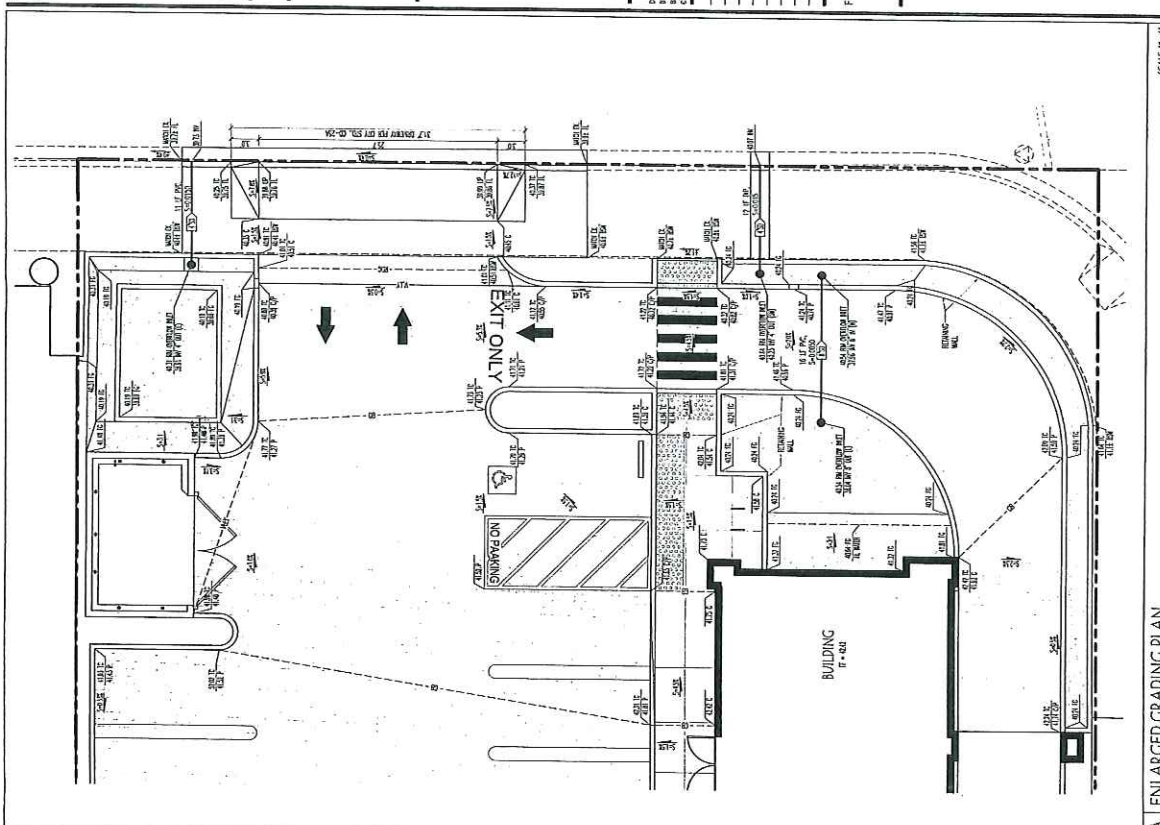
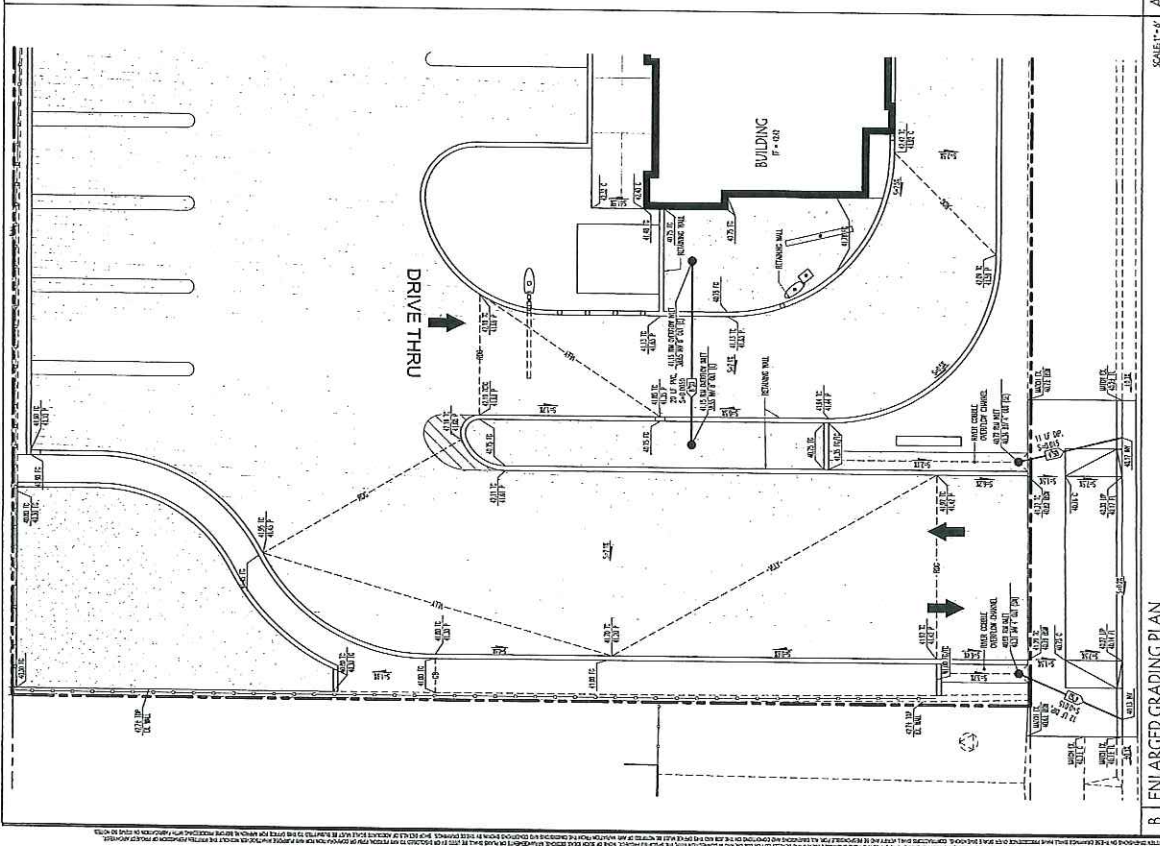
NI - 42 SEAT

SITE  
PHOTOMETRIC  
PLAN

PH0.0







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**NI - 42 SEAT**  
 ENLARGED  
 GRADING PLAN

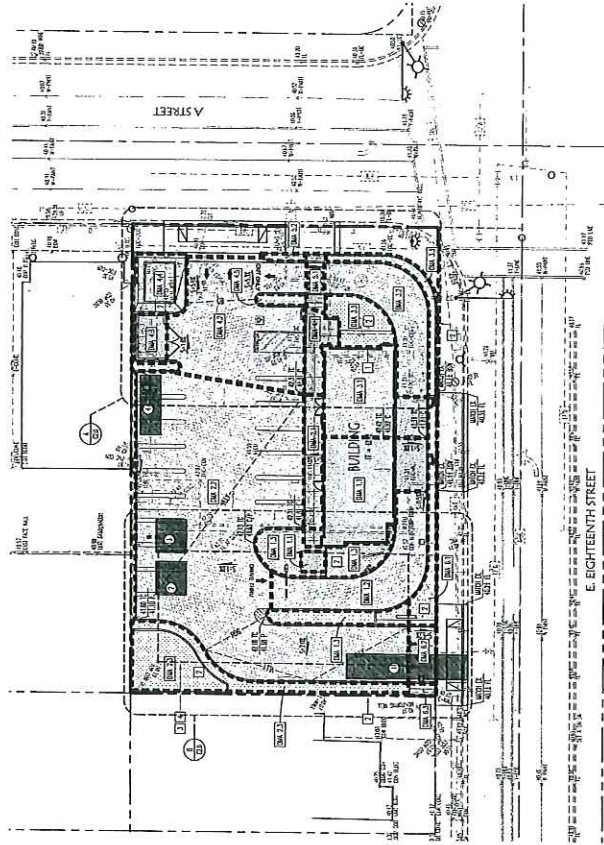
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 10/10/14  
 10/10/14

**REVISIONS**

NO.	DATE	DESCRIPTION
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2	10/10/14	ISSUED FOR PERMIT
3	10/10/14	ISSUED FOR PERMIT

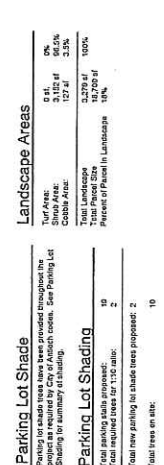
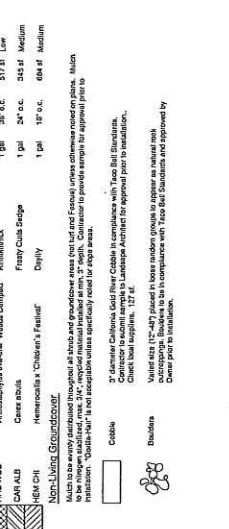
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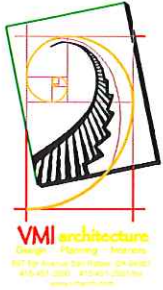
DATA NAME	AREA (IN <sup>2</sup> )	POST-PROJECT SHADE TOI	EST-PROJECT (%)	EST-PROJECT (%)-ADJACENT DATA
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1.2	1.06	FOUR PANE	II	1.3
1.3	1.04	PANE	I	1.3
1.4	1.41	ONE	II	2.3
2.2	1.50	FOUR PANE	II	2.3
2.3	1.49	FOUR PANE	II	2.3
3.1	1.68	PANE	II	3.3
3.2	1.68	FOUR PANE	II	3.3
3.3	1.62	PANE	Y	3.3
4.1	2.0	ONE	II	4.4
4.2	2.08	FOUR PANE	II	4.4
4.3	2.0	ROOF	PANE	4.4
4.4	2.0	PANE	Y	4.4

[illegible]

[illegible]










# ATTACHMENT "D"



## COLOR & MATERIAL BOARD

TACO BELL RESTAURANT  
1706 A STREET  
ANTIOCH, CA

JANUARY 12, 2015

LOCATION	DESCRIPTION	
MAIN BUILDING STUCCO WALL	MFR.: SHERWIN WILLIAMS NUMBER: SW 6122 COLOR: CAMEL BACK FINISH: SMOOTH FINE SAND STUCCO	
ACCENT STUCCO WALL	MFR.: SHERWIN WILLIAMS NUMBER: SW 2823 COLOR: ROOKWOOD CLAY FINISH: SMOOTH FINE SAND STUCCO	
WALL COLOR BEHIND SLAT WALL	MFR.: SHERWIN WILLIAMS NUMBER: SW 6831 COLOR: CLEMATIS FINISH: SMOOTH FINE SAND STUCCO	
ALUMINUM STOREFRONT	MFR.: N/A NUMBER: N/A COLOR: DARK BRONZE FINISH: N/A	
ALUMINUM SCREEN WALL "GRILL" ALUM. TUBES	MFR.: SHERWIN WILLIAMS NUMBER: SW 7034 COLOR: STATUS BRONZE FINISH: N/A	
CAP FLASHING	MFR.: SHERWIN WILLIAMS NUMBER: SW 7069 COLOR: IRON ORE FINISH: N/A	
PRECAST STONE VENEER WAINSCOT AND CAP	MFR.: BORAL - VERSA STONE NUMBER: TIGHT CUT - PLUM CREEK COLOR: N/A FINISH: N/A	

# ATTACHMENT "E"



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February 24, 2015

Cindy Gnos, AICP  
Senior Vice President  
Raney Planning & Management Inc.  
1501 Sports Drive, Suite A  
Sacramento, Ca. 95834  
(916) 372-6100

Alexis Morris  
Associate Planner  
City of Antioch  
200 'H' Street  
Antioch, CA 94509  
(925) 779-6141; (925) 779-7034 fax

**Stantec Job #2007765002**

**Reference: Peer Review**  
**Taco Bell-1706 A Street**

Dear Cindy,

In accordance with your authorization, Stantec submits this draft peer review for the subject project. Stantec has reviewed the proposed building, site and landscape designs for the project as shown in the application documents. This Peer Review focuses on the new building footprint and design to determine compliance with the City Ordinances and Citywide Design Guidelines. The current proposal shows the building outside the building setbacks and thus a variance for the project is required. The review addresses all architectural, landscape and civil issues particularly in regards to how this layout of the building and drive through are handled along the frontages of both streets.

## **Peer Review Project Data Summary**

Project Type: C2 Neighborhood Commercial/Restaurant

Action for Peer Review: The applicant has submitted a new application for the demolishing of an existing retail building with multiple tenant for the construction of a new restaurant.

Site Size: .61 Acre

Site Changes: New 1,822 SF building in a different location, relocation of driveways and parking and additional landscape areas.





February 24, 2015  
Cindy Gnos  
Page 2 of 9

**Reference: Taco Bell-1706 A Street**

Stantec's peer review comments are based on current industry standards, good design practices and in accordance and compliance with the following city documents:

- Citywide Design Guidelines
- General Plan Community Image Policies
- Applicable City Departmental Requirements
- Applicable State Regulations - including AB 1881
- Industry standards

Applicant documents provided for this review include the following:

- Development Application 12/16/14 from VMI Architects
- Applicant's Statement from VMI Architects
- Site Plan from VMI Architects
- Floor, Roof Plan and Building Sections from VMI Architects
- (2) Exterior Elevations from VMI Architects
- (1) Color Exterior Elevations from VMI Architects
- (3) Preliminary Landscape Plans from KLA Landscape Architects
- Utility Plan from VMI Architects
- Site Photometric Plan from VMI Architects
- PDF of Color Board 1/12/15

This document represents our draft peer review and is submitted for your review:

**Peer Review Comments:**

Item No.	Comment Source	Basis	Review Comment
	<b>Site Plan DD0.0</b>		
1	Site Plan	City Site Plan Submittal Requirements	Show the entire street on the drawing for both 18 <sup>th</sup> and A streets. Provide preliminary grading/sections. Provide a summary of setback requirements for C-2 and then show them correctly on the plan. Correct the total parking provided to actual stalls=17



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Cindy Gnos  
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**Reference: Taco Bell-1706 A Street**

			with only (1) accessible stall.
2	Site Plan	Section 9-5.1205 Established Tree preservation and /or Removal in Conjunction with property development and the Aerial of site plan	Include existing trees to remain and identify those to be removed per the code and summarize this data on the site plan.
3	Site Plan	Site Plan Keynotes-Coordination	Keynote 32 is for (N) Trees, and points to the west planter that runs contiguous to the entire west property line, however the landscape plan does not show new trees in this planter. Clarify if new trees are going to be planted in this planter.
4	Site Plan	Commercial Design Guidelines F2, F3 and F4.	Trash enclosures are to be located away from residences. Provide an alternate location and provide the required elevation of the trash enclosure with a roof. Confirm the trash enclosure is large enough to include a recycling bin and large enough opening for pick up.
5	Site Plan	Coordination	Keynote 3 does not appear on the plan but it is included in the keynote list.
6	Site Plan	Coordination	Both keynotes 9 and 18 call out existing landscape area, however, the landscape plan and utility plans show new landscape and a basin.
7	Site Plan	Coordination	Keynote 26 calls out existing trees to remain but neither the site plan nor the landscape plan shows trees to remain. Please clarify and correct.



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Cindy Gnos  
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**Reference: Taco Bell-1706 A Street**

8	Loading	Commercial Design Guidelines 3.1.8 Service Areas	Identify or clarify loading delivery area. Stripe as needed to avoid parking in these areas.
9	California Building Code	The site lighting for the NW section of the site and the area around the building does not have the minimum code required illumination of 1.0. FC.	Increase illumination by adding fixtures to the site plan and the building elevations, per the code. Avoid spill over onto the adjacent residential properties. Fixture should relate to the architecture and be pedestrian friendly. Proposed fixture appears industrial in both height and style. Coordinate fixture style with building wall fixtures.
10	Site Plan	Circulation	There is a conflict between cars entering the site heading to the parking area or trying to get into the drive through lane, from the drive off 18 <sup>th</sup> Street with the cars that can in off A street entering the drive through.
11	Site Plan	Utilities	There is an existing power pole in the drive curb cut along 18 <sup>th</sup> Street. It will have to be relocated to clear the aisle. Due to overall site circulation issues and turning radius from this drive, it is suggested to have this drive aisle changed to an exit lane only. When the circulation is finalized, coordinate any call out notes for this light pole on the site plan.
12	Site Plan	Building Setback , 3.2.8.B Drive Through Businesses and 3.2.C	Per section B, the building shall be the predominant visual



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Cindy Gnos  
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**Reference: Taco Bell-1706 A Street**

		Stacking Lanes.	element along street frontages and that stacking lanes should not be located between the building and the street. If not done so already, the applicant should consider other solutions for the site plan which would place the building closer to the street and the drive through in the rear. It is understood that this location may result in having pedestrians cross the drive area to get to the building, however that condition exists now. If ADA parking is a concern, there could be parallel spaces along the inside of the building for ADA. Again the applicant should pursue options. If placing the drive through on the interior side does not work then as part of the variance application, the frontage planter should be enhanced for better screening of the drive through. The plan as submitted provides insufficient screening of the cars in the drive through along both A and 18 <sup>th</sup> Streets. Suggest widening the frontage planters and adding additional landscaping and walls. See landscape comments below.
13	Site Plan	Commercial Design Guidelines 3.1.6 Paving	Enhance sidewalk in front of building with stamped or colored concrete.
14	Site Plan	Industry Standards	Add dimensions to the site plan.





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Cindy Gnos  
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Reference: Taco Bell-1706 A Street

15	Site Plan	Parking	Parking Data doesn't match plan
	<b>BUILDING PLANS DD2,4, 4.1 AND DD5</b>		
16	DD2 Floor & Roof Plan	Floor Plan-Coordination	Add the electrical cabinet on the entry side of the building. Match roof plan to floor plan.
17	DD4.0 North Elevation	Commercial Design Guidelines 3.1.5 Storefront	<p>The elevation on the storefront side is prioritized with specific elements that are in conflict. Storefront entry is not emphasized and doesn't have any overhang to protect customers with a sheltered transition area into the interior, while the service door does, emphasizing that door. Removing pilaster and slats at electrical cabinet and loading door could help with focusing the enhancements of the customer area. Aligning the roof line breaks with the entry doors and adding reveals can create a more organized front elevation. Adding stone base below the storefront will help tie together the vertical lines of the elevations more and visually lower the parapet.</p> <p>Add a light fixture to the end corner stone pylon to match the other fixtures.</p>
18	Coordination of Building Elevations	Elevation-Coordination	The west/south elevation corner should be coordinated in color and reveals to be more integrated visually with the building. See below.



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Cindy Gnos  
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**Reference: Taco Bell-1706 A Street**

19	Floor Plan	City Design Guidelines 3.2.28 Drive Through Businesses and Pedestrian Connections	Consider reversing the location of entry/front elevation and drive through to create better street and building definition.
20	DD4.1 Elevations	Commercial Design Guidelines 3.1.5 Storefront	<p>The following suggestions are made to improve the overall appearance of the building:</p> <p>South elevation-Add stone veneer under the windows. The rear lower wall panel color should match the darker color (Rookwood Clay) shown on the west elevation. Horizontal score lines in wall facade should align with the top of the pylon. Vertical score lines should "bracket" the pylon edges for all the stone pylons seen in this elevation.</p> <p>All elevations-Study the overall height of the building, which seems tall in proportion to the small size of the building-19' for the top of the parapet and over 20' for the stone veneer pylon in the west elevation.</p> <p>East Elevation-add stone veneer under the windows. Add bell to color rendered elevation to match B&amp;W elevation.</p> <p>West Elevation- Plaster scoring should align with the top of the shorter pylon.</p>
	<b>Landscaping</b>		
21	Preliminary Landscape Plan	Coordination Item and Municipal Code Article 10.	Show existing trees to be removed or to remain.



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Cindy Gnos  
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**Reference: Taco Bell-1706 A Street**

22	Preliminary Landscape Plan	Coordination Item	Work with the architect on the basin area as the site plan currently calls out this area as existing planting to remain, but the utility plan calls out a basin. Additionally there is an existing tree in the planter. Clarify if the tree is to remain or to be removed.
	Preliminary Landscape Plan	Coordination Items	Move the tree at the back of the building which is located on an electrical line. Import the bollard locations as shown on the site plan, to the landscape plan. Correct the building footprint so the electrical cabinet coincides with the floor plan.
23	Preliminary Landscape Plan	Utility Clearances	Move shrubs away from transformer for 6' clearance or clearance distance per utility.
24	Preliminary Landscape Plan	Industry Standard Tree Selection.	The crepe myrtles in the frontage planter should be standards in this location.
25	Preliminary Landscape Plan	Industry Standard Planting	Select plants for clear view to menu boards.
26	Preliminary Landscape Plan	Citywide Design Guidelines Sections 3.2.8.B Drive Through Businesses, 3.2.C Stacking Lanes and 8.3.3 Screening.	Provide additional planting or other screening elements such as a low green screen or wall and street trees in the sidewalk to add layering. The Dietes will only get 32-36" tall and will not provide the required screening of the drive through or the headlights. If the planter remains as is, select a taller material in this location to establish a consistent screen





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**Reference: Taco Bell-1706 A Street**

			that is 36"-42".
27	Preliminary Landscape Plan	Article 13 9-5.1301	Add narrow or columnar trees to the planter along the 8' wall on the western edge of the property to screen the project from the adjacent residence.

**Summary Conclusions:**

The overall prototypical building design meets many of the Citywide Design Guidelines except in a few areas. The front (West) elevation could be improved by the enhancement of the entry feature to provide better definition of the customer side. Adding stone veneer wainscot below the storefront and additional reveals could help visually with the building's tall appearance. The overall architecture could be strengthened at the intersection to make a statement for the building. The larger problem is with the location of the drive through and the insufficient screening. There are many restaurants designed with an interior drive through lane and this project could benefit by bringing the building to the frontage and thus meet the Citywide Design Guidelines while screening the drive through. If the drive through remains in the same location, additional screening is required-wider planters, a wall, a green screen, a more consistent hedge material. Street trees could add a layering of screening to the drive through as well as strengthen the overall development and add character to the street. Even small trees required to accommodate the overhead wires along 18<sup>th</sup>., would help the project integrate with the street. The colors of the building complement the surrounding architecture. This project takes a few steps towards improving the intersection and could go further with stronger architecture and frontage design-colored and stamped paving and other features. If the building is reversed, the entries and public walk could further be enhanced with a bench at the entries along both streets. There may even be the possibility of creating an outdoor space/patio with flipping the building functions. Please call if you have any questions regarding this memorandum.

Regards,

**STANTEC ARCHITECTURE INC.**

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Design with community in mind

E 9





# ATTACHMENT "G"

## Environmental Noise Assessment

### 1706 A Street Taco Bell

City of Antioch, California

Job # 2015-132

Prepared For:


#### **First Street Development**

2929 East Camelback Road, Suite 116  
Phoenix, AZ 85016

Attn: Chris Czyz

Prepared By:

**j.c. brennan & associates, Inc.**

  
Jim Brennan  
President  
Member, Institute of Noise Control Engineering

April 2, 2015

 **j.c. brennan & associates**  
*consultants in acoustics*

## INTRODUCTION

This report describes the existing noise environment in the area of the proposed Taco Bell project in the City of Antioch, California and the potential of the Proposed Project to generate noise levels exceeding the applicable City of Antioch exterior noise level standards at existing sensitive receptor locations.

The proposed project will develop a 0.6 acre site located at 1706 A Street with the construction of a 1,822 square-foot Taco Bell restaurant. The project site is located at the northwest corner of A Street and East 18th Street.

Parking lot activity, roof-top mechanical equipment and drive-through lane operations on the project site may generate noise levels exceeding the City of Antioch exterior noise level standards for non-transportation noise sources. Therefore, this analysis will assess the potential noise generation from non-transportation fixed noise sources on the project site. Predicted noise levels will be compared to the noise level standards of the City of Antioch General Plan Noise Element. If necessary, noise control measures will be recommended for the proposed project.

Figure 1 shows the project site plan.

## ENVIRONMENTAL SETTING

### BACKGROUND INFORMATION ON NOISE

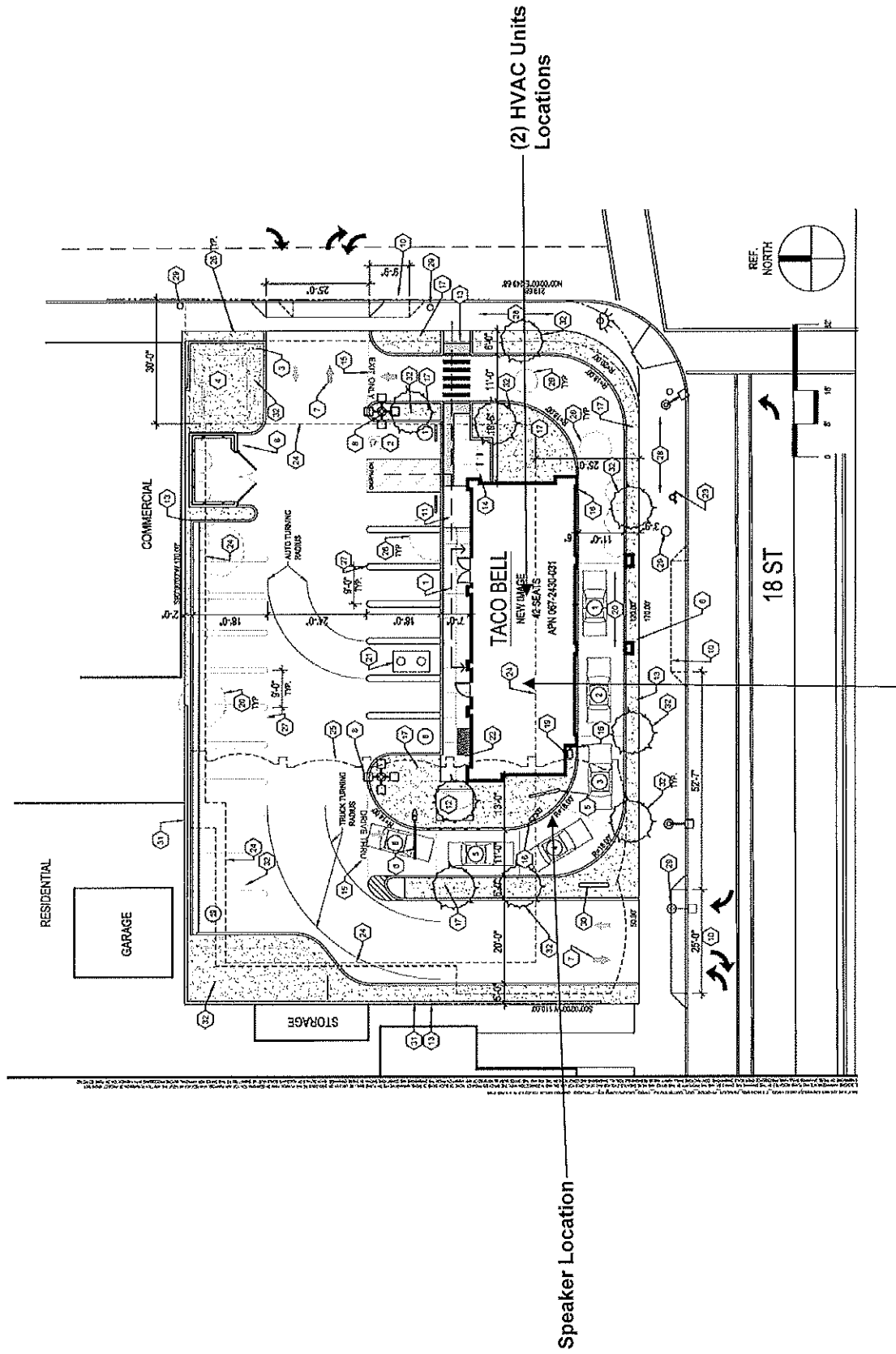
#### *Fundamentals of Acoustics*

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz).

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels (dB) correspond closely to human perception of relative loudness.

Figure 1  
A Street Taco Bell Site Plan



The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels, but are expressed as dB, unless otherwise noted.

The decibel scale is logarithmic, not linear. In other words, two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level ( $L_{eq}$ ), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The  $L_{eq}$  is the foundation of the composite noise descriptor,  $L_{dn}$ , and shows very good correlation with community response to noise.

The day/night average level ( $L_{dn}$ ) is based upon the average noise level over a 24-hour day, with a +10 decibel weighting applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because  $L_{dn}$  represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

Table 1 lists several examples of the noise levels associated with common situations. Appendix A provides a summary of acoustical terms used in this report.

**TABLE 1**  
**TYPICAL NOISE LEVELS**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 m (1,000 ft)	--100--	
Gas Lawn Mower at 1 m (3 ft)	--90--	
Diesel Truck at 15 m (50 ft), at 80 km/hr (50 mph)	--80--	Food Blender at 1 m (3 ft) Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft)	--70--	Vacuum Cleaner at 3 m (10 ft)
Commercial Area Heavy Traffic at 90 m (300 ft)	--60--	Normal Speech at 1 m (3 ft)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing
Source: Caltrans, Technical Noise Supplement, Traffic Noise Analysis Protocol. November 2009		

## Effects of Noise on People

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction
- Interference with activities such as speech, sleep, and learning
- Physiological effects such as hearing loss or sudden startling

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it.

With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- Outside of the laboratory, a 3 dBA change is considered a just-perceivable difference;
- A change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- A 10 dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6 dB per doubling of distance from the source, depending on environmental conditions (i.e. atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

## Existing Conditions

The existing noise environment in the project area is defined primarily by traffic on the local roadway network, including A Street, East 18th Street and the Union Pacific Railroad to the south of the site.

### EXISTING NOISE RECEPTORS

Some land uses are considered more sensitive to noise than others. Land uses often associated with sensitive receptors generally include residences, schools, libraries, hospitals, and passive recreational areas. Sensitive noise receptors may also include threatened or

endangered noise sensitive biological species, although many jurisdictions have not adopted noise standards for wildlife areas. Noise sensitive land uses are typically given special attention in order to achieve protection from excessive noise.

Sensitivity is a function of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities involved. In the vicinity of the project site, sensitive land uses include single-family residential uses to the west and northwest of the site. These land uses could potentially experience noise impacts associated with project operations.

## **EXISTING AMBIENT NOISE LEVELS**

The ambient noise environment can be characterized as a typical urban area with average hourly noise levels ranging between 55 and 70 dB Ldn. An ambient noise level survey will be conducted at a later date, and will be appended to this report.

## **REGULATORY CONTEXT**

### **FEDERAL**

There are no federal regulations related to noise that apply to the Proposed Project.

### **STATE**

There are no state regulations related to noise that apply to the Proposed Project.

### **LOCAL**

#### ***City of Antioch General Plan Noise Element***

The Environmental Hazards Chapter of the City of Antioch General Plan sets forth noise and land use compatibility standards to guide development, and noise goals and policies to protect citizens from the harmful and annoying effects of excessive noise. Objectives and policies established in the Noise Element of the General Plan that are applicable to the proposed project include:

#### **11.6.1 Noise Objective**

Achieve and maintain exterior noise levels appropriate to planned land uses throughout Antioch as described below:

- Residential  
Single-Family: 60 dBA CNEL within rear yards  
Multi-Family: 60 dBA CNEL within exterior open space
- Schools  
Classrooms: 65 dBA CNEL  
Play and sports areas: 70 dB CNEL
- Hospitals, Libraries: 60 dBA CNEL



- Commercial/Industrial: 70 dBA CNEL at the front setback

#### 11.6.2 Noise

##### *Noise Compatible Land Use and Circulation Patterns*

- b. Maintain a pattern of land uses that separates noise-sensitive land uses from major noise sources to the extent possible, and guide noise-tolerant land uses into the noisier portions of the Planning Area.

##### *Noise Analysis and Mitigation*

- e. When new development incorporating a potentially significant noise generator is proposed, require noise analyses to be prepared by a qualified acoustical engineer. Require the implementation of appropriate noise mitigation when the proposed project will cause new exceedances of General Plan noise objectives, or an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- f. In reviewing noise impacts, utilize site design and architectural design features to the extent feasible to mitigate impacts on residential neighborhoods and other uses that are sensitive to noise. In addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:
  - Increased building setbacks to increase the distance between the noise source and sensitive receptor.
  - Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
  - Orient delivery, loading docks, and outdoor work areas away from noise sensitive uses.
  - Place noise tolerant use, such as parking areas, and noise tolerant structures, such as garages, between the noise source and sensitive receptor.
  - Cluster office, commercial, or multifamily residential structures to reduce noise levels within interior open space areas.
  - Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.
- g. Where feasible, require the use of noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts.
  - The barrier must have sufficient mass to reduce noise transmission and high enough to shield the receptor from the noise source
  - To be effective, the barrier needs to be constructed without cracks or openings.
  - The barrier must interrupt the line-of-sight between the noise source and the receptor.

- The effects of noise “flanking” the noise barrier should be minimized by bending the end of the barrier back from the noise source
  - Require appropriate landscaping treatment to be provided in conjunction with noise barriers to mitigate their potential aesthetic impacts.
- h. Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administration Code).

*Temporary Construction*

- i. Ensure that construction activities are regulated as to hours of operation in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.
- j. Require proposed development adjacent to occupied noise sensitive land uses to implement a construction-related noise mitigation plan. This plan would 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.
- k. Require that all construction equipment utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- m. Prior to the issuance of any grading plans, the City shall condition approval of subdivisions and non-residential development adjacent to any developed/occupied noise sensitive land uses by requiring applicants to submit a construction-related noise mitigation plan to the City for review and approval. The plan should depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as:
- The construction contractor shall use temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses
  - During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.

- n. The construction-related noise mitigation plan required shall also specify that haul truck deliveries be subject to the same hours specified for construction equipment. Additionally, 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. Lastly, the construction-related noise mitigation plan shall incorporate any other restrictions imposed by the city.

### ***City of Antioch Noise Ordinance***

Section 9-5.1901 of the Antioch Zoning Ordinance sets forth noise attenuation requirements for stationary and mobile noise sources. The provisions applicable to the project include the following:

- (A) *Stationary noise sources.* Uses adjacent to outdoor living areas (e.g., backyards for single-family homes and patios for multi-family units) and parks shall not cause an increase in background ambient noise which will exceed 60 CNEL.

- (B) Mobile noise sources.

(1) Arterial and street traffic shall not cause an increase in background ambient noise which will exceed 60 CNEL.

- (D) Noise attenuation. The city may require noise attenuation measures be incorporated into a project to obtain compliance with this section. Measures outlined in the noise policies of the General Plan should be utilized to mitigate noise to the maximum feasible extent.

The City of Antioch Zoning Ordinance (2005) provides noise attenuation requirements for construction activity. Specifically, Section 5-17.04 prohibits construction during sensitive evening, nighttime, and weekend hours. 5-17.04

### ***Construction Noise Attenuation***

- (B) It shall be unlawful for any person to be involved in construction activity during the hours specified below:
- On weekdays prior to 7:00 a.m. and after 6:00 p.m.
  - On weekdays within 300 feet of occupied dwellings, prior to 8:00 a.m. and after 5:00 p.m.
  - On weekends and holidays, prior to 9:00 a.m. and after 5:00 p.m., irrespective of the distance from the occupied dwellings.

## ANALYSIS

### DRIVE-THRU LANE

A single drive-thru speaker would be used with the proposed Taco Bell drive-thru lane use. To quantify the noise emissions from the proposed drive-thru lane, data from a Sacramento area drive-thru restaurant was used. The data was collected by conducting noise level measurements at a distance of 30 feet from the drive-thru lane and speaker box. The drive-thru speaker apparatus used at the test site is typical of most fast food type drive-thru speakers. The sound level meter was located on a tripod at a height of 5 feet above ground and fitted with a windscreen. The results of the noise level measurements are shown in Table 2.

**TABLE 2**  
**DRIVE-THRU SPEAKER NOISE LEVELS**

# of Lanes	Distance (ft)	Orientation	Maximum, $L_{max}$	Average, $L_{eq}$	Median, $L_{50}$
1	30	Directly in Front	61 dB	55 dB	54 dB

Source: j.c. brennan & associates, Inc., 2014

It should be noted that maximum noise levels were observed to include periods of speech from the drive-thru speaker, as well as vehicle idling noise. Average ( $L_{eq}$ ) and median ( $L_{50}$ ) noise levels consisted primarily of vehicles idling.

The nearest residential property line is located approximately 70 feet to the west of the proposed drive-thru lane speaker. At this distance, drive-thru noise levels are predicted to be 48 dB  $L_{eq}$  and 54 dB  $L_{max}$ . Even if the drive-thru lane operated 24-hours per day, the CNEL is calculated to be less than 55 dB. These noise levels comply with the City of Antioch 60 dB CNEL exterior noise level standard. The calculated noise levels due to the drive-thru do not account for any shielding due to the proposed 8-foot tall concrete block wall at the property line.

### PARKING LOT NOISE GENERATION

As a means of determining the noise levels due to parking lot activities, j.c. brennan & associates, Inc., utilized noise level data collected for previous parking lot studies, and project trip generation numbers supplied for a Taco Bell in Turlock, California.

A typical SEL due to automobile arrivals/departures, including car doors slamming and people conversing is approximately 71 dB, at a distance of 50 feet and 63 dB  $L_{max}$  at 50 feet. Based upon the trip generation numbers for the Turlock Taco Bell, the AM Peak Hour trip generation for the project is 96 and a total trip generation of 960. Parking lot noise levels were determined using the following formula.

$$CNEL = SEL + 10\log(Neq) - 49.4, \text{ where:}$$

The SEL is the mean sound exposure level (SEL) for an automobile arrival or departure, Neq is the number of parking related operations in a 24-hour period, 49.4 is 10 times the logarithm of the number of seconds in a day.

Based upon this formula, the CNEL would be approximately 52 dB at a distance of 50 feet, and approximately 50 dB CNEL at the nearest property line to the northwest. The calculated noise levels due to the parking lot do not account for any shielding due to the proposed 8-foot tall concrete block wall at the property line. Therefore, noise levels will comply with the City of Antioch Noise Element and Noise Ordinance.

It should be noted that this analysis is based on the distance to the center of the parking lot because this is considered the acoustic center of the noise source.

#### ROOF-TOP MECHANICAL EQUIPMENT NOISE GENERATION

The roof-top mechanical equipment consists of two 10-ton HVAC units, and a Strata Vent exhaust vent. j.c. brennan and associates, Inc., used data collected from a similar project using two Bryant Model 574-DNWA (5-ton), roof mounted HVAC units. Each of the units have a sound power level of 78 dBA.

Based upon the site plan, the nearest residential property lines are located approximately 100 feet from the location of the nearest HVAC unit. Hemispherical stationary noise sources will attenuate at a rate of 6 dB per doubling of distance. This is a 20 log attenuation rate.

Based upon the attenuation over distance, the noise levels associated with each unit and the cumulative noise from 2 HVAC units can be calculated at the nearest property line. Table 3 shows the calculated noise level from the HVAC units. This does not account for shielding from the roof parapets and the roof lines.

The Strata Vent exhaust vent has a sound power level of 75 dBA. Table 3 also shows the calculated noise level from the exhaust vent at the nearest west property line.

<b>Table 3</b> <b>Calculated Roof-top HVAC and Exhaust Vent Noise Levels</b> <b>At the Nearest West Property Line</b>			
Unit	Distance to Residential Property Line to the North West	Calculated Individual HVAC Unit Noise Level	Calculated Cumulative Noise Levels
HVAC 1	100 feet	38 dBA	
HVAC 2	100 feet	38 dBA	
Exhaust Vent	80 feet	37 dBA	
			<b>42.5 dBA</b>

Based upon Table 3, the steady-state noise level of the 3 pieces of equipment is 42.5 dBA. Assuming that the equipment operated 24-hours per day, the overall level would be less than 50 dBA CNEL. Therefore, the equipment would comply with the City of Antioch noise level standard of 60 dB CNEL.

#### CUMULATIVE NOISE GENERATION

The cumulative noise level of all roof-top equipment, parking lot activities and drive-thru speakers is 55 dBA CNEL. This does not account for shielding which occurs from roof-top parapets and roof lines, or the proposed 8-foot tall block wall which will be constructed on the west and north property lines.

## CONCLUSIONS

The project-related noise levels are predicted to comply with the City of Antioch exterior noise level standard of 60 dB CNEL. Therefore, no additional noise control measures are recommended at this time.



## Appendix A

### Acoustical Terminology

<b>Acoustics</b>	The science of sound.
<b>Ambient Noise</b>	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
<b>Attenuation</b>	The reduction of an acoustic signal.
<b>A-Weighting</b>	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
<b>Decibel or dB</b>	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
<b>CNEL</b>	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
<b>Frequency</b>	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
<b>L<sub>dn</sub></b>	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
<b>L<sub>eq</sub></b>	Equivalent or energy-averaged sound level.
<b>L<sub>max</sub></b>	The highest root-mean-square (RMS) sound level measured over a given period of time.
<b>L(n)</b>	The sound level exceeded a described percentile over a measurement period. For instance, an hourly L <sub>50</sub> is the sound level exceeded 50% of the time during the one hour period.
<b>Loudness</b>	A subjective term for the sensation of the magnitude of sound.
<b>Noise</b>	Unwanted sound.
<b>Peak Noise</b>	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
<b>RT<sub>60</sub></b>	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
<b>Sabin</b>	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
<b>Threshold of Hearing</b>	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
<b>Threshold of Pain</b>	Approximately 120 dB above the threshold of hearing.
<b>Impulsive</b>	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
<b>Simple Tone</b>	Any sound which can be judged as audible as a single pitch or set of single pitches.

# ATTACHMENT "H"



P.O. Box 6748 • Auburn, California 95604  
1287 High Street • Auburn, California 95603  
p.530.823.0960 • f.530.823.0961 • www.jcbrennanassoc.com

April 6, 2015

Chris Czyz  
First Street Development  
2929 East Camelback Road, Suite 116  
Phoenix, AZ 85016

**Subject: Summary of Ambient Noise Measurements for the A Street Taco Bell Project**

Dear Mr. Czyz:

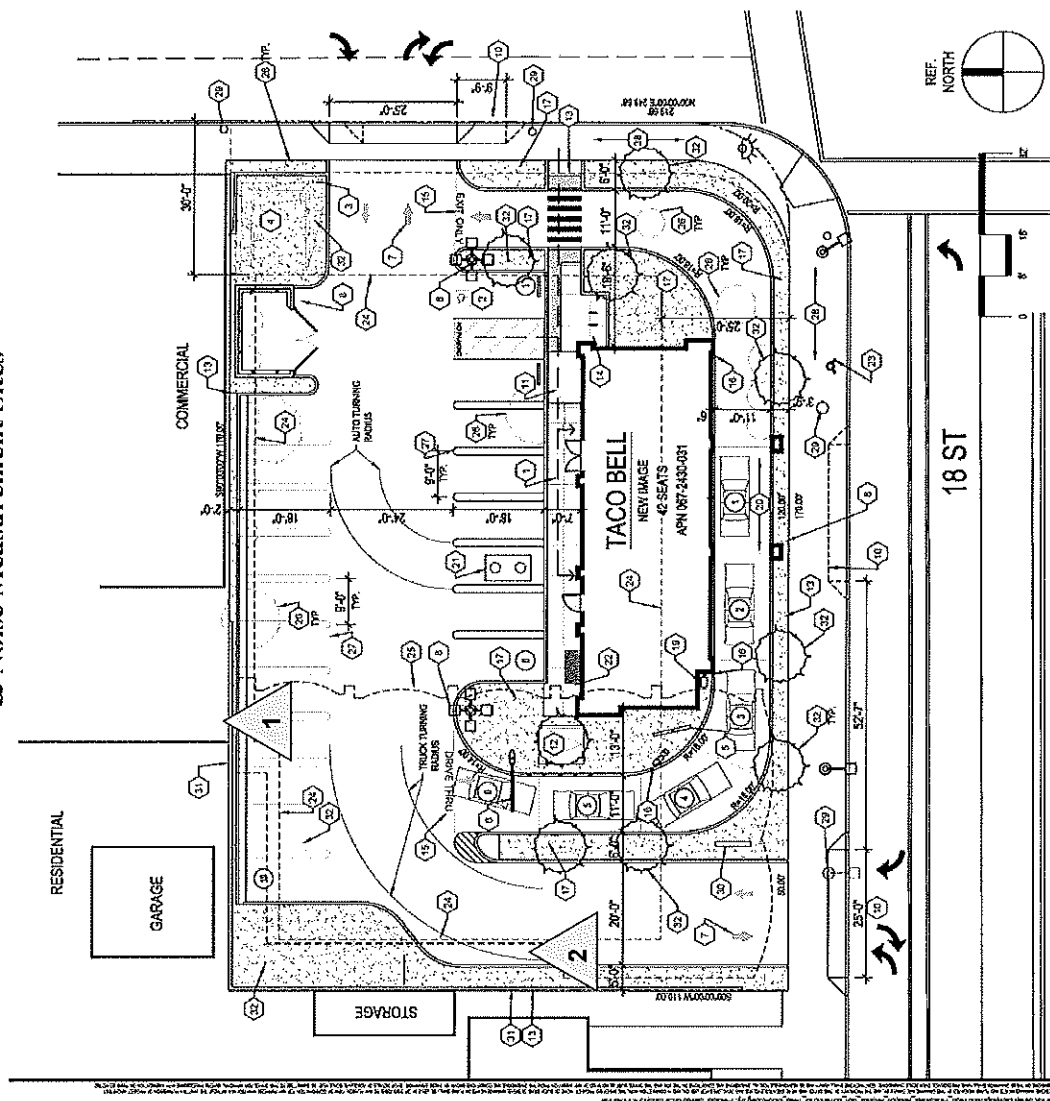
This letter is a summary of the ambient noise measurement survey which was conducted for the 1706 A Street Taco Bell project in the City of Antioch, California. This letter is an addendum to the Environmental Noise Assessment which was conducted for the project site, and dated April 2, 2015.

Two sets of short-term noise level measurements were conducted at the north and west property lines of the project site on April 4, 2015. The results of the noise level measurements are shown in Table 1, and the noise measurement locations are shown on Figure 1 of this letter. A Larson Davis Laboratories (LDL) Model 820 precision integrating sound level meter was used for the ambient noise level measurement survey. The meter was calibrated before and after use with an LDL Model CAL200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters (ANSI S1.4).

Table 1 Summary of Ambient Noise Measurement Results April 4, 2015					
Site	Location	Measured Noise Levels			Primary Noise Sources
		Leq	Maximum	L50	
1	North Property Line	63.2 dBA	78.0 dBA	60 dBA	Roadway Traffic
		61.3 dBA	73.1 dBA	60 dBA	Roadway Traffic
2	West Property Line	56.0 dBA	66.4 dBA	55 dBA	Roadway Traffic
		60.2 dBA	80.1 dBA	56 dBA	Roadway Traffic

Source: j.c. brennan & associates, Inc. , 2015

**Figure 1**  
**A Street Taco Bell Site Plan**  
**& Noise Measurement Sites**

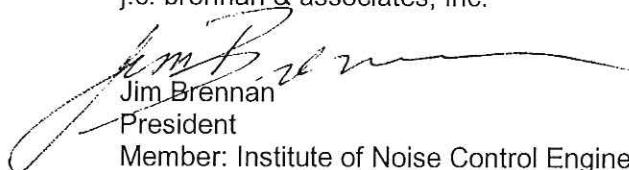


Based upon the results of the ambient noise survey, the measured background noise levels due to traffic on A Street and 18th Street generally exceed the predicted noise levels due to the Taco Bell project.

If you or the City staff have questions, please feel free to contact me at 530-823-0960, or [jbrennan@jcbrennanassoc.com](mailto:jbrennan@jcbrennanassoc.com).

Respectfully submitted,

j.c. brennan & associates, Inc.

A handwritten signature in black ink, appearing to read "Jim Brennan", is written over the printed name.

Jim Brennan

President

Member: Institute of Noise Control Engineering  
file: 2015-132 - Ambient Survey Results

# ATTACHMENT "I"

RECEIVED

APR 10 2015

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

NAME: Al & Bonnie Mason  
ADDRESS: 405 W. 8th St.  
  
DATE: April 6th, 2015

Mitch Oshinsky, Interim Community Development Director  
City of Antioch  
200 H Street  
Antioch, CA 94509

Dear Mitch Oshinsky:

I am a resident of our city, and I am writing to express my full support for the pending redevelopment of the blighted site at 18<sup>th</sup> St and A St and Taco Bell's proposal. I am one of many citizens who have to drive down 18th Street and A Street and notice the eyesore development that exists there currently and I fully support a new quality development here. Taco Bell has heard my concerns and will implement the following based on our neighborhood meeting with SG Ellison of First Street Development on 2/4/15.

1. Security – Parking Lot and Building will have no fewer than 12 security cameras and possibly more. Taco Bell uses IP cameras which are accessible on all platforms and provide backup of up to 30 days of recordings
2. Trash –Taco Bell will walk the parking lot on a regular basis and also do sweeps as needed along 18<sup>th</sup> St to address any trash accumulation from Taco Bell by local littering.
3. Hours – Taco Bell will be changing their hours to close the drive thru at 1am on Sun-Thurs and 2am on Fri-Sat. Dining room would be closed at 10pm every night.
4. Traffic –Taco Bell has acknowledged traffic concerns by reducing building size to one of the smallest buildings that can be used on the site. The proposed building is half the size of the existing building. The driveways have also been moved further away from the intersection.

The franchisee has been a good member of our community and their investment in our neighborhood is welcomed. Please note this letter in support of the project.

Sincerely,

*Bonnie Mason*  
*Al Mason*

Additional Comments: We ask you to approve and expedite their application and plans with Planning and Council.

NAME: Phyllis Fernandez  
ADDRESS: 108 Pleasant Place  
Antioch  
DATE: 4-9-2015

RECEIVED

APR 13 2015

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

Mitch Oshinsky, Interim Community Development Director  
City of Antioch  
200 H Street  
Antioch, CA 94509

Dear Mitch Oshinsky:

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The franchisee has been a good member of our community and their investment in our neighborhood is welcomed. Please note this letter in support of the project.

Sincerely,

*Phyllis Fernandez*

Additional Comments:

our section of Antioch needs new  
business' and Taco Bell would be perfect.



NAME: Lynette Wirtz  
ADDRESS: 41 Park Ln.  
Antioch, CA 94509  
DATE: 4-7-15

RECEIVED

APR 13 2015

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

Mitch Oshinsky, Interim Community Development Director  
City of Antioch  
200 H Street  
Antioch, CA 94509

Dear Mitch Oshinsky:

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The franchisee has been a good member of our community and their investment in our neighborhood is welcomed. Please note this letter in support of the project.

Sincerely,

*Lynette Wirtz*

Additional Comments:

*I've been in Antioch my entire 37 years, owned my home for 14 years now. So, I have seen the changes happening in the area's of 18<sup>th</sup> St, A St, 10<sup>th</sup>, G St, etc. It all just gets more & more run down. We need more trusted & recognizable businesses in downtown. Please bring us eateries & retail that will last. Plus, it was a bummer when Taco bell on 18<sup>th</sup> St. closed. fw*

I3

RECEIVED

APR 14 2015

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

NAME: Patrick Fernandez  
ADDRESS: 108 Pleasant Place  
Antioch  
DATE: 4/9/2015

Mitch Oshinsky, Interim Community Development Director  
City of Antioch  
200 H Street  
Antioch, CA 94509

Dear Mitch Oshinsky:

I am a resident of our city, and I am writing to express my full support for the pending redevelopment of the blighted site at 18<sup>th</sup> St and A St and Taco Bell's proposal. I am one of many citizens who have to drive down 18th Street and A Street and notice the eyesore development that exists there currently and I fully support a new quality development here. Taco Bell has heard my concerns and will implement the following based on our neighborhood meeting with SG Ellison of First Street Development on 2/4/15.

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The franchisee has been a good member of our community and their investment in our neighborhood is welcomed. Please note this letter in support of the project.

Sincerely,

Additional Comments:

A NEW BUSINESS IS NEEDED THERE and  
it sounds like Taco Bell is committed  
for the long run.

I4



**DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
MEMORANDUM**

---

**To:** Planning Commissioners  
**From:** Mindy Gentry, Senior Planner *NA*  
**Date:** May 4, 2015  
**Subject:** Item #2: UP-14-14, V-15-01, AR-14-08 TACO BELL

Please see the attached for a letter that was inadvertently left out of Attachment "I" of the staff report.

## Morris, Alexis

---

**From:** Sandra Kelly [sandragkelly@yahoo.com]  
**Sent:** Monday, April 20, 2015 9:09 PM  
**To:** Morris, Alexis  
**Cc:** SG Ellison  
**Subject:** Taco Bell Development

On behalf of the C Street Area Neighborhood Watch groups, I am writing this letter in support of the Taco Bell redevelopment project at the former Lolita Plaza on the corner of 18th and A Streets. For many years this property has been a derelict neighborhood eyesore, and we welcome the future improvements.

The developer has reached out to the neighborhood and solicited input from us, and we appreciate that effort. On February 4, SG Ellison of First Street Development met with members of C Street, Belshaw, Beede Park/Kimball, and Rivertown neighborhoods. We began a dialog with the developer. Residents spoke up about potential problems with traffic, trash, loitering, and late hours. The developer's representative took note of the concerns, received suggestions from neighbors, and pledged to get back to us with ideas about mitigating these problems.

The next meeting took place at the C Street Neighborhood Watch meeting on April 16. At that meeting Mr. Ellison and a colleague shared updates and changes to the plan based on our suggestions and input from your department. In regards to traffic issues at this busy intersection, we are not experts on traffic patterns, and trust that the city staff has done a traffic study and found the adjustments in driveway positioning and traffic mitigation are sufficient to ensure public safety. To help keep the neighborhood clean, we were told that a trash plan would be put in place, with the manager of the new restaurant scheduling neighborhood cleanup sweeps by employees. The new plan shows that the restaurant trash collection site has been moved away from neighbors' properties. Our concerns about loitering have been addressed with the dining room closing at 10 p.m. and increased security camera operation. The developer has also reduced the restaurant drive through hours. We are satisfied with the aesthetics of the restaurant plan and the landscaping. In short, we look forward to continuing our already positive interaction with this project.

We hope that other proposed businesses in the area continue this trend of meeting with residents for mutual benefit. Together we can revive our area and make it a family-friendly walkable neighborhood in which businesses thrive and neighbors are able to shop and dine locally instead of being surrounded by bars, tattoo parlors, and cigarette shops. Surely, such planning provides benefits to the city as well in the form of reduced crime and increased tax revenue from both businesses and higher-valued properties in attractive neighborhoods.

On behalf of the neighborhood,

Sandra Kelly  
Block Captain  
C Street  
Neighborhood Watch Groups

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF MAY 6, 2015**

**Prepared by:** Mindy Gentry, Senior Planner *MA*  
**Date:** April 30, 2015  
**Subject:** Annual Election of Chair and Vice-Chair

**RECOMMENDATION**

It is recommended that the Planning Commission nominate and elect a Chair and Vice-Chair.

**DISCUSSION**

This item was continued by the Planning Commissioners at the meeting of April 15, 2015, to May 6, 2015. Pursuant to Section 9-5.2506 of the Municipal Code, the Commission shall elect a Chair and Vice-Chair at the last regular meeting of April each year. The new officers will assume their positions the first meeting of May.