

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
200 "H" STREET**

WEDNESDAY, AUGUST 2, 2017

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, AUGUST 9, 2017**.

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

ROLL CALL

6:30 P.M.

Commissioners	Zacharatos, Chair
	Parsons, Vice Chair
	Motts
	Mason
	Turnage (absent)
	Husary
	Conley

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

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

1. **APPROVAL OF MINUTES:** **June 7, 2017** **APPROVED**

* * * END OF CONSENT CALENDAR * *

STAFF REPORT

CONTINUED PUBLIC HEARING

2. **General Plan Land Use Element Update: Sand Creek Focus Area** – The City of Antioch is proposing amendments to the Land Use Element of the General Plan affecting the Sand Creek Focus Area. The amendments include, but are not limited to, changes to land use designations, density allowances, conceptual circulation, land use policies, hillside protection policies, and open space designations. An addendum to the original 2003 General Plan Environmental Impact Report (EIR) has been prepared. The proposed changes ultimately require City Council approval and the Planning Commission will serve as an advisory board, providing a recommendation to the City Council on the matter.

CONTINUED TO 9/20/17

STAFF REPORT

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (6:48 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 2nd floor of City Hall, 200 “H” Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

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

Accessibility

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

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**June 7, 2017
City Council Chambers**

Chair Zacharatos called the meeting to order at 6:31 P.M. on Wednesday, June 7, 2017 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, June 14, 2017.

ROLL CALL

Present: Commissioners Motts, Mason, Turnage, Conley and Chair Zacharatos
Absent: Commissioner Husary and Vice Chair Parsons
Staff: Planning Manager, Alexis Morris
Associate Planner, Kevin Scudero
Assistant City Engineer, Lynne Filson
Interim City Attorney, Samantha Chen
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Chair Zacharatos led the Commission and audience in the Pledge of Allegiance.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: May 3, 2017

On motion by Commissioner Motts, seconded by Commissioner Turnage, the Planning Commission approved the minutes of May 3, 2017, as presented. The motion carried the following vote:

AYES: Motts, Mason, Turnage, Conley and Zacharatos
NOES: None
ABSTAIN: None
ABSENT: Husary and Parsons

NEW PUBLIC HEARING

2. **UP-16-13, AR-16-07, V-16-05 – Delta Bowl** – Kenneth Melton is requesting approval of a use permit, design review, and variance application for a 4,800 square foot expansion and exterior modernization to the existing Delta Bowl Facility. The project site is located at 3300 Delta Fair Boulevard (APN 074-122-049).

Associate Planner Scudero presented the staff report dated June 2, 2017, recommending the Planning Commission approve the use permit, design review and variance application subject to the conditions contained in the staff report's attached resolution.

In response to Chair Zacharatos, Associate Planner Scudero stated the plans for the project had been routed to the Antioch Police Department and no comments were received.

In response to Commissioner Motts, Associate Planner Scudero stated a portion of the parking may be eliminated in the future; however, until they received a project application for the parcel, the parking would be maintained for this site.

In response to Commissioner Mason, Associate Planner Kevin Scudero explained that the project had the required bicycle parking spaces per the municipal code; however, if the Planning Commission wanted additional spaces, they could condition the project to provide them.

Chair Zacharatos opened the public hearing.

Ken Melton, owner of Delta Bowl, requested Planning Commission approval of the project. He noted once completed, it would be the premier bowling and entertainment center in East County. He stated the project architect and engineer were present this evening to answer any questions the Planning Commission may have regarding the application.

Following discussion, Mr. Melton stated if the Planning Commission felt it was necessary they would agree to add more bicycle parking.

In response to Chair Zacharatos, Mr. Melton stated they had performed a traffic study and they rarely approached 120 cars. He noted the business had changed to a mix of league, open play and parties, and with that change there tended to be more people per vehicle arriving at the business. He reported business hours were 9:00 A.M. to 11:00 P.M. Sunday through Thursday and closing at 1:00 A.M. Friday and Saturday. He stated the laser area would open at 4:00 P.M. with the exception of special events and summer hours, when they would open at 12:00 P.M. and they would close no later than 10:00 P.M. Sunday through Thursday and 12:00 A.M. Friday and Saturday.

In response to Commissioner Conley, Mr. Melton stated there would be 16 players per game lasting approximately 10-12 minutes.

In response to Chair Zacharatos, Mr. Melton explained that laser tag was deemed a ride in California; therefore, it required an operator to be present in the arena.

Chair Zacharatos closed the public hearing.

In response to Commissioner Motts, Assistant City Engineer Filson stated if the Planning Commission wanted to add additional bike parking, she would suggest adding one additional rack.

In response to Commissioner Conley, Assistant City Engineer Filson explained that the variance request was related to the bowling alley provision for parking.

Commissioner Motts and Commissioner Turnage spoke in support of the project and staff recommendations.

Commissioner Mason stated he felt it would be appropriate to make a motion to approve the project with the addition of 6 additional bicycle spaces, with a condition that if applicant experienced that they were not being utilized after two years, that the applicant be allowed to revert it back to conventional parking.

Planning Manager Morris clarified that the bicycle parking would not be located in the parking field.

RESOLUTION NO. 2017-13

On motion by Commissioner Mason, seconded by Commissioner Motts, the Planning Commission members present unanimously approved the use permit, design review and variance application subject to the conditions contained in the staff report's attached resolution. The motion carried the following vote:

<i>AYES:</i>	<i>Motts, Mason, Turnage Conley and Zacharatos</i>
<i>NOES:</i>	<i>None</i>
<i>ABSTAIN:</i>	<i>None</i>
<i>ABSENT:</i>	<i>Parsons and Husary</i>

- 3. GP-16-03, UP-16-19, AR-16-14, V-17-02, Z-16-02 - Almond Knolls** – The project would include the construction of a 58-unit gated multi-family, clustered residential development consisting of five, two- to three-story apartment buildings, as well as open space areas, a looped driveway, an outdoor recreation area, and various landscaping features. The applicant has requested a General Plan Amendment to change the land use designation for the project site from Medium Low Density Residential and Neighborhood Commercial to High Density

Residential, and a rezone from Single Family Residential (R-6), Medium Density Residential (R-20), and Neighborhood Commercial (C-2) to R-20 only. The application also includes a Tentative Parcel Map for condominium purposes, a Variance from the maximum fence height allowed in the front yard setback, and Use Permit and Design Review for the proposed residential development.

Contract Planner Valente presented the staff report dated June 7, 2017, recommending the Planning Commission: 1) Adopt the resolution recommending approval of the Almond Knolls Project Initial Study/Mitigation Negative Declaration and Mitigation Monitoring and Report Program for the Project; 2) Adopt the resolution recommending approval of a General Plan Amendment amending the land use designation for the project site for Neighborhood Commercial and Medium Low Density Residential to High Density Residential; 3) Adopt the resolution recommending approval of an ordinance rezoning the project site from R-6, R-20, and C-2 to R-20 only; and 4) Adopt the resolution recommending approval of a tentative parcel map for condominium purposes to allow the potential future sale of the proposed residential units, recommending approval of a variance to allow a six-foot tall view fence and vehicle gates along Worrell Road, and recommending approval of a use permit for multi-family development and design review, subject to conditions of approval.

In response to Chair Zacharatos, Mr. Valente stated there were no proposed play structures.

In response to Commissioner Motts, Assistant City Engineer Filson stated that she anticipated that approximately 75-80% of traffic to and from this site would use Lone Tree Way.

Commissioner Mason expressed concern that it was estimated that only 27 vehicles would be exiting the property during peak hours as he expected the property to be occupied by young working adults. He noted with 58 units and several of them being two bedroom units, he believed the peak morning trips would be higher. He questioned how stacking would occur from the roadway to the gate.

Assistant City Engineer Filson responded the trip generation rate had been studied and documented for many years and the rate had remained constant; which was .6 trips per residential unit for peak hours. Regarding stacking for the gate, she stated one car could enter and activate the gate and additional cars could be curbside as there was no on street parking in the area. She noted with the volume of traffic anticipated, they did not anticipate a need for changing stripping of the roadway. She stated there was adequate room against the curb to allow other vehicles to pass by them.

In response to Commissioner Turnage, Mr. Valente stated the portion south of building #5 was two-story.

In response to Chair Zacharatos, Mr. Valente stated there would be two outdoor trash facilities.

In response to the Commission, Assistant City Engineer Filson explained park in lieu fees.

Chair Zacharatos opened the public hearing.

Kyle Masters, Grupe Group, thanked Associate Planner Scudero and Planning Manager Morris for their assistance with their application for the project. He reported that due to topography and geometry, the apartment project was the most economically viable development for the site. He stated this was the epitome of an infill project and prior to investing in a proposal they had met with staff and a number of Council members who encouraged them to move forward with the apartment project. He gave a brief overview of the project site plan and noted they brought the building closest to existing residences down to a two-story structure similar in size and setback of a two story home. He stated they would be building an 8' wood fence with a 20' wide densely planted landscape buffer adjacent to the existing residential units and regardless of ownership, they wanted to ensure the project would be a very well maintained. He noted that it would be a \$20M construction project (not including the land) with an additional \$2M in fees and it would also result in increased property taxes for the City.

Jeff Schneiderei, Project Architect, stated the architectural style of the project was based on riverfront farm style houses. He gave a brief overview of the site plan, architectural elements and unit layouts.

Kyle Masters stated they were available for questions. He reported they had held numerous meetings with the neighbors, attempted to answer all their questions and be respectful of their positions. He stated that he believed they had worked through almost all of the conditions. He requested the Planning Commission consider additional language for condition #C7, to read: "Applicant may submit an Alternative Methods Application prior to construction or combustible storage on site proposing alternate methods of providing adequate fire vehicle access and reliable water supply for fire protection. This application will be reviewed by Fire District and discussed with Applicant." He stated they were excited about moving forward with the project particularly with the transportation improvements occurring in the area.

In response to Commissioner Motts, Mr. Masters stated once it was leased and the BART station opened, the opportunity to convert the project to condominiums may present itself and they were building it to those standards to provide for an easy transition.

In response to Commissioner Mason, Jeff Schneiderei stated the project would be built to the 2016 building code.

In response to Commissioner Mason, Mr. Masters stated that this project was a type A building, with upscale finishes and architectural details. He explained that the architectural style roof product was expensive and comparable to tile roof material.

In response to Chair Zacharatos, Mr. Masters noted the gate would be accessed by code and transmitters. He noted mailboxes would be placed in a logical location, yet to be determined.

In response to Commissioner Turnage, Mr. Masters stated typical rents for single family would be \$1800 - \$2100 per month and when tenants qualified, they were required to have 2.5 times the monthly rent as liquid assets in the bank. He noted those issues did not line up with someone looking for voucher type housing. He further noted in previous projects they had not had Section 8 housing issues as it was difficult, if not impossible, to qualify for an apartment and it was not their desire to rent the project to Section 8 tenants.

In response to Commissioner Conley, Assistant City Engineer Filson explained condition #C7 was a fire department condition and the proposed language would give the applicant the opportunity to further their discussions with the fire district.

In response to Commissioner Mason, Mr. Masters stated that they did not have a pet policy for this project at this time.

In response to Commissioner Turnage, Mr. Masters stated that during leasing, they would have an onsite presence and then it would be decided if an onsite manager was warranted.

Dale Manning, Antioch resident, stated he opposed the project and gave a history of the property. He expressed concern for the project's intrusion on neighbors and ingress to the property. He stated he did not feel it was a luxury apartment complex or that the property was appropriate for a 3-story complex. He stated if the project was approved, the Commission needed to address the gap/void area created when the retaining wall was constructed on the south side of the property. He noted this was not the correct project for the location and urged the Planning Commission to deny rezoning of the property.

Jimmy Odum, Odum Trust, stated his father owned the property and there had been issues with homeless and blight for many years. He reported single family residential development was not a viable option due to the layout of the site. He requested the Planning Commission approve the project as he believed it would be a wonderful facility, best use of the site, and managed well.

Tim Broderick, Antioch resident, reported that historically this area had been a single family neighborhood and noted that they had submitted letters of opposition on May 16, 2017. He stated they were not opposed to single family development that was consistent with the existing neighborhood; however, they were opposed to high density apartments creating a non conforming incompatible land use. He requested the Planning Commission consider the negative impacts and deny the project.

Jim Patton, Antioch resident, expressed concern for the safety of pedestrian and vehicle traffic generated by the apartment complex. He questioned staff's determination that there was no need for a traffic study. He requested the Planning Commission deny the project.

Chair Zacharatos closed the public hearing.

Commissioner Turnage expressed concern regarding the proximity of the 5th building to the fence line adjacent to existing residences and suggested it be rebuilt with a product to help mitigate sound coming from the property. He questioned if there was a way to redesign the project to eliminate the 5th building by adding those units to other buildings.

Commissioner Conley stated he understood Commissioner Turnage's concerns regarding the 5th building; however, the size would be similar to a 2- story home. He agreed that the void between the fences should be addressed. He voiced his support for this infill project moving forward. He noted in past experience, residents' concerns regarding crime and traffic from apartment developments had been unfounded.

Commissioner Mason stated that due to the topography of the site, he did not believe it would be possible to develop single family homes on the property; however, he would prefer the project be marketed as condominiums. He noted the project was esthetically pleasing; however, the gap between the fences needed to be addressed. He stated he believed a traffic study was warranted and requested a condition be added to require one.

Interim City Attorney Chen announced the public hearing was closed and there had been opportunity for public input earlier in the meeting.

Chair Zacharatos stated she was concerned for the high density project in this area considering the size of the property and width of the street. She noted given those reasons, she was not supportive of the request to change the zoning at this time.

Commissioner Motts stated he felt the project was a good infill project; however, he had concerns regarding the number of proposed units. He noted consideration had been given to ingress and egress for the site. He further noted this piece of property had been vacant for a long time and infill medium to high density development was supported by many stakeholders in the community. He noted the projects access to Lone Tree Way and the proximity to BART were also positives.

In response to Commissioner Motts, Assistant City Engineer Filson explained adjacent property owners had not built their fences short of the property line which was a concern for everyone. She stated the developer had been working with the property owners to address the gap issue which was addressed in condition #J5.

Commissioner Motts stated he supported the infill project; however, he was concerned there was no playground or tot area.

Commissioner Turnage stated he believed in the infill development that generated taxes increasing the City's revenue. He noted he was concerned with the location of building #5 and the gap in the fencing. He further noted he did not feel 116 vehicles would be a significant impact to Lone Tree Way. He stated he felt the project was near perfect for this property.

In response to Commissioner Conley, Assistant City Engineer Filson reported the City required any project generating 50 trips during peak hours perform a traffic study and any intersection receiving 50 trips had to be included. She clarified the City had a level of service "D" set for intersections and the traffic study looked at land uses and documentation for similar development. She stated they could look at assuming 100% of the traffic was going to use Lone Tree Way.

Chair Zacharatos reopened the public hearing.

Jim Patton requested clarification regarding the trip generation rate and consider school traffic.

Assistant City Engineer Filson stated the trip generation rate for 58 units was 26 trips in the morning and approximately 30 in the evening. She stated school traffic would be considered.

Jimmy Odum stated he had lived in the area and there was not a lot of traffic on Worrell and it was not a concern.

Bob Serb, Antioch resident, questioned how the project would address water runoff, rodents and the traffic impacts. He expressed concern for the noise generated from the project and stated he would prefer single family homes in the area.

Commissioner Turnage reported there was a system for water retention on the property. He noted historically, Hillside Road had been an issue and would continue to be an issue whether the apartment complex was developed or not.

In response to Commissioner Motts, Mr. Masters explained the property was 2.9 acres and due to the amount of grading needed to make the project financially feasible, they needed to maximize 20 units to the acre. He discussed drainage to the detention basin and noted runoff from this property would be eliminated.

In response to Commissioner Mason, Mr. Masters stated the gap in property lines was 8-11 feet. He noted they wanted to work with each homeowner to address this area of concern.

Bob Serb expressed concern that the project would become Section 8 housing.

In response to Commissioner Turnage, Captain Morefield stated this lot as it remained vacant was attractive to homeless and the Antioch Police Department was dealing with those issues regularly.

Commissioner Mason spoke in support of the infill project and noted it was viable for the topography of the lot. He acknowledged that staff had addressed his concerns regarding traffic and the applicant had indicated he would work cooperatively with the adjacent neighbors to address the area between the fence and property lines. He stated that the applicant had not created the issue regarding the property line and fencing and he felt that it should not be a reason to prevent the project from moving forward.

Chair Zacharatos closed the public hearing.

RESOLUTION NOS. 2017-14, 15, 16, 17

On motion by Commissioner Conley, seconded by Commissioner Turnage, the Planning Commission: 1) Adopted the resolution recommending approval of the Almond Knolls Project Initial Study/Mitigation Negative Declaration and Mitigation Monitoring and Report Program for the Project; 2) Adopted the resolution recommending approval of a General Plan Amendment amending the land use designation for the project site for Neighborhood Commercial and Medium Low Density Residential to High Density Residential; 3) Adopted the resolution recommending approval of an ordinance rezoning the project site from R-6, R-20, and C-2 to R-20 only; and 4) Adopted the resolution recommending approval of a tentative parcel map for condominium purposes to allow the potential future sale of the proposed residential units, recommending approval of a variance to allow a six-foot tall view fence and vehicle gates along Worrell Road, and recommending approval of a use permit for multi-family development and design review, subject to conditions of approval.

AYES: *Motts, Mason, Turnage and Conley*

NOES: *Zacharatos*

ABSTAIN: *None*

ABSENT: *Parsons and Husary*

ORAL COMMUNICATIONS

In response to Commissioner Motts, Planning Manager Morris reported at this time there were no Planning Commission meetings scheduled for July.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Motts reported that he would be attending the TRANSPLAN meeting on June 8, 2017.

ADJOURNMENT

Chair Zacharatos adjourned the Planning Commission at 8:27 P.M.

Respectfully Submitted,
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF AUGUST 2, 2017**

Submitted by: Forrest Ebbs, Community Development Director

FE

Date: July 27, 2017

Subject: **General Plan Land Use Element Update: Sand Creek Focus Area**

RECOMMENDATION

It is recommended that the Planning Commission take the following action:

1. Table the item indefinitely.

BACKGROUND

At its July 19, 2017 meeting, the Planning Commission opened the Public Hearing for the updates to the General Plan Land Use Element regarding the Sand Creek Focus Area. The day of the meeting, staff received multiple letters critical of the project and staff's recommendation that an Addendum to the 2003 General Plan Environmental Impact Report (EIR) be used. The letters suggested, among other things, that a Supplemental Environmental Impact Report (SEIR) be developed.

The undertaking and adoption of any update to a General Plan is a serious matter and warrants full consideration of all comments. At this point, staff believes that the Addendum is legally adequate for this effort, but would find it beneficial to the long term process to more fully explore the necessity of the SEIR and even the update altogether; the adopted General Plan already provides an adequate policy basis for development throughout the Sand Creek Focus Area. The largest development project in the Sand Creek Focus Area, The Ranch, has already been submitted, was determined to be a complete application, and could be considered under the current General Plan.

In addition, staff would find it beneficial to reach out to the letter's authors to more fully understand their concerns with the project and the environmental review. Staff anticipates a return to the Planning Commission in the coming months with a comprehensive update, at minimum.