

AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & “H” STREETS

WEDNESDAY, OCTOBER 21, 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, OCTOBER 28, 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	Motts, Chair
	Westerman, Vice Chair
	Zacharatos
	Parsons
	Mason
	Miller
	Hinojosa

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

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

1. **APPROVAL OF MINUTES:** None

* * * END OF CONSENT CALENDAR * * *

NEW PUBLIC HEARING

2. **UP-15-06, V-15-05, AR-15-13 – Chevron Mini Mart** – The applicant, Jeff Orwig and Fortress Asset Group LLC, request approval of a use permit for an automotive service station with a food mart, a variance from the required rear setback and from the minimum food mart size, design review of new architecture and signage for the addition of an approximately 2,720 s.f. Chevron Extra Mile convenience store, and an increase in the number of gas dispensers from four to six. The project site is located at 2701 Contra Loma Boulevard, on the southeastern corner of the intersection of Contra Loma Boulevard and Fitzuren Road (**APN 071-011-036**).

NEW ITEM

STAFF REPORT

3. **AR-15-14 – Buchanan Crossings Shops E** - The applicant, Buchanan Crossings, LLC, is requesting approval of design review for the 5,912 s.f. Shops E building in the Buchanan Crossings shopping center. The project is located at the northwest corner of Somersville Road and Buchanan Road (**APN 074-480-005**).

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT

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, 3rd and H Streets, Antioch, California, 94509, between

the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through 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.

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF OCTOBER 21, 2015**

Prepared by: Alexis Morris, Senior Planner 
Approved by: Forrest Ebbs, Community Development Director 
Date: October 16, 2015
Subject: Chevron Extra Mile (UP-15-06, V-15-05, AR-15-13)

RECOMMENDATION

It is recommended that the Planning Commission APPROVE a use permit, variance and design review of a new convenience store, canopy and an increase in the number of gas dispensers from four to six, subject to the conditions contained in the attached resolution.

REQUEST

The applicant, Jeff Orwig and Fortress Asset Group LLC, request approval of a use permit for an automobile service station with a food mart, a variance from the required rear setback and from the minimum food mart size, design review of new architecture and signage for the addition of an approximately 2,720 s.f. Chevron Extra Mile convenience store, and an increase in the number of gas dispensers from four to six. The project site is located at 2701 Contra Loma Boulevard, on the southeastern corner of the intersection of Contra Loma Boulevard and Fitzuren Road (APN 071-011-036). (Attachment "A")

ENVIRONMENTAL

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; 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; 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 commercial use; 5) the site is adequately served by all required utilities and public services.

ANALYSIS

Issue #1: Project Overview

The subject property contains a Union 76 service station with four gas dispensers, three service bays and a small store that sells snacks, drinks, and tobacco products. The proposed project will demolish the existing canopy, pumps, and 1,682 s.f. service bay building and construct a new canopy, six new dispensers and a 2,720 s.f. convenience store. The gas station will also be rebranded to the Chevron brand. The applicant proposes to relocate the existing driveway on Fitzuren Road to the west and to move the planter and air and water stations to the east. The underground storage tanks will stay in their current location. The applicant proposes to repair and restripe the existing asphalt surfaces as needed.

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

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

The General Plan designation of the property site is Neighborhood Commercial. The site is zoned Neighborhood Community Commercial (C-2). Service stations with convenience stores are permitted in the C-2 zoning district with approval of a use permit. The applicant is not proposing to sell alcohol in the convenience store, but it should be noted that alcohol sales are not allowed at the subject property because it is located within 500 feet of another off-sale liquor establishment (7-11 to the south) (AMC §9-5.3831).

The surrounding land uses and zoning designations are:

North:	Vacant lot, single family home / C-2
South:	7-11 store / C-2
East:	Apartment complex / C-2
West:	Commercial building, single family homes / C-2, Planned Development (PD)

Issue #3: Site Plan, Circulation and Parking

As described above, the proposed project will include six gas dispensers covered with a new canopy and a 2,720 s.f. Extra Mile convenience store. The property will be restriped to include 13 parking spaces. Existing landscape planters along Contra Loma Boulevard will remain and the existing landscape planter on Fitzuren Road will be relocated to the east. A new monument sign will be constructed in the same location as the existing sign.

The eastern property line is adjacent to two, two story apartment buildings. The existing service station building is approximately 70 feet from the nearest apartment building. The rear of the proposed convenience store would be approximately 17-20 feet from the nearest apartment building. This building has one first floor and one second floor window that would face the proposed convenience store. The applicant is proposing

the building in this location to allow for adequate parking and circulation. The applicant has stated that placing the building in this location will also address concerns about safety and crime in the area through eliminating potentially obscured, hidden areas between the rear of the building and the masonry wall.

The property is accessed via two driveways on Contra Loma Boulevard and one driveway on Fitzuren Road. The applicant proposes to close the existing driveway on Fitzuren Road and relocate it to the west. As part of this relocation, the applicant will be required to remove the existing sidewalk on Fitzuren Road and replace it with City standard sidewalk.

Issue #4: Variance Requests

Service Station with Food Mart Standards

The subject property is approximately 22,483 s.f. in size. The zoning ordinance limits the size of a “food mart” associated with a service station to a maximum of 1,400 square feet (AMC §9-5.3815). The ordinance also specifies that a services station with a food mart should be located on a lot at least 28,750 s.f. in size. (The minimum lot size for a service station without a food mart is 22,500 s.f.) The applicant is proposing a 2,720 s.f. convenience store on a 22,483 s.f. lot; therefore, a variance from the size requirements of AMC §9-5.3815 is required.

Rear Setback

The eastern property line is considered the rear of the subject property. In the C-2 zoning designation, the required minimum rear yard setback is 10 feet. The proposed site plan locates the new convenience store building directly on the eastern property line; therefore, a variance from the rear yard setback standard is required. It should be noted that the front setback does not conform to the minimum requirement of 30 feet of landscaped area. The applicant is not proposing any modifications to this portion of the site; therefore, no variance is required for maintaining the existing setback.

Required Findings

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 must make the following findings (AMC §9-5.2703):

- 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.

Service Station with Food Mart Standards: The subject property was developed with a gas station in 1967 and the surrounding properties were developed in the 1970's and early 1980's. Our current service station zoning ordinance was adopted in 1994. As discussed above, the proposed project does not meet the food mart and lot size requirements specified in the zoning ordinance. The subject property is a 22,483. s.f. corner infill site, and cannot be increased in size. Therefore, the parcel cannot meet City standards for minimum lot size. The proposed convenience store could be reduced in size to meet the 1,400 store size requirement. However, at the proposed 2,720 s.f. size, the proposed project still meets other development standards such as lot coverage, circulation and parking requirements. A strict application of the standards on this older, infill site would deprive the subject property of privileges enjoyed by other properties in the area with identical zone classifications.

Setback Variance: As discussed above, the applicant proposes to construct the new convenience store on the rear property line. The subject property is 22,483. s.f.; therefore, the project as proposed cannot meet City standards for property line setbacks as well as meet other standards such as minimum parking ratios and minimum drive aisle widths.

Many of the surrounding properties were developed in the 1970s and early 1980s and do not conform to current zoning designations and/or current development standards. For example, the commercial and residential buildings to the south and east of the project have varying rear setbacks with portions of buildings located on the rear property lines or are residential uses on commercially zoned parcels. Furthermore, there is no minimum side setback in C-2 zoning designation, so it is not uncommon to have buildings constructed right on the property line in this zoning designation. Requiring this project to meet all setback requirements as well as all other standards, such as minimum parking ratios and drive aisle widths, would deprive the property of privileges enjoyed by other non-conforming properties in the vicinity.

Issue #5: Architecture

Convenience Store

The proposed Extra Mile convenience store is a rectangular stucco building with a central tower element featuring a standing seam metal pitched roof. The west elevation includes corner columns covered in brown "Boral Cobblestone" stone veneer and a stone veneer band at the base of the wall. The roof line and columns also feature a cornice trim. Photos of the color and material samples are provided on sheet a305 of the plan set.

The roof and awning colors shown in the building color palette on sheet a305 do not match the color shown on the colored elevations. The darker, more muted “Chilled Wine” shown in the palette is more consistent with the requirements of the Citywide Design Guidelines (pg. 3-10) than the bright red color shown on the elevations. Staff has included a condition of approval requiring the roof and awning color to be consistent with the color shown in the legend.

The Design Guidelines also require all building elevations to be architecturally enhanced (pg. 3-46). Therefore, staff recommends that the cobblestone shown on the west elevation be wrapped around the columns to the north and south elevations and the lower band of cobblestone be continued around the base of the north and south elevations. The rear wall of the building should also include a stucco finish.

Canopy

The proposed canopy is blue and white per Chevron’s corporate color scheme with illuminated signage on three sides. The canopy is also proposed to be illuminated along the perimeter. However, per the requirements of Citywide Design Guidelines for Service Stations and Car Washes, the pump canopy cannot be internally illuminated (pg. 3-46). Light fixtures are allowed under the canopy and are required to be recessed into the canopy. A condition has been added to this effect.

Roof Top Mechanical Equipment

The roof top mechanical equipment is not shown on the elevations. All rooftop mechanical equipment is required to be screened from the public right-of-way (AMC §9-5.1301). Due to the building’s proximity to the residential properties to the east, Staff recommends that the rooftop equipment also be screened from these residential properties. This may result in an increase of the parapet height on the rear wall. A line of sight study will be required with the building permit submittal to confirm that the equipment is screened.

Trash Enclosure

The applicant proposes to use the existing masonry trash enclosure. Per AMC §9-5.1401, the trash enclosure is required to be covered with a solid roof, have solid gates, and have a decorative exterior finish compatible to the main structure. Staff recommends that the trash enclosure be covered with a seam metal roof in the “Chilled Wine” color and that the enclosure be painted “Café au Lait” to match the building. A condition has been added to this effect.

CMU Wall

The masonry wall at the rear of the property is currently dark grey in color. Staff recommends that this wall be repainted in the “Mocha” color shown on sheet a305. There are also several areas of the wall that should be repaired prior to the completion of the project. A condition has been added to this effect.

Monument Sign

The applicant provided minimal details of the new monument sign. The plans show a two sided monument sign with a cobblestone veneer base to match the building, which is consistent with the requirements of the Design Guidelines (pg. 7-12). The final design of the monument sign will be subject to staff approval at the building permit stage.

ATTACHMENTS

- A. Aerial Photo
- B. Applicant's Project Description

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2015-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT, DESIGN REVIEW AND VARIANCE (UP-15-06, V-15-05, AR-15-13) FOR THE DEMOLITION OF AN EXISTING SERVICE STATION AND CANOPY AND THE CONSTRUCTION OF A NEW APPROXIMATELY 2,720 S.F. CONVENIENCE STORE, CANOPY, AND AN INCREASE IN THE NUMBER OF GAS DISPENSERS FROM FOUR TO SIX**

WHEREAS, the City of Antioch received a request from Jeff Orwig and Fortress Asset Group LLC, request approval of a use permit for an automobile service station with a food mart, a variance from the required rear setback and from the minimum food mart size, design review of new architecture and signage for the addition of an approximately 2,720 s.f. Chevron Extra Mile convenience store, and an increase in the number of gas dispensers from four to six. The project site is located at 2701 Contra Loma Boulevard, on the southeastern corner of the intersection of Contra Loma Boulevard and Fitzuren Road (APN 071-011-036)

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15332; and

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

WHEREAS, the Planning Commission on October 21, 2015, duly held a public hearing and received and considered evidence, both oral and documentary; and

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 first developed in 1967. The property is substandard in square footage for a service station with a "food mart"; per the zoning code the minimum lot size is 28,750 s.f. The subject property is a 22,483. s.f. corner infill site that cannot be increased in size. Therefore the project cannot meet City standards for lot size, store size, and property line setbacks as well as meet other standards such as minimum parking ratios and minimum drive aisle widths. These exceptional circumstances do not generally apply to other properties or classes of use in the same zone.

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 rear setback would not be detrimental to the public health and welfare or injurious to the property or its environs as there are other similar uses in proximity to the project. As modified by conditions of approval, the project would incorporate adequate screening and architectural improvements that are compatible with surrounding uses as established by the Citywide Design Guidelines.

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 subject property was developed in 1967. The proposed project is an expansion of an existing use located on a corner, infill lot, which results in constraints that deprive the subject property of privileges enjoyed by other properties that are not located on a corner lot. Furthermore, the subject property is surrounded by properties that do not conform to current zoning, setback and other requirements. Requiring this project to meet all current setback requirements as well as all other development standards would deprive the property of privileges enjoyed by other non-conforming properties in the vicinity. 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 Variances from the rear setback, minimum service station lot size, and maximum food mart size standards 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 project is located in an existing developed commercial area. Adequate parking for the proposed use is provided on-site. The proposed project will not be detrimental to the public health or welfare or injurious to the property or improvements.

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

The site is zoned Neighborhood Community Commercial (C-2). The City of Antioch Municipal Code allows service stations with food marts with the approval of a use permit in the Neighborhood Community Commercial District.

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

The site is adequate in size and shape to accommodate both the proposed use as well as parking and all aspects associated with the use. In addition, with the requested Variances, all 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 currently developed and is located on Contra Loma Boulevard and Fitzuren Road, which is adequate in width and pavement type to carry the traffic generated by the proposed use.

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

The use will not adversely affect the comprehensive General Plan because the project is consistent with the General Plan designation for the site of Neighborhood Commercial.

NOW THEREFORE BE IT RESOLVED, the Planning Commission of the City of Antioch does hereby **APPROVE** the remodel of an existing gas station including the addition of a new approximately 2,720 s.f. mini-market and an increase in the number of gas dispensers from four to six (UP-15-06, V-15-05, AR-15-13). The project site is located at 2701 Contra Loma Boulevard, on the southeastern corner of the intersection of Contra Loma Boulevard and Fitzuren Road (APN 071-011-036), subject to the following conditions.

A. GENERAL CONDITIONS

1. The project shall comply with the Antioch Municipal Code. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.

2. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
3. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission.
4. No building permit will be issued unless the plan conforms to the project description and materials as approved by the Planning Commission and the standards of the City.
5. This approval expires two years from the date of approval (expires October 21, 2017), unless an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted.
6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
7. This approval supersedes previous approvals that have been granted for this site.
8. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
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, including:
 - a. Business Owner shall contact Fire District Code Enforcement, Fire Inspector Ryan Bain at (925) 941-3533 and obtain an inspection and current Operational Fire Permit.

D. FEES

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

E. PROPERTY MAINTENANCE

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

F. PROJECT SPECIFIC CONDITIONS

1. This use permit applies to the construction of an approximately 2,720 s.f. Chevron Extra Mile convenience store and an increase in the number of gas dispensers from four to six and associated site improvements.
2. That the applicant shall provide double-striped parking spaces per the requirements of AMC §9-5.1719 (c).
3. That the applicant shall remove existing sidewalk and two driveways along Fitzuren Road and replace with one City standard sidewalk and one city standard driveway in the location shown on the site plan submitted to the City on July 24, 2015.

4. No on or off-sale liquor sales permitted at the subject property per the requirements of AMC §9-5.3831. Any future on or off-sale liquor sales at the subject property shall comply with the requirements of AMC §9-5.3831 and shall be subject to the approval of a use permit by the Planning Commission.
5. The roof and awning color shall be painted “Chilled Wine” consistent with the colors shown in the exterior color legend on sheet a305 of the plan set submitted to the City on July 24, 2015.
6. The trash enclosure shall be covered with a standing seam metal roof in the “Chilled Wine” color and that the enclosure shall be painted “Café au Lait” consistent with the colors shown in the exterior color legend on sheet a305 of the plan set submitted to the City on July 24, 2015.
7. That the masonry wall on the eastern property line shall be repainted in the “Mocha” color consistent with the colors shown in the exterior color legend on sheet a305 of the plan set submitted to the City on July 24, 2015. Any damaged sections of the wall shall be repaired or replaced as necessary prior to issuance of certificate of occupancy for the project.
8. The “Boral Cobblestone” shown on the front elevation shall be wrapped around the columns on the north and south building elevations and the lower course of cobblestone shall be continued around the base of the north and south elevations.
9. The rear wall of the building shall include a stucco finish to match the other three elevations of the building.
10. All rooftop mechanical equipment shall be screened from the public right-of-way and the residential properties to the east of the subject property. A line of sight study shall be submitted with the building permit submittal confirming the equipment is screened.
11. Total signage on the subject property shall not exceed 300 square feet.
12. The monument sign shall be located outside of the required clear vision zone.
13. The building permit submittal shall include detailed design plans for the monument sign. The design of the monument sign shall be subject to the approval of the Community Development Director prior to the issuance of building permits for the sign.
14. All electrical transformer boxes, raceways and conduits shall be concealed from view.

15. All lighting sources shall be shielded, diffused or indirect to avoid glare to pedestrians and motorists.
16. Any damaged or poorly maintained landscape areas shall be repaired or replaced as necessary prior to issuance of certificate of occupancy for the project.
17. The applicant shall dedicate a storm drain easement at no cost to the City and locate the new pump canopy outside the easement, as approved by the City Engineer.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 21st day of October, 2015.

AYES:

NOES:

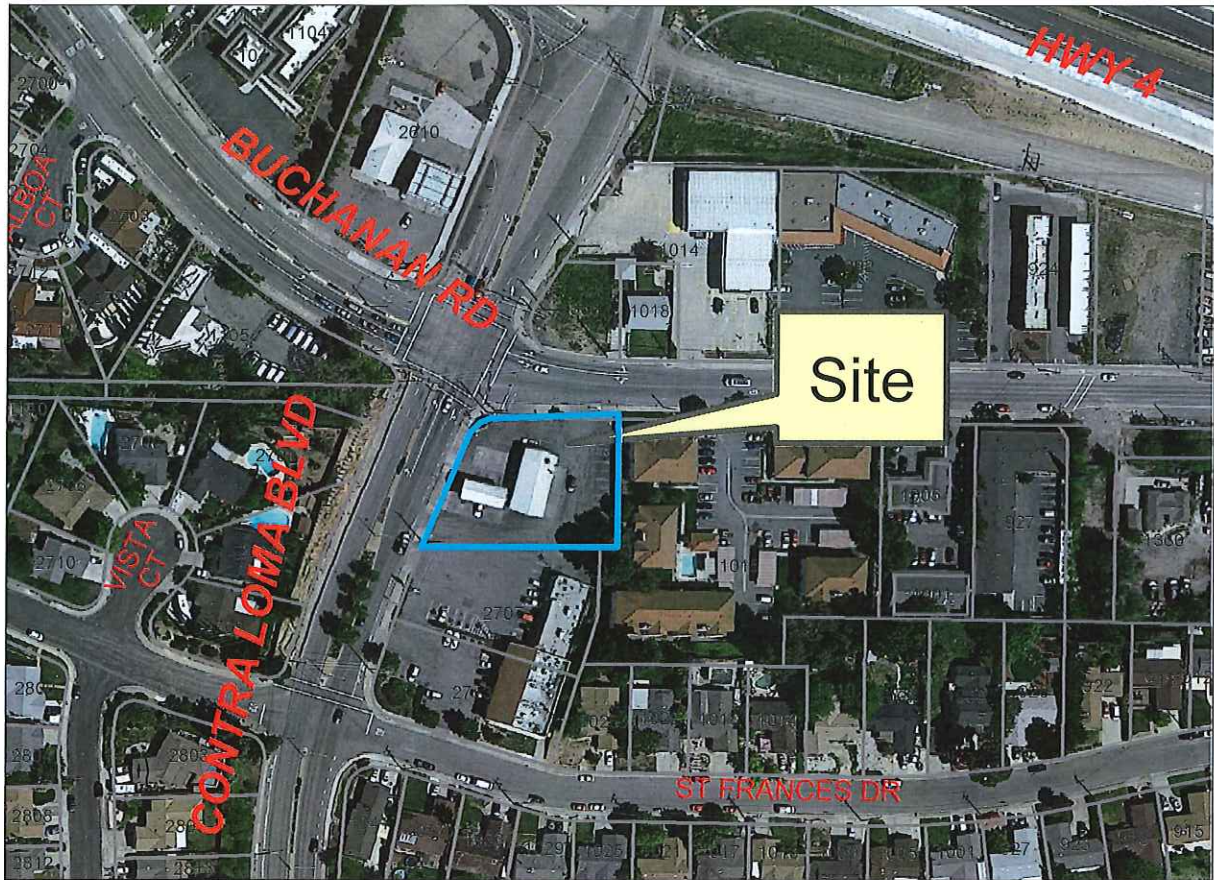
ABSTAIN:

ABSENT:

FORREST EBBS, SECRETARY TO THE
PLANNING COMMISSION

ATTACHMENT “A”

ATTACHMENT A



ATTACHMENT “B”

Bhalla Chevron Extra Mile
2701 Contra Loma
Antioch CA

RECEIVED

JUL 24 2015

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Revised July 21, 2015

Summary of the Proposed Project

The site is an existing gas station with a mini market. The station has 4 dispenser under a canopy. The building has 3 service bays and the market area. The new building will sell the same products as currently sold in the market.

The proposed project will have 6 dispensers under a new canopy and a 2720sqft mini market. The hours of operation will be from 5:00am to 10:00pm. There will be 2 employees during business hours and occasionally an additional person to stock the market.

The market will have prepackaged foods, candy, coffee, soda, sandwiches, burritos and various drinks. Toiletries, medicines, health care products and basic cooking items will be available. There will be reach in coolers for all cold items and a freezer for frozen foods. Various snack foods will be available. Ice cream and other frozen products will be available in reach in merchandizers. Cigarettes will be sold from behind the sales counter. There will be gondolas placed throughout the store which will have various packaged item on them. Automotive products will be available as well.

There will be two bathrooms meeting all current codes. The storage room will be adjacent to the office.

The dispensers will be increased in number from 4 to 6 which will allow customers to fuel their vehicles in a timely manner. The entire dispenser area will be covered by a new canopy. The underground storage tanks will remain in their current location.

The existing monument sign will remain with the sign being changed to Chevron's specifications. New signs will be installed on the building and canopy. There will be exterior lighting on the building, under the canopy and at the edge of the canopy. The existing poll lights will remain.

Existing planters will remain along Contra Loma and at the monument sign area.

There will be 13 parking spaces as required per the calculations on the plans. The building will cover approximately 12% of the site and the canopy will cover approximately 15%.

All paving will be upgraded and repaired as necessary. All cracked areas will be removed, compacted and replaced. The drainage/storm water on the site shall remain as it is currently. A new side walk and entrance will be installed on the Fitzuren Road

B1

side of the project. The existing 2 entrances on Fitzuren Road will be removed with side walk, curb and gutter replaced as needed.

The new building will have a stucco exterior and stone facing on certain locations of the front of the building. The entrance on the building will have a tower with a metal roof. There will be two metal trellis on the format of the building in recessed areas. The stone facing will have different levels to show vertical lines at both ends of the building. There will be a substantial molded crown at the top of the building.

The following permits will be required in addition the the variance and use permit for the proposed project - Building permits, Demolition permit, Health Department permits and Environmental Health permits. Sewer and water will be connected to the existing systems on the site. The location of the PGE connection shall be in the same location as it is presently.

The building stucco color will be Sierra Tan and the stone facing will be Boral Stone, Cobblefield chardonnay color. The metal roofing will be brown.



B3



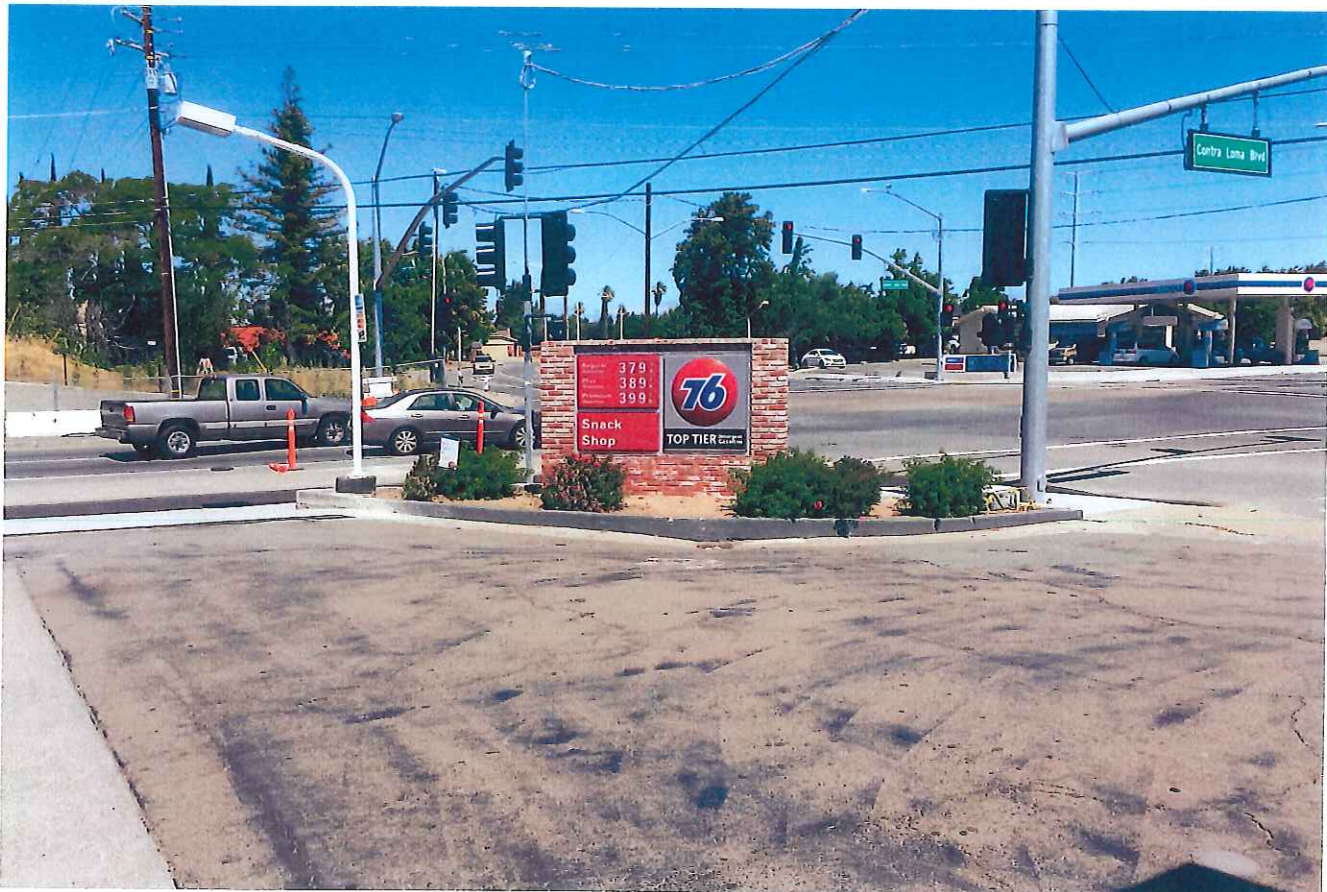
B4



B5





B6



B7

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF OCTOBER 21, 2014**

Prepared by: Alexis Morris, Senior Planner 
Approved by: Forrest Ebbs, Community Development Director 
Date: October 16, 2015
Subject: Design Review for Pad E for Buchanan Crossings Shopping Center
(AR-15-14)

RECOMMENDATION

It is recommended the Planning Commission approve the design review request subject to the conditions contained in the attached resolution.

APPLICATION

The applicant, Buchanan Crossings, LLC, is requesting approval of design review for the 5,912 s.f. Shops E building in the Buchanan Crossings shopping center. The project is located at the northwest corner of Somersville Rd. and Buchanan Road (APN 074-480-005).

BACKGROUND

The 103,139 square foot Buchanan Crossings shopping center was approved by the City Council in August, 2008. The original approval included an application to rezone the project site from Regional Commercial (C-3) to Planned Development District (P-D) and to approve a Final Development Plan, as well as a Vesting Tentative Map, Use Permit, and Design Review for a portion of the shopping center. The original design review approval included all of the buildings on the site plan with the exception of Future Pad A, Future Pad C, and Future Shops E. The original 2008 project approvals required Shops E to return to the Design Review Board and the City Council for architectural approval.

The Planning Commission approved the architecture of Pad C, architecture and a revised site plan for Major D (Grocery Outlet), and a revised site plan for Pad A in 2014 (Attachment B). Construction of the CVS, Grocery Outlet and Pad C is almost complete. Future Pad A is still subject to design review approval.

ENVIRONMENTAL

In compliance with the California Environmental Quality Act, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and adopted for the original Buchanan Crossings project. The proposed Design Review does not result in any potential environmental impacts that were not previously analyzed. Further environmental review is not required. Compliance with the mitigation measures identified in the original IS/MND and Mitigation Monitoring and Reporting Plan are required.

ANALYSIS

Issue #1: Project Overview

The proposed Shops E building is located adjacent to Buchanan Road to the east of Future Pad B and the shopping center entrance. The proposed building is a 5,912 s.f. multi-tenant building with a drive-thru that will be divided into five tenant suites. The landscaping around the building and a master sign program for the entire shopping center were previously approved.

The building features the same color palette, materials and architecture as Pad C, which was approved by the Planning Commission in 2014. The proposed elevations include a raised tower element on the corner of the north elevation facing the parking lot. The tower element has a stone base with a rolled tile mansard roof. The stone elements are also included in varying heights on the other four elevations. The storefronts have a significant amount of glazing and are accented with black awnings. The stucco walls feature score lines of various patterns to add additional visual interest to the façade.

The south elevation is very visible from Buchanan Road and is functionally the rear of the building. There is one window for the drive thru tenant and several man doors on this elevation as well as the back of the trash enclosure. This elevation also features the raised tower element with mansard roof, stone details, score lines in varying patterns, and black awnings. The applicant did not provide details of any menu or order boards for the drive thru use. A condition is included in the attached resolution requiring the location and the design of this signage to be approved by the Community Development Director.

ATTACHMENTS

- A: Aerial Photograph
- B: February 5, 2014 Planning Commission Resolution and Minutes

RESOLUTION NO. 2015-**

RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION APPROVING DESIGN REVIEW OF SHOPS E OF THE BUCHANAN CROSSINGS SHOPPING CENTER

WHEREAS, the Planning Commission of the City of Antioch did receive a request from Buchanan Crossings, LLC for design review approval of the 5,912 s.f. Shops E building in the Buchanan Crossings shopping center (AR-15-14) (APN 074-480-005); and

WHEREAS, an Initial Study/Mitigated Negative Declaration was prepared for the original shopping center approval and the proposed project does not result in any potential environmental impacts that were not previously analyzed. Further environmental review is not required. Compliance with the mitigation measures identified in the original IS/MND and Mitigation Monitoring and Reporting Plan is required; and

WHEREAS, the Planning Commission on October 21, 2015, held a hearing, and received and considered evidence, both oral and documentary.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby APPROVE the design of Shops E for the Buchanan Crossings shopping center (AR-15-14), subject to the following conditions.

A. GENERAL CONDITIONS

1. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
2. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission.
3. No building permit will be issued unless the plan conforms to the site plan as approved by the Planning Commission and the standards of the City.
4. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
5. That this approval expires two years from the date of approval (Expires: October 21, 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.

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.

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5. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.

E. 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.

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

F. PROJECT-SPECIFIC CONDITIONS

1. This design review approval applies to the construction of the approximately 5,912 s.f. Shops E building in the Buchanan Crossings shopping center as depicted on the project plans submitted to the City of Antioch on September 29, 2015.
2. The applicant shall comply with the conditions of approval outlined in City Council Resolutions 2008/81 and 2008/88. If there is a conflict between this resolution and the two aforementioned resolutions, this resolution shall take precedence.
3. On-site pedestrian circulation and landscaping shall be consistent with the original approval. Pedestrian access shall also be provided in accordance with the California Building Code, including permanent and interim ADA access from Buchanan Road to all buildings and between all buildings.
4. Bicycle parking shall be provided consistent with Antioch Municipal Code. Location and number of bicycle parking spaces shall be submitted for the review and approval of the Community Development Department prior to the issuance of building permits.
5. The building permit submittal shall include detailed design plans for the menu and order signage for the drive thru tenant. The location and the design of the menu and order signage shall be subject to the approval of the Community Development Director prior to the issuance of building permits for the sign.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 21st day of October, 2015 by the following vote:

AYES:

NOES:

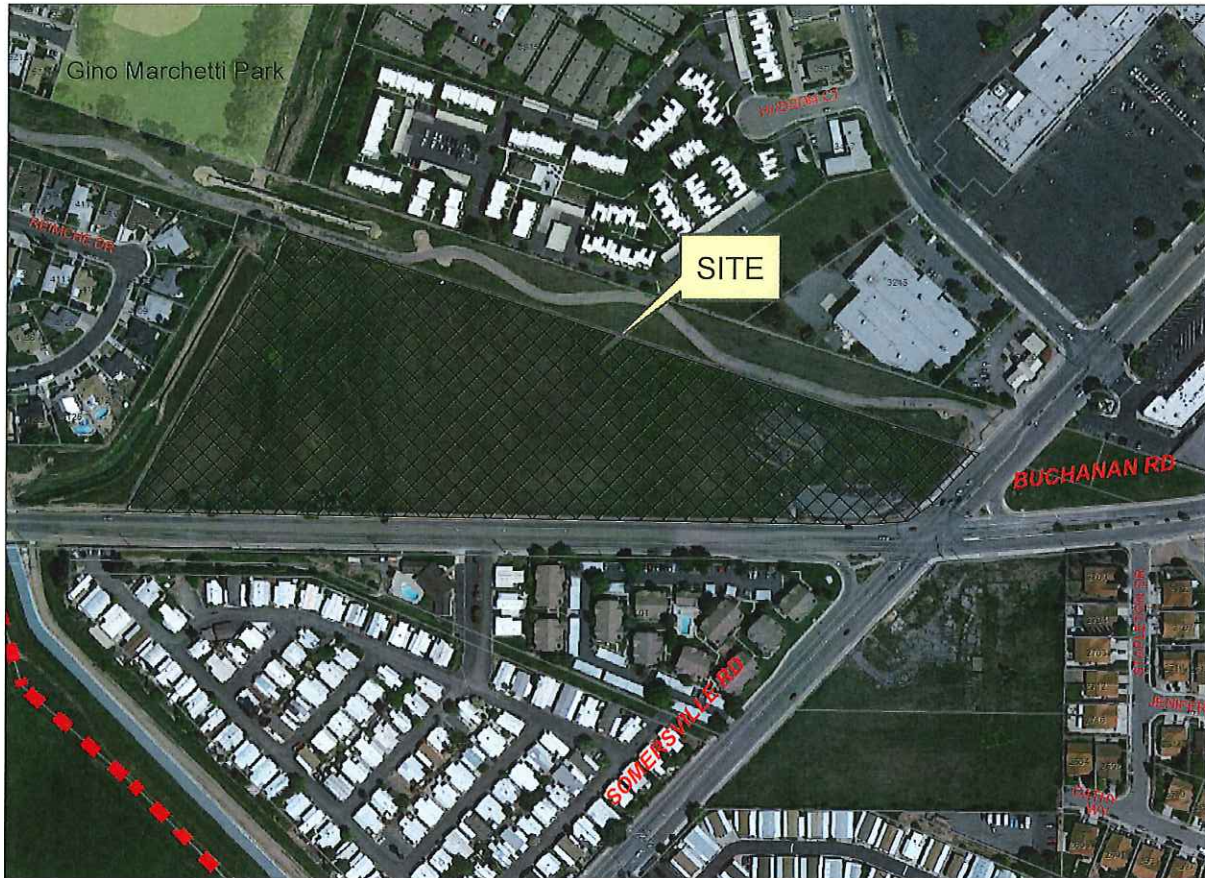
ABSENT:

ABSTAIN:

FORREST EBBS,
Secretary to the Planning
Commission

ATTACHMENT “A”

ATTACHMENT A



ATTACHMENT “B”

RESOLUTION NO. 2014-03

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING THE DESIGN REVIEW FOR MAJOR D, PAD C,
AND SITE PLAN FOR PAD A FOR BUCHANAN CROSSINGS**

WHEREAS, the Planning Commission of the City of Antioch did receive a request from Buchanan Crossings, LLC for design review approval of Major D, Pad C, site plan for Pad A, and art feature for the Buchanan Crossings shopping center located at the northwest corner of Somersville Road and Buchanan Road (AR-13-12) (APN: 075-080-013); and

WHEREAS, an Initial Study/Mitigated Negative Declaration was prepared for the original shopping center approval and the proposed project does not result in any increases in potential environmental impacts than were previously analyzed. Further environmental review is not required. Compliance with the mitigation measures identified in the original IS/MND and Mitigation Monitoring and Reporting Plan is required; and

WHEREAS, the Planning Commission on February 5, 2014, held a hearing, and received and considered evidence, both oral and documentary.

WHEREAS, the art project at the corner of Somersville and Buchanan incorporate regional character for subcommittee consideration.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby **APPROVE** the design of Major D, Pad C, and site plan for Pad A for the Buchanan Crossings shopping center as shown on the revised plans presented to the Planning Commission on February 5, 2014, subject to the following conditions and the findings for the conditions which are attached to this resolution as Exhibit A;

NOW, THEREFORE MAY IT ALSO BE RESOLVED that the Planning Commission recommend that the future art subcommittee require the art project to incorporate regional character.

PROJECT CONDITIONS

1. The applicant shall comply with the conditions of approval outlined in City Council Resolutions 2008/81 and 2008/88. If there is a conflict between this resolution and the two aforementioned resolutions, this resolution shall take precedence.
2. Consistency between the site plan, utility plans, landscape plan, and elevations shall be provided at the time of building permit.

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3. On-site pedestrian circulation and landscaping shall be consistent with the original approval. Pedestrian access shall also be provided in accordance with the California Building Code, including permanent and interim ADA access from Buchanan Road to all buildings and between all buildings.
4. Alternate elevations provided tonight would be part of the design review approval. Revised elevations shall be submitted to the Community Development Department for review and approval prior to the issuance of building permits.
5. For Major D, if any shopping cart storage areas are proposed, screening shall be provided. Screening shall be of the same materials and colors as the main building and shall be subject to the review and approval of the Community Development Department prior to issuance of a building permit.
6. ~~For Pad C, the building shall include additional stone accents at the base. Revised elevations shall be submitted to the Community Development Department for review and approval prior to the issuance of building permits. (Plans presented to the Planning Commission on February 5, 2014, approved as submitted.)~~
7. ~~For Pad C, the tower on the east elevation shall have a mansard tile roof similar to the west tower. Revised elevations shall be submitted to the Community Development Department for review and approval prior to the issuance of building permits. (Plans presented to the Planning Commission on February 5, 2014, approved as submitted.)~~
8. For Pad A site plan, as shown on Sheet C7 – Pad “A” Layout Concept, the drive-thru lane shall be shifted away from Buchanan Road to allow landscaping between the sidewalk and the drive-thru lane consistent with the prior approval.
9. Bicycle parking shall be provided consistent with Antioch Municipal Code. Location and number of bicycle parking spaces shall be submitted for the review and approval of the Community Development Department prior to the issuance of building permits.
10. Landscape plans shall comply with the State of California Water Efficiency Landscape Ordinance.
11. The three decorative crosswalks located within the main entrance shall be placed at the curb returns as directed by the City Engineer.

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12. That this approval expires two years from the date of approval (Expires: February 5, 2016), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.
13. Long term storage of shopping carts shall be inside the building and outside cart storage shall only be temporary storage.
14. The trash enclosure shall be designed in a manner consistent with prior CVS approvals and shall include tile roofs to be consistent with prior approval.
15. If outdoor storage is not in the design elements, any future tenants would have to comply with the indoor storage of carts.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 5th day of February, 2014 by the following vote:

AYES: Hinojosa, Motts, Pinto, Miller, Baatrup and Westerman
NOES: None
ABSENT: None
ABSTAIN: None


TINA WEHRMEISTER,
Secretary to the Planning
Commission

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

Regular Meeting
6:30 p.m.

February 5, 2014
City Council Chambers

CALL TO ORDER

Chair Hinojosa called the meeting to order at 6:32 p.m. on Wednesday, February 5, 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 decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Tuesday, February 18, 2014.

ROLL CALL

Present: Commissioners Pinto, Miller, Baatrup and Westerman
Chair Hinojosa and Vice Chair Motts
Absent: None
Staff: Senior Planner, Mindy Gentry
Contract Planner, Cindy Gnos
Public Works Director, Ron Bernal
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

Senior Planner Gentry thanked Virginia Sanderson for her service on the Planning Commission and Chair Hinojosa presented the sign to Ms. Sanderson. Fellow Commissioners also thanked Ms. Sanderson for her time on the Planning Commission.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes:** January 15, 2014

On motion by Commissioner Westerman, and seconded by Commissioner Motts, the Planning Commission approved the Minutes of January 15, 2014.

AYES: Hinojosa, Motts, Pinto, Miller, Baatrup and Westerman
NOES: None
ABSTAIN: None
ABSENT: None

END OF CONSENT CALENDAR

CONTINUED ITEM

2. AutoZone proposes to amend the General Plan from High Density Residential to Neighborhood Commercial and the East Lone Tree Specific Plan from Medium High Density Residential (R_H) to Community Retail, to rezone the property to Planned Development (PD), and to secure approval of a Final Development Plan, variance, use permit, and design review to develop a 7,928-square-foot AutoZone store. The proposed commercial building is 26 feet in height and would include an 8-foot monument sign with a stone veneer to match the building. The project would also include 22 on-site parking spaces, an 8,274-square-foot loading area, 5,222 square feet of formal landscaping, and 1,443 square feet of sidewalks.

SP Gentry stated that there was a letter received this afternoon which was on the dais.

On Motion by Commissioner Westerman and seconded by Commissioner Baatrup, the Planning Commission continued this item to February 19, 2014.

AYES:	<i>Hinojosa, Motts, Pinto, Miller, Baatrup and Westerman</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

NEW ITEM

3. Buchanan Crossings, LLC, is requesting approval of Design Review for portions of the approved Buchanan Crossings shopping center project. Specifically, the applicant is requesting Design Review for Major D as a 17,000 square foot Grocery Outlet, Pad C a 5,500 square foot multi-tenant building, a revised site layout for Pad A, and the corner art feature element. The original shopping center approval included multi-tenant buildings labeled Shops C and Shops D, which the applicant is combining into one building, Major D. The project is located at the northwest corner of Somersville Road and Buchanan Road (APN: 074-080-013).

Contract Planner, Cindy Gnos, provided a summary of the staff report dated January 30, 2014. She indicated that there was a letter on the dais which was received this afternoon from Discovery Builders.

Commissioner Motts clarified with staff that the concern with the stone accents was visual.

In response to Commissioner Pinto wanting clarification on ADA stalls and bicycle parking, CP Gnos said that the building department review insures all ADA requirements are met and that Condition 9 requires that bicycle parking spaces are provided pursuant to Code.

SP Gentry said that planning is involved in the process when plans for a building permit are submitted.

In response to Chair Hinojosa's concern that details on parking stalls, bike stalls and shopping cart issues are resolved at a later time, SP responded that parking stalls have to be minimum as required by Code, that ADA parking will be finalized on the building permit submittal and staff will review bike stalls but that it is under the purview of the Commission to look at the shopping cart corrals.

Referencing Condition 5, Chair Hinojosa asked staff why the shopping cart area was not depicted on the site plans to which SP Gentry said that applicant can speak to why that was left out.

In response to Commissioner Pinto asking for an explanation regarding the crosswalk placement, SP Gentry said that they want the crosswalks to be at curb returns with clear visibility for cars.

Commissioner Motts commented that given the Somersville Road widening and the trail system nearby that this location may become a destination for biking and that should be taken into consideration.

In response to Commissioner Pinto's questions to staff about traffic studies, SP Gentry said that the most recent traffic study was done prior to approval as part of CEQA and that concerns with new residential in that area increasing traffic were analyzed in the previous study prior to 2008. She said that traffic studies take into consideration future considerations of build out in the vicinity.

PW Director Bernal said that this is correct and that staff is comfortable with the current design and there will be timing of signals and pedestrian crossings.

In response to Chair Hinojosa's concerns with the stone veneer, the proposed green screen, the trellises and the landscaping, SP Gentry said that there were approved color boards and stone examples on the dais, that she believed there was a maintenance plan to be submitted for staff to review, and that it would be within the purview of the Commission but that the maintenance plan to address irrigation would need to cover the full site.

Chair Hinojosa asked staff about the green screens and the low screen wall wrapping around to which SP Gentry responded that the low wall hides the loading dock and that given the green screens were added after the full submittal package, these plans don't reflect revised elevations.

In response to Chair Hinojosa's questions to staff about alcohol sales, hours of operation, the trash enclosure roof and the art feature, SP Gentry said that grocery stores over 10,000 feet are permitted to sell alcohol as part of the overall use, that the hours of operation are indicated in Conditions 50 and 51 of the previous approval, that the roof over the trash enclosure was not depicted but one is required as well as plumbing to the sanitary sewer, and that Condition 49 required that the art feature be

reviewed by the Design Review Board and the Arts and Cultural Foundation. She said that due to budget issues, the City no longer is under contract with the Arts and Cultural Foundation so would probably go to the City Council for approval.

Commissioner Miller asked staff about the importance of the veneer stone and his concern about the traffic backing up on Buchanan and the new signal going in.

SP Gentry responded that CVS had a lot of stone work and staff felt this project should maintain the same level of aesthetics and meet the City's guidelines. PWD Bernal said that the signal on Somersville would be coordinated to get people out of Antioch as smoothly as possible. He also said that there is a project for the Buchanan Road Bypass for four lanes south of this project but that was a few years out.

In response to Commissioner Pinto's concern with the hours of operation and the four proposed drive thrus, SP Gentry said that what was before the Commission tonight was design and CP Gnos stated that the drive thrus were part of the initial approval and would have been addressed at that time.

Commissioner Baatrup clarified with CP Gnos that the conditions of Resolution 2008-81 are applicable to the entire site.

OPENED PUBLIC HEARING

The applicant and project architect David Blair said that it has been a number of years since the project was approved, that they finally have a good tenant and that while he doesn't have a presentation, he is here to talk through items, talk about the elevations and suggested changes. He said that looking at the project and drawings previously approved, each tenant had individual character and that it was the original intent not to copy the CVS building but to do something different to make this building unique. That regarding the stone, it is the intent that the stone be similar to what was originally approved. He said that Grocery Outlet stores their carts inside and that there is short term cart storage in the parking lot. They are happy to comply with the required bicycle parking. He said that Grocery Outlet only sells beer and wine in complete packages, that the beer and wine component is two to three percent of sales and that the floor plan shows the area in the far left corner. Applicant said that the loading dock wall on the north elevation angles out but may appear a little exaggerated.

In response to Commissioner Pinto regarding the Stantec letter, Matt Nohr with the Orosco Group, stated that they did receive Stantec's letter and that they prepared a response. He said that they had a strong response and had deep concerns but that there was clearly a disconnect and that Stantec did not have a clear grasp and lacked understanding or history of the project. He said that they responded to all thirty items to set the record straight and that they were disappointed with the letter. He said that this project has gone through four developers.

Commissioner Pinto said that he thinks when there is major development any and all comments should be accepted and analyzed and he confirmed with CP Gnos that staff is satisfied with comments to Stantec and Ms. Gnos said that they noted what was

B7

already conditions in the previous one and where they differed and that they focused more on building design elements and enhancements visible from the street.

In response to Commissioner Pinto, Mr. Nohr stated that he has an architectural background, that they are looking at aesthetics and building mass, that stone looked appropriate at the base and that the arch usually has a lighter material. He said that CVS had stone going all the way up which lacked proportion and that they are proposing a bottom, middle and top with a far greater level of variation; having multiple elements gives visual interest dependent upon vision and taste.

In response to Chair Hinojosa's question about Stantec's comments being included as conditions of approval, CP Gnos said that staff included conditions of approval from Stantec's letter into the resolution. Mr. Nohr said that their concerns are with items 4, 5, 6 and 7.

In response to Chair Hinojosa, Mr. Nohr said that the roof cover for the trash enclosure would be similar to CVS and that there will be a sound landscaping plan with a maintenance program. Mr. Blair said that the temporary outside shopping cart storage is indicated on the site plan. Mr. Nohr said that the material boards containing two stone options were from original approval in 2008 and that the veneers are appropriate.

In response to Commissioner Baatrup asking applicant's position on conditions 6 and 7, Mr. Nohr said that they have added an additional tower on the south elevation and they don't think it is appropriate to continue the stone veneer all the way around. He said that it was inappropriate to have two mansard roofs which would lose visual interest and what they are proposing is superior.

Commissioner Baatrup commented that he appreciated the current thinking of Grocery Outlet to store carts inside but doesn't feel comfortable that in the future they may use the space inside and put the carts outside and that maybe a condition is needed that there be no outside storage.

Commissioner Motts asked about the theme of the art feature to which Mr. Nohr said the art feature was abstract with free flowing grasses similar to the hillside and natural landscape adjacent to the site. Commissioner Motts said that this might be an opportunity to make some sort of tie in to the East Bay Regional Park District.

CLOSED PUBLIC HEARING

SP Gentry clarified that Resolution 2008-81 in Condition 34 requires that the refuse enclosure have a roof and that Condition 88 requires the project to comply with the Property Maintenance Ordinance; that those two elements are covered in previous conditions. She said that staff was looking thru the conditions of Resolution 2008-88 and that Council in Condition 25 changed the requirements for the art feature to require that the art feature be approved by one staff member, one member of the Design Review Board and one City Council member prior to the issuance of a building permit. She said that the Planning Commission can contemplate recommendation to approve as is, or provide direction to staff and one member of the Planning Commission.

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Chair Hinojosa clarified with staff that they would need to nominate someone to approve.

Commissioner Westerman said that with respect to the stone he is happy with how it is proposed with stone part way up and the band a different color. That he doesn't think the towers have to be identical. He said that with respect to the art feature they don't really have an illustration of it and he would need to take a look at it.

Commissioner Motts pointed out that there was a small picture of the art feature on sheet L4.

Commissioner Baatrup said he agrees with Commissioner Westerman, that he is satisfied that the tower element doesn't have to have stone all the way up to the top, and would like to see a couple items in the conditions; that there be only temporary storage of carts in the lot and long term storage be conditioned inside the Grocery Outlet and that the art piece be conditioned that the steel panels would incorporate or reflect a design that reflects the character of the Regional Park District.

Commissioner Pinto asked staff why staff had strong feelings about the stone going all the way up on the columns and the type of plans considered for landscaping given the water situation now to which SP Gentry said that regarding the stone staff was trying to mimic the approvals of 2008 and there is a condition of approval to plant drought tolerate landscaping and be in compliance with WELO, the State adopted ordinance.

In response to Chair Hinojosa questions about the stone veneer, CP Gnos said that the guidelines are not that specific, that they did add a tower element, they do have differing materials but whether it goes all the way up is preference or taste.

Chair Hinojosa expressed concern about the location of the temporary cart storage and it possibly taking away from the landscape features being in direct conflict with the Zoning Code to which Commissioner Baatrup said that he didn't think it is compromising the landscape islands. SP Gentry said that it looks clear but they may want to bring the applicant forward to explain.

REOPEN PUBLIC HEARING

Applicant said that sheet L3 contained an enlarged plan and that the landscape island is not compromised; that there is a paved space adjacent to that island.

RECLOSE PUBLIC HEARING

Chair Hinojosa said that with respect to the art feature on such a prominent corner, she would appreciate a better depiction of what the art feature will look like and agrees with Commissioner Baatrup that it should reflect the character of the area.

Commissioner Motts said that he can support bringing options for the art feature to staff, one Council member and possibly one member of the Planning Commission, that the

site maintenance plan and the trash enclosure cover is already incorporated and that he can support staff's recommendation of the stone façade.

Chair Hinojosa stated that there seems to be a consensus that the art feature should be reviewed by various people to provide options and there would need to be a modified condition requiring long term storage of carts shall be inside the store. She said that she has heard from a couple of people that the veneer go only on the columns and not needing to go all the way up and she really doesn't have a strong opinion on this but she is inclined to say that the veneer half way up as proposed in the alternate elevations looks fine to her. She said that there should be a condition that the roof of the trash enclosure look like the other roof which is the concrete roof tile.

Commissioner Pinto stated that they have not addressed the letter given to them today and asked should they be addressing those.

Chair Hinojosa asked staff will a response be provided to Discovery Builders for review as requested to which SP Gentry said that drainage isn't going to be an issue and that one comment on the second page was glossed over but believes that the conditions will address that issue.

Commissioner Baatrup clarified with staff that tonight does not in any way change those issues Discovery has brought to their attention. He said that the tile roof over the trash enclosure is a pretty substantial amount of materials on a small structure and he is having a hard time seeing how this will add value and change appearance; that he doesn't see a need for a tile roof.

Chair Hinojosa said that it came from the approved site plan to match the original approval for the CVS building and the trash enclosure has tile roofing and that the material board says concrete roof tile.

Commissioner Baatrup thanked her for pointing that out and said he can see that it adds value. He made a motion to approve the design review for the Major Pad D, Pad C, the site plan for A and the art feature with conditions that are included in the staff report adding Condition 13 that the shopping carts long term storage be inside the building and outside cart storage only be temporary storage. Item 13 would be that trash enclosure be designed in a manner consistent with prior CVS approvals, should include tile roofs to be consistent with prior approval and add Condition 14 that the panels in the art project be designated in a manner that fits the character of the location of the project.

CA Nerland pointed out that City Council approval on the design element gave authority to make those decisions to a subcommittee of City Council, Planning Commission and staff so perhaps instead of a condition of approval that the Commission would recommend to that subcommittee that those panels have some reflection.

Commissioner Baatrup said that to insert as a "whereas" that the art project incorporate the regional character of the project for subcommittee consideration.

CA Nerland said that the Planning Commission can appoint a subcommittee member tonight.

CA Nerland clarified the language regarding the art feature on the Resolution would be deleted from the title and the first resolved and then a "now therefore may it also be resolved that the Planning Commission recommend that the subcommittee panels reflect".

Commissioner Baatrup said that on Condition 4 that the first sentence would be deleted and alternative elevations provided tonight would be part of the design review approval.

Commissioner Baatrup added to the motion if outdoor storage not in the design elements that we would expect that any future tenants would have to comply and store carts inside.

RESOLUTION NO. 2014-03

On motion by Commissioner Baatrup and seconded by Commissioner Westerman, the Planning Commission approves the design review approval of Major D, Pad C, site plan for Plan A, and art feature for the Buchanan Crossings shopping center, subject to conditions included in the staff report with changes and modifications as discussed, as follows:

- *Additional Condition 13 to say: "Long term storage of shopping carts shall be inside the building and outside cart storage shall only be temporary storage."*
- *Additional Condition 14 to say: "The trash enclosure shall be designed in a manner consistent with prior CVS approvals and shall include tile roofs to be consistent with prior approval."*
- *Insert as a "whereas", "that the art project incorporate the regional character of the project for subcommittee consideration.."*
- *Delete from the title and the first resolved of the Resolution the language regarding the art feature and add a "now therefore" to say "may it also be resolved that the Planning Commission recommend that the subcommittee panels reflect the regional character of the project."*
- *The first sentence of Condition 4 be deleted and say "Alternate elevations provided tonight would be part of the design review approval."*
- *Additional Condition 15 to say: "If outdoor storage is not in the design elements, any future tenants would have to comply with the indoor storage of carts."*

AYES:	Hinojosa, Motts, Pinto, Miller, Baatrup, and Westerman
NOES:	None
ABSTAIN:	None
ABSENT:	None

Commissioner Baatrup nominated Commissioner Motts to serve on the subcommittee.

B12

On motion by Commissioner Baatrup and seconded by Commissioner Miller, the Planning Commission appoints Commissioner Motts to serve on the subcommittee.

AYES: *Hinojosa, Motts, Pinto, Miller, Baatrup, and Westerman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *None*

ORAL COMMUNICATIONS

SP Gentry said that the next Planning Commission meeting will be February 19th.

CA Nerland said that at that meeting or at a subsequent meeting, there will be a briefing on the Brown Act and meeting procedures. She said that it will be put on the 19th, but if meeting runs late, can continue to the next hearing.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Motts said that Transplan met on January 16th, elected officers and adopted the calendar.

ADJOURNMENT

Chair Hinojosa adjourned the Planning Commission at 8:32 p.m.

Respectfully Submitted,
Cheryl Hammers