

**CITY OF ANTIOCH  
PLANNING COMMISSION MINUTES**

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

**March 7, 2012  
City Council Chambers**

**CALL TO ORDER**

Chairman Westerman called the meeting to order at 6:30 p.m. on Wednesday, March 7, 2012, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, March 15, 2011.

**ROLL CALL**

Present: Commissioners Azevedo, Bouslog, Langford, Travers  
Chairman Westerman and Vice Chair Baatrup  
Absent: Commissioner Douglas-Bowers  
Staff: Senior Planner, Mindy Gentry  
Planning Consultant, Victor Carniglia  
City Attorney, Lynn Tracy Nerland  
Minutes Clerk, Cheryl Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

Resident, Lance Phipps spoke on the issue of low income housing and stated that he is against any further low income housing in Antioch without more police presence and children activities. He stated that children are being shot, houses are being robbed, and that children have nothing to do. Mr. Phipps said that there are traffic backups due to poor planning and that allowing additional low income housing without proper police and activities would be repeating the same principle. He said that although he is not against low income housing, the City is just not set up to handle more at this time.

Resident, Jim Conley spoke to say that the newspaper had said that according to ABAG we should build low income housing over next seven years. He said that the City Council determined the percentages in Antioch were dissimilar to any other area, that staff looked into it, and that ABAG changed their method of allotment. He said that he has a problem with the percentages as it appears now that ABAG has gone back to their old ways. He said that the property taxes don't pay for City services and that it hurts the City when the City is weighted toward low income housing and that he would suggest this City determine if percentages are the same as everyone else.

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**CONSENT CALENDAR**

1.        **Approval of Minutes:**                    **February 1, 2012**

***On motion by Commissioner Azevedo, and seconded by Vice Chair Baatrup, the Planning Commission approved the Minutes of February 1, 2012.***

**AYES:**                    **Westerman, Baatrup, Azevedo, and Bouslog**  
**NOES:**                    **None**  
**ABSTAIN:**                **Langford and Travers**  
**ABSENT:**                 **Douglas-Bowers**

**END OF CONSENT CALENDAR**

**NEW PUBLIC HEARINGS**

2.        **Z-12-01 – The City of Antioch** is proposing to amend Municipal Code Section 9-5.4012 of the Residential Development Allocation Ordinance to extend the ordinance sunset date to May 1, 2013.

Senior Planner Gentry provided a summary of the staff report dated March 1, 2012.

Chairman Westerman clarified with staff that nothing was being changed and that this was just an extension to allow review of issues City Council wanted looked at.

**OPENED PUBLIC HEARING**

City Attorney Nerland stated that there are only two items on the agenda tonight, the RDA extension and the rezoning of Area 1. She said that there are yellow speaker cards in the back to be filled out by anyone wishing to speak on either item. She stated that low income housing was previously considered by the Planning Commission, that it was not on before the Planning Commission tonight, and that it would be going to City Council.

A Realtor in Antioch, who was in the audience, stated that she thought the Planning Commission would be speaking on the housing issues tonight to which CA Nerland stated she was not sure how that information was put out there but that this was not an item on tonight's agenda.

**CLOSED PUBLIC HEARING**

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**RESOLUTION NO. 2012-02**

**On Motion by Vice Chair Baatrup and seconded by Commissioner Langford, the Planning Commission recommended that the City Council approve an amendment to Section 9.5-4012 of the Antioch Municipal Code in order to extend the sunset date of the ordinance to May 1, 2013 (Z-12-01).**

**AYES:** *Westerman, Baatrup, Azevedo, Bouslog, Langford, and Travers*

**NOES:** *None*

**ABSTAIN:** *None*

**ABSENT:** *Douglas-Bowers*

- 3. Z-12-02 – The City of Antioch** will be considering rezoning approximately 470 acres of unincorporated land, referred to by the City as Area #1, which is generally located adjacent to and/or in close proximity to Wilbur Avenue.

Planning Consultant, Victor Carniglia provided a summary of the staff report dated March 1, 2012. He stated that on the dais this evening are two communications which were received: an e-mail from Randy Christ, the owner of a fueling station with concerns about sewer and water and being able to utilize his well and septic system and a fax from Albert Snell who has a building near completion and would like the ability to hook up to City services prior to annexation occurring.

Commissioner Langford stated that there are quite a few other areas under the County as well and clarified with PC Carniglia that there are two other areas referred to as 2a and 2b totaling 150 acres. He said that City Council has only authorized annexation of area 1 and that if they authorize the other areas, those will be brought forward as well.

CA Nerland stated that given the overhead screen is not working to provide a map for people to look at that she has provided her copy for review.

Chairman Westerman clarified with staff that the only residential unit involved was one residence associated with a business.

Commissioner Travers questioned staff about time estimates to which PC Carniglia said that an agreement has been reached on all major issues and that a tax sharing agreement has been completed and is being reviewed.

Commissioner Azevedo clarified with staff that Mr. Christ's parcel was a fueling station approved under the County as commercial business with offices but no residential, and was constructed approximately five years ago.

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**OPENED PUBLIC HEARING**

Sandra Kelly, board member of the Friends of the Antioch Dunes, stated that the Antioch Dunes is home to several endangered species including two plants with a third just recently discovered. She said that while Industry is there to stay, she would like the Planning Commission to consider the impact this has on the endangered species. She invited everyone to visit the dunes and stated that they do public tours on the second Saturday of every month on Fulton Shipyard Road at 10:00 a.m. She passed out magnets to the Planning Commissioners in lieu of a business card.

Michael Krieg, Director of Friends of the Antioch Dunes, spoke to say their purpose is to draw attention of the Commissioners and staff to the nature of wildlife refuge and would like to point out that this open space is different than parks due to the eco system. He said that he would like to mitigate any negative impacts due to the fragile habitat.

Commissioner Azevedo asked staff if the zoning designations are the same as they are currently to which PC Carniglia said that this area is in the City's sphere of influence, that it is largely heavy industrial, that the zoning is mirroring what is in the General Plan, and the County zoning for the area is also heavy industrial. PC Carniglia went on to say that although there are no current development applications, any uses proposed there will have environmental reviews and will look at impacts on the wildlife reserve.

Karri Campbell, representative of Calpine Corporation, stated that they have a leasehold interest in property, will be extending that lease and are looking forward to working with the City. He said that while they don't see any negative impacts to them other than establishing a relationship with a new jurisdiction, they would want to be notified of any future hearings and be placed onto a mailing list.

Commissioner Travers asked about the type of plant to which Mr. Campbell said that they use natural gas, that they are connected to Delta Diablo Sewer and that their well serves their purpose. He went on to say that that they burn natural gas very cleanly, that they generate resources for the State and when sister plants go down, their plant helps fill that deficit.

City Attorney Nerland asked Mr. Campbell to leave his contact information to be sure they are put onto a mailing list.

**CLOSED PUBLIC HEARING**

Commissioner Azevedo stated that he sees this as an opportunity to bring land under our sphere of influence for tax revenue for this community and that it doesn't make sense to leave in the County.

Chairman Westerman agreed with Commissioner Azevedo.

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**RESOLUTION NO. 2012-03**

**On Motion by Commissioner Travers and seconded by Commissioner Azevedo, the Planning Commission recommended to the City Council approval of the draft ordinance to prezone the approximately 470 acres of unincorporated land, referred to as Area #1 of the Northeast Antioch Annexation Area, which is generally located adjacent to and/or in close proximity to Wilbur Avenue.**

**AYES:** *Westerman, Baatrup, Azevedo, Bouslog, Langford, and Travers*

**NOES:** *None*

**ABSTAIN:** *None*

**ABSENT:** *Douglas-Bowers*

**ORAL COMMUNICATIONS**

None.

**WRITTEN COMMUNICATIONS**

Chairman Westerman said that there was an invitation to ground breaking for the next segment of State Route 4 on Friday at 10:00 a.m.

**COMMITTEE REPORTS**

Commissioner Azevedo said that Transplan met in February and although they received an update on the litigation with the City of Pittsburg, he has nothing to report out at this time.

Commissioner Azevedo stated that the RDA Committee did meet earlier this month, that this evening's action was a result of that meeting, that they got update regarding direction we want to go and that this is more to come.

CA Nerland informed the Planning Commission that the City Council has adopted an Urgency Ordinance to prohibit any additional computer gaming and internet access businesses and adopted regulations for operation of those businesses including hours of operation and use. She said that the City Council has also initiated a study whether amendment to the Zoning Code should come before the Planning Commission and ultimately adopted by the City Council. She went on to say that staff is looking at that and that the zoning aspect of it could come back to the Planning Commission.

CA Nerland suggested given the number of people still in the audience that the Chair make sure there are no further speakers before adjourning.

Chairman Westerman announced the last chance for anyone wishing to speak.

Lance Phipps, resident commented on the meeting to say that in regards to developing land for industrial or commercial purposes, he would like to see the use of solar, wind turbine and the Delta's steady current as energies to be utilized. He said that there is no such thing as clean gas when we are taking from mother earth. He went on to say that we are protecting butterflies while destroying the planet and that we have the sun, wind and energies that will last so much longer than gas, coal and oil.

### **ADJOURNMENT**

Chairman Westerman adjourned the Planning Commission at 7:30 p.m.

Respectfully Submitted,  
Cheryl Hammers