

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**March 15, 2023  
City Council Chambers**

**1. CALL TO ORDER**

Chair Gutilla called the meeting to order at 6:30 P.M. on Wednesday, March 15, 2023, in the City Council Chambers.

**2. ROLL CALL**

Present: Commissioners Schneiderman, Martin, Motts, Lutz, Vice Chair Riley and Chair Gutilla  
Absent: Commissioner Hills  
Staff: Acting City Attorney, Ruthann Ziegler  
Director of Community Development, Forrest Ebbs  
Senior Planner, Kevin Scudero  
Senior Planner, Zoe Meredith  
Associate Planner, Jose Cortez  
Minutes Clerk, Kitty Eiden

**3. PLEDGE OF ALLEGIANCE**

Chair Gutilla led the Pledge of Allegiance.

**4. EX-PARTE COMMUNICATIONS - None**

**5. PUBLIC COMMENT – None**

**6. CONSENT CALENDAR**

**6-1. Planning Commission Meeting Minutes February 15, 2023**

***On motion by Commissioner Schneiderman, seconded by Commissioner Martin, the Planning Commission members present unanimously approved the Minutes of February 15, 2023. The motion carried the following vote:***

**AYES:** Schneiderman, Martin, Motts, Lutz, Riley, Gutilla  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Hills

Due to technical difficulties with Zoom, Chair Gutilla declared a recess at 6:38 P.M. The meeting was reconvened at 6:46 P.M. with all Commissioners present with the exception of Commissioner Hills who was previously noted as absent.

***On motion by Commissioner Schneiderman, seconded by Commissioner Motts, the Planning Commission moved New Item 8-1 to be heard prior to Public Hearing Item 7-1 due to technical difficulties. The motion carried the following vote:***

**AYES:** Schneiderman, Martin, Motts, Lutz, Riley, Gutilla  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Hills

## **8. NEW ITEM**

- 8-1 AR-22-11 Chick Fil A at 5705 Lone Tree Way-** The applicant is seeking Design Review approval for the construction of a new 4,594 sq. ft. restaurant with two lane drive through at 5705 Lone Tree Way. The subject site is an existing 1.33-acre parcel with a vacant 6,886 sq. ft. restaurant built in 2003 (formerly Mimi's Café). The applicant is proposing to demolish the existing building and construct a new 22 ft. tall restaurant with a double drive through for Chick Fil A. The restaurant will provide eighty-two (82) seats for on-site dining, a two-lane drive-through, and fifty-four (54) on-site parking spaces. Other site improvements include new canopies for the drive-through, lighting, landscaping, and parking lot improvements. Business hours are proposed to be 6am-11pm Monday-Saturday.

Associate Planner Cortez presented the staff report dated March 15, 2023, recommending the Planning Commission adopt the Resolution approving Design Review for the construction of a new Chick Fil A at 5705 Lone Tree Way.

The applicant for Chick Fil A explained the application was for their prototypical design and he was available to answer questions this evening.

Chair Gutilla opened and closed the public comment period with no speakers requesting to speak.

In response to Commissioner Martin, Associate Planner Cortez explained the circulation plan and Senior Planner Scudero provided an exhibit with the proposed restriping for the drive aisle.

Associate Planner Cortez added that the new building would sit smaller on the current lease area after the building was demolished.

In response to Commissioner Martin, the applicant clarified that the building would be for a single tenant.

Commissioner Schneiderman stated she was happy Chick Fil A was coming to Antioch and she felt this location would do well.

Commissioner Lutz expressed concern regarding traffic related to Chick Fil A businesses in other cities and how the additional traffic would impact Lone Tree and Highway 4. He questioned who performed the traffic analysis and if there were assurances that it was done correctly.

Director of Community Development Ebbs explained that this project was for Design Review and traffic was a function of the land use. He noted drive through restaurants were allowed by right in this shopping center. He further noted the entrance was far removed from the major arterial, so if traffic problems occurred, it would be within the shopping center. He stated they did not anticipate getting to a point where traffic backed up vehicles moving along Lone Tree Way.

Commissioner Lutz questioned if the other businesses in this shopping center had provided input regarding this use.

Director of Community Development Ebbs explained that those complaints would be within the tenant landlord relationship. He noted there were obligations and rights between the tenants. He stated that the hope was that more traffic would create more customers for those businesses.

Commissioner Lutz stated he had no doubt that this project would be approved; however, the owner donated to causes that he did not agree with so he would be voting no. He wished the applicant the best of luck, if approved.

In response to Commissioner Motts, Associate Planner Cortez stated the existing building would be torn down and this project would replace it. He noted with that work there may be minor restriping of the parking lot.

Commissioner Motts stated he was looking to add trees; however, with no significant changes to the parking lot there would be no option.

Vice Chair Riley expressed concern for the left turn coming from Lone Tree Way backing up toward the highway 4 intersection.

Director of Community Development Ebbs responded that the recommendation was to stripe the area to encourage people to move further into the site prior to making a left-hand turn. He noted the City also reserved the right to close the left-hand turn pocket to force people to go to the formal intersection to make their turn. He further noted if further problems arise, they could engage the owner to determine what additional improvements needed to be made.

In response to Chair Gutilla, Associate Planner Cortez discussed the proposed revisions to SP-2. He explained the pedestrian access walkway was confined to the lease area.

**RESOLUTION NO. 2023-12**

***On motion by Commissioner Martin, seconded by Commissioner Schneiderman, the Planning Commission members present adopted the Resolution approving Design Review for the construction of a new Chick Fil A at 5705 Lone Tree Way.***

***with the following modification to SP-2 –***

- ***Queue Management Plan. The applicant shall comply with the Queue Management Plan, specifically Recommendation #2 as described in the Lone Tree Way Chick-fil-A Transportation Impact Analysis Report dated March 6, 2023. The project shall operate two drive-through lanes during any period of high operational demand as needed in order to accommodate the vehicle queues or the drive-through demand.***

***The motion carried the following vote:***

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Riley, Gutilla</b>
<b>NOES:</b>	<b>Lutz</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Hills</b>

Chair Gutilla declared a recess at 7:11 P.M. The meeting reconvened at 7:14 P.M. with all Planning Commissioners present with the exception of Commissioner Hills who was previously noted as absent.

## **7. PUBLIC HEARING**

- 7-1. Environmental Justice Element** - The Planning Commission will review and make a recommendation to the City Council on the draft Environmental Justice (EJ) Element. Cities and Counties with disadvantaged communities are required to incorporate EJ goals and policies into their General Plans when adopting or revising two or more Elements concurrently. The City Council recently adopted a Housing Element and Environmental Hazards Element. The draft EJ element integrates principles into the planning process and to improve public participation.

Alexia Rotberg representing Urban Planning Partners, presented the staff report dated March 15, 2023, recommending the Planning Commission adopt the Resolution recommending the City Council adopt the General Plan Amendment approving the EJ Element.

Chair Gutilla opened and closed the public comment period with no members of the public requesting to speak.

Commissioner Lutz thanked staff for the report.

In response to Commissioner Lutz, Ms. Rotberg speaking to the CalEnviroScreen confirmed that composite scores of the seventy-five percentile were determined by the state as to what qualified as a disadvantaged community.

Commissioner Lutz stated that he had worked with the CalEnviroScreen mapping feature, and he hoped the trends could be reversed; however, given their current direction and the long-term impacts of the City's planning decisions, he questioned if the City should be looking at a broader area than five tracks.

Senior Planner Merideth stated they were looking holistically at the whole City; however, these five census tracks were identified by the state.

Director of Community Development Ebbs stated that the General Plan Update would address each area again and at that time they could determine if they wanted to expand. He noted it was currently a baseline.

Commissioner Lutz questioned if the unhoused were included.

Curtis Banks, Urban Planning Partners, responded that he was unsure to what extent that information was collected because some was provided separately by the County.

Commissioner Schneiderman commented that schools in the highlighted areas were underperforming. She questioned if tutoring or bilingual services would be included in educational services that could be offered.

Mr. Banks responded that it would be at the discretion of the City to add educational services in conjunction with the School District.

Senior Planner Merideth added that while they wanted to interface with the Antioch Unified School District (AUSD), this was a City of Antioch document and there were policies regarding youth engagement at a City level. She noted moving forward with the General Plan Update, they could possibly add efforts to partner with the AUSD.

Commissioner Martin stated the report was excellent; however, he had concerns related to having owners of housing or landlords fund improvements to their properties.

Senior Planner Merideth responded that policies identified programs that provided funding to homeowners to make improvements affordable.

Ms. Rotberg added that as part of the Housing Element Update process, outreach took place with the stakeholders.

Commissioner Martin stated that staff was hoping the requirements being considered could be offset by other programs.

Senior Planner Merideth explained that there were energy efficient options for homeowners to take advantage of and they were not mandatory requirements.

Ms. Rotberg commented that this item related to improving air quality in some of the older housing stock.

Commissioner Martin stated that he was a landlord, and he was concerned regarding how he would pay for the recommended improvements without raising rents or receiving compensation to keep his rents lower.

Senior Planner Scudero responded that these items were not mandated but policies that would help make improvements possible.

In response to Commissioner Martin, Director of Community Development Ebbs explained that section 6.1.3 of the Environmental Justice Element addressed transit availability and working with transit providers to increase routes.

Senior Planner Merideth explained the goals, policies and programs were not requirements; however, the City was encouraging them through different programs, education and working with other community partners.

Commissioner Martin questioned what was happening with the report once approved and expressed concern that it would not be considered in the future.

Director of Community Development Ebbs explained that this document would become part of the General Plan Update that would guide the city's future decisions. He added that the state put a lot of importance on it and their expectation was that it would be used as a future reference on daily decisions.

Commissioner Schneiderman commented that there may be some skepticism if the City offered the programs to a neighborhood. She suggested if these items were implemented that they begin with one street to determine if they would be accepted by the property owners.

In response to Commissioner Motts, Ms. Rotberg explained a large part of the air quality issues in the area were due to State Routes 4 and 160, as a source of the particulate matter and traffic. She noted water quality issues applied to storage tanks.

Mr. Banks added that there were areas with older gas stations tanks.

Alexis commented that pollution indicators were already regulated and monitored by state agencies.

Mr. Banks stated that they hoped part of the redevelopment of those sites would include cleanup when appropriate.

Vice Chair Riley stated he thought the document was well thought out. He questioned if there should be specific language with regards to improving pedestrian and bicycle access to grocery stores.

Director of Community Development Ebbs and Ms. Rotberg explained that Environmental Justice Element policy 4.2 addressed those items.

Chair Gutilla suggested the following items be considered:

- Place air monitors in Antioch
- Environmental Justice Element – Page A62, 2.1.7 - Transition cooling centers to multipurpose centers/community engagement areas
- Environmental Justice Element – Page A63, 2.1.12 – Label projects within EJ neighborhoods when presented to the Planning Commission and provide a table for EJ items
- Environmental Justice Element - Page A64 Goal 3 – Address vouchers for recreation department activities and onsite afterschool programs targeted towards GED, job placement and skills enhancements
- Environmental Justice Element – Page A64 Goal 3 – Include a school bus programs to increase safety
- Environmental Justice Element – Page A66 4.1.2 – Include the Master Gardeners as a CBOs
- Environmental Justice Element – Page A67 4.1.3 – List all free food distribution sites or a phone number to find locations

Chair Gutilla expressed concern that targeted code enforcement could displace existing residents and a landlord taking advantage of home improvement programs may look at it as an opportunity to raise rent.

Director of Community Development Ebbs encouraged the Planning Commission to watch the March 28, 2023, City Council meeting where he would be bringing an item on the Residential Rental Inspection Program.

Vice Chair Riley stated that he believed the school bus program should be added to the motion.

Director of Community Development Ebbs stated he believed there could be a reference to the AUSD and their ability to provide bus service in addition to Tri-Delta Transit.

Commissioner Schneiderman stated she also believed a bus program could be cost efficient.

Chair Gutilla commented that a bus program could also reduce pollutants and provide long term benefits.

Commissioner Lutz stated that a bus program could improve safety and save the lives of children who walk to school.

Commissioner Martin reported he had witnessed someone drive their children to school when it was only two blocks away.

Chair Gutilla commented that it may be an issue of pedestrian access, unsafe drivers and a lack of crossing guards in the area. She reported there had been an effort in some neighborhoods to create kid safe spaces outdoors. She noted busing may be an option for Jr. High and High Schools and then improving pedestrian access for elementary schools, so families feel comfortable letting their children walk to school. She noted collaboration with AUSD on these policies would be a good starting point.

Commissioner Motts reported safe routes to schools was an important issue for TRANSPLAN and the City could work in conjunction with TRANSPLAN to make it more official that those routes are utilized.

Commissioner Schneiderman reported that the City had just approved a Bicycle Garden and suggested other parks have safe trails that could possibly lead them to schools. She noted many streets downtown were too narrow for bike lanes.

***RESOLUTION NO. 2023-11***

***On motion by Commissioner Martin, seconded by Commissioner Motts, the Planning Commission members present adopt the Resolution recommending the City Council adopt the General Plan Amendment approving the EJ Element.***

***with the following addition –***

- ***The City should collaborate with the Antioch Unified School District on safe transportation options to schools.***

***The motion carried the following vote:***

<b><i>AYES:</i></b>	<b><i>Schneiderman, Martin, Motts, Lutz, Riley, Gutilla</i></b>
<b><i>NOES:</i></b>	<b><i>None</i></b>
<b><i>ABSTAIN:</i></b>	<b><i>None</i></b>
<b><i>ABSENT:</i></b>	<b><i>Hills</i></b>

**9. ORAL/WRITTEN COMMUNICATIONS**

**9-1. April 5, 2023 Planning Commission meeting is cancelled.**



Senior Planner Merideth announced the April 5, 2023, Planning Commission meeting was cancelled.

Commissioner Motts questioned if a tree policy could be brought forward.

Director of Community Development Ebbs explained tree policies lived in the zoning ordinance and he believed there was room for improvement. He noted there needed to be a broader discussion regarding the City's role in replanting and maintaining trees. He further noted they would coordinate with Public Works and Capital Projects to develop a program to incentivize people to replant trees that were removed and work out the procedures for tree removal.

Commissioner Motts suggested the possibility of developing a program with City sponsored maintenance.

Chair Gutilla spoke in support of being proactive, incentivizing and noticing neighborhoods in tree sensitive areas to remind them to maintain their trees and provide recommendations for replacing them.

Commissioner Motts questioned if there was room for public participation on the Tree Committee.

Commissioner Lutz stated he was unaware of the City's tree ordinance/policy and he believed by comments on social media that residents were unknowing as well. He spoke in support of an educational component which could also be addressed with noticing those residents.

Commissioner Schneiderman stated that sidewalks would also need to be looked at for tripping hazards and risks.

Director of Community Development Ebbs reported the state passed a law that delegated responsibility for maintenance of sidewalks and trees to the adjoining property owner. He noted the City could not release all liability and they had to have an active sidewalk management program that identified dangerous situations. He further noted the timing and economy had prevented the City from putting a lot of effort into that program. He suggested a discussion in relation to the Downtown Specific Plan could be brought back as a future agenda item. He stated there was an informal program where the City split costs on an Informal basis.

Commissioner Martin suggested adding a requirement that when trees were removed, they were replaced.

## **10. COMMITTEE REPORTS**

Commissioner Motts reported that the TRANSPLAN meeting had been cancelled.

**11. NEXT MEETING: April 19, 2023**

Chair Gutilla announced with the cancellation of the April 5, 2023, Planning Commission meeting, the next meeting would be held on April 19, 2023.

**12. ADJOURNMENT**

*On motion by Commissioner Motts, seconded by Commissioner Martin, the Planning Commission members present unanimously adjourned the meeting at 8:22 P.M. The motion carried the following vote:*

<b>AYES:</b>	<b>Schneiderman, Martin, Motts, Lutz, Riley, Gutilla</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Hills</b>

Respectfully submitted:  
KITTY EIDEN, Minutes Clerk