

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**March 18, 2015  
City Council Chambers**

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

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

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

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

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

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

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

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

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

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

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

## **NEW PUBLIC HEARING**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **ORAL COMMUNICATIONS**

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

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

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

### **WRITTEN COMMUNICATIONS**

None.

## **COMMITTEE REPORTS**

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

## **ADJOURNMENT**

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

Respectfully Submitted,  
Kitty Eiden