

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**March 21, 2018
City Council Chambers**

Chair Zacharatos called the meeting to order at 6:32 P.M. on Wednesday, March 21, 2018 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 28, 2018.

ROLL CALL

Present: Commissioners Turnage, Conley, Schneiderman, Vice Chair Parsons and Chair Zacharatos
Absent: Commissioners Motts and Martin
Staff: Director of Community Development, Forrest Ebbs
Assistant City Engineer, Lynne Filson
Interim City Attorney, Elizabeth Perez
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes** - None

NEW PUBLIC HEARING

2. **PD-15-01 – Oakley Knolls** - Discovery Homes requests approval of a 28-unit residential subdivision at an existing 5.56 acre vacant parcel (051-043-001 through 018). The request includes adoption of an Initial Study/Mitigated Negative Declaration, a reversion to acreage of the current subdivision, a rezoning from Planned Development to Planned Development 15-01, and approval of a 28-unit subdivision with additional parcels for three bio retention basins, a private park, and a drainage parcel. The project site has a General Plan Land Use Designation of Medium Low Density Residential and is located on the north side of Oakley Road, immediately south of the terminus of Honeynut Street, east of Willow Avenue, and west of Phillips Lane (APNs 051-430-001 through 018).

Director of Community Development Ebbs presented the staff report dated January 17, 2018, recommending the Planning Commission adopt the resolutions recommending that the City Council adopt the Initial Study/Mitigated Negative Declaration, rezone the property, and approve the Final Development Plan/Vesting Tentative Map.

In response to Vice Chair Parsons, Assistant City Engineer Filson stated she would review the sewer master plan for the City and respond back regarding the proposal for Oakley Road.

Vice Chair Parsons stated if the sewer was on the other side of the road it may be advantageous for this project to install sewer pipe in that area.

In response to Commissioner Schneiderman, Director of Community Development Ebbs stated that future plans were to redevelop the area around the BART station into a mixed use development and once the area was developed, Phillips Lane would connect.

Assistant City Engineer Filson added that the railroad tracks currently made access difficult to get to the BART station to the north so the plan was to have Viera Avenue realigned and connect into Oakley Road. Additionally, Laurel Road was intended to be extended for access to BART.

In response to Commissioner Conley, Director of Community Development Ebbs clarified that the retention basin next to the park would be fenced and screened with landscaping. He also noted that the development would be paying full park in-lieu fees.

Commissioner Conley stated that he felt a private park might create a division in the community and suggested the possibility of eliminating the park and dividing the area into two additional lots.

Director of Community Development Ebbs responded that the Planning Commission could also recommend a public access easement be granted over the park so that it functioned as a public park but the HOA would continue to maintain it. Additionally, he explained with limited side yard access, air conditioners would typically be placed in the rear yards.

In response to Chair Zacharatos, Director of Community Development Ebbs stated that at some point he would like to repeal all of the PDs and replace them with conventional zoning.

Vice Chair Parsons stated it was her understanding that the reason the lot sizes were allowed to be smaller was because there was a park.

Director of Community Development Ebbs stated the General Plan designation was 7000 sq. ft. lots; however, smaller lots may be used if there were open space park amenities to justify them. He noted he would be concerned with how this project would be consistent with the General Plan if there was no open space. He stated that he did not believe this park was large enough to draw people who would otherwise go to a neighborhood park.

In response to Commissioner Conley, Director of Community Development Ebbs explained that there was an obligation to accept the neighbor's sheet flow under the existing conditions; however, as soon as the site was redeveloped they would have to account for all of the drainage. He noted the City Engineer and the project engineer would work out a solution to avoid the neighbor's property from looking, feeling, or behaving differently after this project was developed and they were in agreement that a solution could be found.

Dana Owyong, Discovery Builders Vice President – Corporate Architect, stated they had been working on this infill development for eighteen (18) years and he appreciated working with staff on a project everyone could agree upon. He stated they were in agreement with the conditions contained in the staff report and clarified that their intent was to stain the fence in the areas visible by the public.

Kevin English, Discovery Builders, Director of Forward Planning and Land Acquisition, thanked staff for working diligently with them to fine tune the project. He noted the project as proposed was economical and brought amenities to justify the variances and setbacks. He noted the small park would not be part of the City's overall park system and would be maintained by the HOA; therefore, there were liability issues. He noted they often restricted use by fencing their parks and giving a key fob or private security codes to the HOA members. He stated they would continue to work in good faith with the Public Works Department and Civil Engineer on the drainage issue and they were happy with the solution as it stood this evening. He thanked the Commission and stated he looked forward to their support.

In response to Commissioner Conley, Assistant City Engineer Filson explained that the streets were proposed to be public and would be maintained by the City.

In response to Commissioner Schneiderman, Mr. English stated they would have liability insurance for the park and rules developed by the HOA which would be included in the closing documents.

Director of Community Development Ebbs clarified the intent was to require staining of the exterior fences in areas visible from public right of way. He reported that there was a memorandum provided this evening that struck the reference to the Mitigation Monitoring and Reporting Plan which was not produced as part of the Mitigated Negative Declaration. Additionally, he noted that a letter of objection was attached to the memo.

Chair Zacharatos closed the public hearing.

Commissioner Turnage stated he understood the project and saw the benefit; however, his personal preference was for larger lot developments. He stated he supported restricted entry for the park to address maintenance and liability issues. He suggested the applicant be provided information with regards to the City's fee schedule, should they fail to maintain landscaping.

Commissioner Conley stated he understood the project and if not approved he believed it could be developed as very high density development in the future; however, he believed there were 3-4 homes too many and there should be wider side yard setbacks. He stated development should improve the City and he did not believe this project as proposed would; therefore, he would not support it.

Chair Zacharatos stated she shared concerns regarding the lot sizes and the number of homes in the development. She noted her concern was that it would not benefit the City; therefore, she was not in support of the project as proposed. However if the number of homes were decreased, she felt it could become more feasible.

Vice Chair Parsons stated she understood the project needed to be financially feasible; however, she was also concerned for the 4 ft. side yard setbacks.

Director of Community Development Ebbs explained that a preliminary development plan went to the Planning Commission and Council in 2014 with only the lots and the project received favorably. He noted at that time there were comments that the project looked fine but direction to meet the setbacks. He further noted larger houses that required smaller setbacks were more valuable and a segment of the population did not want rear yards. He reminded the Planning Commission that this was a recommendation to the City Council and not final approval.

Commissioner Turnage stated his concern was for access of the garbage cans and noted smaller garbage cans would help with the pass through on the side yard. He further noted the trend was for smaller yards and he noted he supported the design.

In response to Chair Zacharatos, Director of Community Development Ebbs stated he had received no feedback for the project from the Antioch Police Department.

Commissioner Schneiderman stated she believed the project was well designed; however, she believed a few of the lots had very small rear yards.

Vice Chair Parsons commented that historically lots had decreased in square footage and houses had increased in size.

In response to Commissioner Schneiderman, Director of Community Development Ebbs explained that 18 foot driveways were addressed during the 2014 preliminary

development plan hearing and the Planning Commission and City Council both supported 20 feet driveways. Additionally, he noted 20 feet is the City standard.

Chair Zacharatos discussed the demand for single story floor plans.

RESOLUTION NO. 2018-09

On motion by Commissioner Turnage, seconded by Vice Chair Parsons, the Planning Commission adopted the resolution recommending the adoption of the Oakley Knolls Initial Study/Mitigate Negative Declaration (as revised in the March 21, 2018 memorandum). The motion carried the following vote:

AYES: Parsons, Turnage, Schneiderman and Zacharatos
NOES: Conley
ABSTAIN: None
ABSENT: Motts and Martin

RESOLUTION NO. 2018-10

On motion by Commissioner Turnage, seconded by Vice Chair Parsons, the Planning Commission adopted the resolution recommending approval of an ordinance for a zoning map amendment from Planned Development District (PD) to Planned Development District (PD-15-01). The motion carried the following vote:

AYES: Parsons, Turnage and Schneiderman
NOES: Conley and Zacharatos
ABSTAIN: None
ABSENT: Motts and Martin

In response to Commissioner Turnage, Assistant City Engineer Filson explained that the City could request the developer disclose in the CC&Rs the costs associated for maintenance including those performed by the City if they failed to comply.

RESOLUTION NO. 2018-11

On motion by Commissioner Turnage, seconded by Vice Chair Parsons, the Planning Commission adopted the resolution recommending approval of a Vesting Tentative Map/Final Development Plan subject to the conditions of approval. The motion carried the following vote:

AYES: Parsons, Turnage, Schneiderman and Zacharatos
NOES: Conley
ABSTAIN: None
ABSENT: Motts and Martin

ORAL COMMUNICATIONS

Director of Community Development Ebbs confirmed that everyone was going to the Planning Commissioner's Academy and if there were any questions they could contact Tammy. He announced on April 18, 2018, there would be a presentation from the City Attorney's office related to cannabis and it would be followed up in May with a presentation of an ordinance.

In response to Chair Zacharatos, Director of Community Development Ebbs explained there had been language submitted to the City for a ballot initiative that would greatly restrict development and introduce a new process in the Sand Creek focus area. Essentially, all development projects would be subject to a vote of the people except those that developed in extremely low densities. He noted signatures were now being collected and if it made it to the ballot, it would be up to voters to decide. He further noted with respect to The Ranch project, it is going through the process and in all likelihood the project would be before the Planning Commission in late spring or early summer, ahead of the November timeline. He stated if that were the case, his understanding was that it would be a valid approval and development agreement, and language in the ballot initiative was not retroactive. That said, he noted anyone could file a referendum on a project.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Zacharatos adjourned the Planning Commission at 7:26 P.M. to the next regularly scheduled meeting to be held on April 18, 2018.

Respectfully Submitted,
Kitty Eiden