

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

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

**April 1, 2009
City Council Chambers**

CALL TO ORDER

Chairman Azevedo called the meeting to order at 6:30 p.m. on Wednesday, April 4, 2009, 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 Wednesday, April 8, 2009.

ROLL CALL

Present: Commissioners Westerman, Johnson, Brandt, Langford, Travers,
Manuel and Chairman Azevedo
Staff: Deputy Director of Community Development Wehrmeister
Senior Planner Morris
Community Development Technician Stahl
Minutes Clerk Lawson

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

NEW ITEM

Chairman Azevedo recognized former Planning Commissioner Trail for her past service on the Planning Commission and her time given to the community.

Ms. Trail expressed her appreciation to the Commission and Staff.

CONSENT CALENDAR

1. Approval of Minutes March 4, 2009

Commissioner Brandt pulled the Minutes and requested a change on page 3, third paragraph, 9th line, taking out the word ~~from~~ before the wording 25 to 0 feet.

Commissioner Langford requested a change on page 2, regarding the vote for ~~yes~~, changing the second name of Commissioner Manuel out and adding Commissioner Langford's name. He also requested a change on page 7, fifth paragraph, second line,

changing the wording to read: %o. . and he stated that he did not want to see a chain link material placed on this gate.+

On motion by Commissioner Travers, and seconded by Commissioner Brandt, the Planning Commission approved the Minutes of March 4, 2009, with the amended changes.

AYES: Travers, Brandt, Westerman, Johnson, Langford, Manuel and Azevedo

END OF CONSENT CALENDAR

NEW HEARING

- 2. AR-06-02 – Stonetree and Oakridge at Monterra Architecture Changes – Standard Pacific Homes requests to modify aspects of the approved architecture of the Stonetree at Monterra and Oakridge products in order for the applicant to respond to current market conditions and build a more cost-efficient home.**

Senior Planner Morris provided a brief synopsis of the Staff Report dated March 20, 2009.

OPENED PUBLIC HEARING

Steve Melander, Standard Pacific Homes, spoke briefly to the requested changes per the Staff Report, and requested that the Commission consider the applicant's requested change No. 7, per the Staff report. He requested that he be allowed to work with staff on this issue.

Commissioner Brandt stated her appreciation to the applicant for the architectural and landscaped elements that were placed within the project.

Commissioner Brandt stated that she would prefer a more courtyard-type look, due to the applicant's request to allow the courtyard walls be offered as an option to homebuyers. Mr. Melander stated that he has not seen any type of landscaping plan that could take the place of the courtyard wall and suggested working with staff on this issue. Commissioner Brandt wanted some type of plan to meet the design of a courtyard with the use of landscaping and felt this would be an important feature to the development.

Chairman Azevedo asked if the applicant read the Resolution as presented and agreed with all terms and conditions within the Staff Report. Mr. Melander stated that he did, but in terms of the applicant's proposed changes on No. 7, he requested that some type of compromise be reached with staff and the applicant.

Mr. Melander requested that proposed change Nos. 4, 5 and 6 be removed from the Staff Report and felt these changes would not have a cumulative effect on the overall project. Chairman Azevedo stated that due to this change, this would affect Project Specific Condition Nos. 12, 13 and 14.

CLOSED PUBLIC HEARING

Commissioner Johnson stated that he would prefer to have the siding wrapped around the whole perimeter of the home.

Commissioner Westerman stated that he supported the proposed changes, per the Staff Report. In terms of proposed change No. 7, he felt that he could reach a compromise with the applicant and suggested that the hardi-plank be wrapped around the front leading to the fence line.

Commissioner Langford stated that he would prefer to have the courtyard remain in the architectural plans and felt it gave more sight to the entrance to the home. Within the courtyard, some hardscape could be eliminated and left to the homeowners on any other type of design feature. In terms of the grids, he wanted to see grids consistent throughout the home or compromise and remove the grids from some of the homes, such as the Spanish style homes. Commissioner Langford stated his dislike to hardi-planked, in terms of maintenance, but felt he could compromise and have it wrapped around the front of the home leading to the fence line and have the remaining consist of stucco.

Commissioner Brandt stated her appreciation to the fact that the applicant kept the standards high on the homes. She felt the courtyards were critical, in terms of leaving the front entrance in view and also suggested that some hardscape could be eliminated and left to the discretion of the homeowner. In terms of the siding, she felt that she could agree with the siding wrapping around the side to the fence line.

Chairman Azevedo stated that he would like to see the courtyard walls remain and if this is agreed to amongst the Commission, a compromise could be that the window grids be eliminated. In terms of the siding, he stated that he could agree to the siding being wrapped around to the fence line.

RESOLUTION NO. 2009-13

On motion by Commissioner Langford, and seconded by Commissioner Travers, the Planning Commission approved a request from Standard Pacific Homes to modify aspects of the approved architecture of the Stonetree at Monterra and Oakridge at Monterra products. The properties are located northeast of the intersection of Wildhorse Drive and Ridgeline Drive. (AR-06-02), with the amended changes:

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- **Amend Project Specific Condition No. 10 to read: "That courtyard walls shall remain as previously approved, but the hardscape within the courtyard will be offered as an option by the developer."**
 - **Amend Project Specific Condition No. 11 to read: "That grids be consistent throughout all homes except for the Spanish and Italian style homes which shall have no grids."**
 - **Eliminate Project Specific Condition Nos. 12, 13 and 14.**
 - **Add a new Project Specific Condition No. 12 to read: "That the hardi-plank siding be wrapped around the front to the fence line and the sides and the rear of the home shall consist of stucco."**

AYES: Langford, Travers, Westerman, Johnson, Brandt, Manuel and Azevedo

3. **UP-05-36/AR-05-31/V-09-03 – Steve Fosenburg requests approval of modifications to an existing Use Permit/Architectural approval and a variance for the Antioch Indoor Sports Center located at 1210 Sunset Drive. The modifications to the Use Permit/Architectural approval include changes to the building elevations, landscaping and hours of operation. The variance is for removal of the required masonry brick wall on the west property line (APN 068-253-003).**

Community Development Technician Stahl provided a brief summary of the Staff Report dated March 27, 2009, and presented a Power Point presentation relating to the proposed modifications.

OPENED PUBLIC HEARING

Steve Fosenburg, applicant, spoke to the background of the project and distributed to the Commission a package that contained information relating to the project. Mr. Fosenburg addressed the following issues:

- It was his understanding that the use of corrugated steel or steel is prohibited by the City to be placed on buildings, and questioned why Costco had recently used corrugated steel and it was approved.
- He felt the shrubs along the western property line would become tall enough to sufficiently cover the area and the wall is not needed.
- He questioned why his building permit fees had been raised.
- Regarding building elevations, he felt that the existing landscaping would be sufficient.
- Regarding the rear of the building, he felt that it would be unfair to require a cash bond, due to the unknown time of the freeway completion.
- He noted that a letter was attached to the paperwork that he had distributed to the Commission, wherein it stated that a wall was not needed between the resident and his business.

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- He spoke to additional hockey leagues that he will be bringing in to his business with additional revenue to the City.
 - He requested a change of hours, due to increased hockey activities.

The applicant's landscaper spoke to the landscaping aspects of the project.

Mr. Fosenburg further distributed to the Commission written information regarding his fees to the City.

Commissioner Langford felt this project would fill a need and is an asset to the City, but expressed a concern to the lack of communication or the initiative that was taken to complete the building without following the City's plans and previously approved Conditions of Approval. He felt the applicant built the building to his own standards and is now requesting the City to approve it and asked what the applicant would do to complete the building, per the original documents. Mr. Fosenburg stated that he felt he was misled by the City, in terms of the fees being raised substantially higher than expected and due to this, he felt he needed to keep moving forward with the completion of his building. He noted that he has run out of cash and due to the current economic times, he is struggling to come up with additional funding to satisfy staff.

Commissioner Brandt asked Mr. Fosenburg if he had read and agreed to the proposed Conditions of Approval, per the Staff Report dated April 1, 2009. Mr. Fosenburg stated that he had not, wherein Commissioner Brandt requested that a break be taken in order for the applicant to review the conditions.

Commissioner Brandt asked the applicant if he would agree to placing trellises along the rear of the building, as opposed to the cash bond for landscaping, in order to visually break up the building. She also felt this could deter graffiti. Deputy Director of Community Development (DDCD) Wehrmeister stated that the condition would need to read that Upon completion of the Highway 4 widening, the applicant will install the landscaping, per the plan, and prior to the completion of the Highway 4 widening, trellises will be installed at the rear of the building.

A brief recess was taken in order for the applicant to review the Conditions of Approval at 8:10 p.m. and reconvened at 8:20 p.m., with all Commissioners and staff present.

Commissioner Brandt asked Mr. Fosenburg if he had read and agreed to the proposed Conditions of Approval, per the Staff Report presented tonight. Mr. Fosenburg stated that he did not agree with all conditions and spoke to the following:

- Project Specific Condition No. 13: He did not agree with this condition, unless the following conditions were changed to his satisfaction.
- Project Specific Condition No. 14: He felt this condition did not apply at this time.
- Project Specific Condition No. 16: He felt this condition would not be cost effective, and requested that the material of ~~stucco~~ be used and not ~~stucco~~.

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- Project Specific Condition No. 17: He requested that the wording "powder coated and painted trellises" be removed and wording added to the effect that he would paint the building within 7 days of any graffiti.
 - Project Specific Condition No. 18: He requested that this condition be removed.
 - Project Specific Condition No. 19: He requested that this condition be removed and the east elevation remains as is.
 - Project Specific Condition No. 20: He requested that this condition be removed.
 - Project Specific Condition No. 21: He requested that this condition be removed.

Commissioner Brandt stated her appreciation to Mr. Fosenburg for his time spent on this project and acknowledged all the work previously done by the Planning Commission and Design Review Board. However, she wanted to ensure that due to the proper procedures not having been previously followed, that the applicant will now follow all Conditions of Approval that are approved tonight.

CLOSED PUBLIC HEARING

Chairman Travers felt that this project would be unique to the community and agreed to make an exception to the Municipal Code, due to the fact that the applicant has made personal sacrifices and served the community in a positive manner. He also felt the applicant should be given unprecedented latitude due to this unique situation, but wanted to make it clear that a new precedent would not be set.

Commissioner Westerman stated his support and noted that he agreed with Commissioner Travers.

Commissioner Johnson stated his support, but disliked the changes made by the applicant without staff's approval. He understood that these are unprecedented times, but wanted to make it clear that applicants cannot make their own changes and then come before the City and ask for approval. He stated that he did support the proposed changes, per the applicant.

Commissioner Brandt stated that she supported the project and understood the present economic and unprecedented times that are occurring. She understood the costs that have been involved, on the part of the applicant, and felt that it was not the Commission's desire to be obsessive with architectural elements but wanted the aesthetics to be desirable. At this point, she felt she could support some of the applicant's requests to ensure that the aesthetics are consistent around the perimeter of the building.

Commissioner Langford stated that he was having a difficult time in his decision, due to the building not having been constructed per the original plan. He felt this type of business was unique and would be an asset to the community and felt he could support the use of the building, but was undecided regarding the architectural aspects of the project.

Chairman Azevedo stated that he felt that due to other modifications being made to this project and due to the present economy, this was not setting a precedent within the community. He wanted to ensure that the landscaping is kept at Class A and continued to the south side of the building. He strongly recommended that the applicant purchase trellises on the south side, as well as place landscaping within this area.

RESOLUTION NO. 2009-14

On motion by Commissioner Travers, and seconded by Commissioner Brandt, the Planning Commission approved a Variance to eliminate the required masonry brick wall at the Antioch Indoor Sports Center.

AYES: Travers, Brandt, Westerman, Johnson, Langford, Manuel and Azevedo

RESOLUTION NO. 2009-15

On motion by Commissioner Travers, and seconded by Commissioner Westerman, the Planning Commission approved the modifications to the existing Use Permit and Design Approvals for the Antioch Indoor Sports Center with the amended changes:

- ***Project Specific Condition No. 16 to read: That texcoat be applied to the north elevation as reflected on the approved building permit sheet A-3.1 stamped approved June 5, 2008.***
- ***Add to Project Specific Condition No. 17 that would read: “That the applicant will have 18 months to install four (4) trellises on the south elevation of the building. The trellis design and installation location to be approved by staff.”***
- ***That Project Specific Condition No. 18 is removed.***
- ***That Project Specific Condition No. 19 is removed.***
- ***That Project Specific Condition No. 20 is removed.***
- ***That Project Specific Condition No. 21 is removed.***
- ***That a Project Specific Condition No. 24 is added to read: “That the applicant will remove any graffiti within five (5) calendar days.”***

AYES: Travers, Westerman, Johnson, Brandt, Langford and Azevedo
NOES: Manuel

ORAL COMMUNICATIONS

Deputy Director of Community Development (DDCD) Wehrmeister provided a presentation regarding the Development Review Process Improvement.

WRITTEN COMMUNICATIONS

Chairman Azevedo reviewed the received correspondence.

COMMITTEE REPORTS

Commissioner Brandt reported that per the Housing Element Subcommittee, that written document was distributed to the Commission.

ADJOURNMENT:

Chairman Azevedo adjourned the Planning Commission at 9:50 p.m. to the next regularly scheduled meeting on April 15, 2009.

Respectfully Submitted,

Debra Lawson