

**CITY OF ANTIOCH  
PLANNING COMMISSION MINUTES**

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

**June 1, 2011  
City Council Chambers**

**CALL TO ORDER**

Chairman Westerman called the meeting to order at 6:30 p.m. on Wednesday, June 1, 2011, 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, June 9, 2011.

**ROLL CALL**

Present: Commissioners Westerman, Baatrup, Langford, Azevedo, Johnson, and Travers  
Absent: Commissioner Manuel  
Staff: Community Development Director, Tina Wehrmeister  
City Attorney, Lynn Tracy Nerland  
Assistant Engineer, Ken Warren  
Minutes Clerk, Cheryl Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes: May 4, 2011

*On motion by Commissioner Azevedo, and seconded by Vice Chair Baatrup, the Planning Commission approved the Minutes of May 4, 2011.*

**AYES:** Westerman, Baatrup, Langford, Azevedo, and Travers  
**NOES:** None  
**ABSTAIN:** Johnson  
**ABSENT:** Manuel

**END OF CONSENT CALENDAR**

## **CONTINUED PUBLIC HEARING**

2. **Z-11-02, GP-11-01, PW 683, PD-08-03, UP-08-14 – Tierra Villas** – Mission Peak Homes requests approval of an ordinance to rezone from Planned Development to Planned Development and approval of a Vesting Tentative Map, a Final Planned Development, and a Use Permit in order to create 115 lots intended for single family home development. A General Plan amendment is also requested to the Circulation Element to not connect Prewett Ranch Road from its current terminus to Heidorn Ranch Drive. Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Report Program is also being considered. The project is generally located in the southeastern portion of Antioch along the western side of Heidorn Ranch Road, south of Lone Tree Way (**APNs: 056-130-013, -015, -017, and -018**).

Staff recommended that this item be continued to July 6, 2011.

**On motion by Commissioner Azevedo, seconded by Commissioner Langford, the Planning Commission members present unanimously continued Z-11-02, GP-11-01, PW 683, PD-08-03, UP-08-14 to July 6, 2011.**

## **NEW PUBLIC HEARINGS**

3. **UP-11-06, V-11-03 – Chase Bank, Inc.** requests approval of a use permit for a drive through ATM and approval of a variance for the landscape setbacks on both Somersville Road and Delta Fair Boulevard. The project is located at 2010 Somersville Road (**APN: 074-122-036**).

Tina Wehrmeister, Community Development Director, provided a summary of the staff report dated May 26, 2011.

## **OPENED PUBLIC HEARING**

Robert Abbott, applicant, stated that he appreciated the staff and that he supports the recommendations.

City Attorney Nerland clarified with the applicant that they agreed to all conditions and clarified that this was not for religious assembly and the resolution was subject to a title change.

Commissioner Azevedo questioned applicant about security and whether the one security guard would continue to which applicant stated yes during bank operation hours but that the ATM would be open later.

Vice Chair Bastrup asked applicant if the project went through a traffic analysis given that this is a highly congested area. Applicant stated that the widening of the drive was part of the Caltrans freeway widening project and that although a traffic analysis was not done they are shifting the Delta Fair access further from the intersection.

Commissioner Azevedo clarified with applicant that the current entrance was going to continue to be open, that there will be two entrances into the parking lot, and that they are improving access for pedestrians.

**CLOSED PUBLIC HEARING**

Commissioner Johnson stated that he can definitely support the applicant's proposal.

Commissioner Travers stated he too was in support of the project given that this is taking vacant property next to the bank and beautifying it a bit with better landscaping.

Commissioner Langford questioned staff about the trees on the perimeter and whether there were tree specs or specific street trees per the City to which CDD Wehrmeister stated that Public Works does have a list of recommended trees. Commissioner Langford then asked that given that this is a major intersection, if there was any theme at that intersection for trees or if they were random to which CDD Wehrmeister stated that although there is no adopted theme that the Planning Commission may want to consider looking at adjacent parcels such as Auto Zone which was recently approved.

Vice Chair Baatrup asked staff if the ingress and egress between Dennys and this ATM access has been analyzed so as to not create traffic congestion at this point. Assistant Engineer Warren stated that although it has not been analyzed as far as he knows, it appears to meet the minimum standards and that realistically, it is about as good as it can get.

Vice Chair Baatrup stated that he supports improvement to this corner as opposed to leaving it vacant and feels the project should move forward.

Chairman Westerman concurred with the other commissioners that the parcel has been an eye sore for some time, that parking at the bank will improve and that he supports the project.

Commissioner Azevedo stated that a Specific Condition 44 may need to be created regarding attempting to create a theme or keep consistency in the area with the trees, or possibly that Condition 40 be amended.

CDD Wehrmeister suggested adding Specific Condition 44 stating that the street trees selected for the project shall be consistent with surrounding corner parcels including the newly approved Auto Zone project.

Commissioner Azevedo confirmed with City Attorney Nerland that there would not be separate actions on the variance and the use permit and that there is only one resolution.

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**RESOLUTION NO. 2011-05**

**On Motion by Commissioner Johnson and seconded by Commissioner Azevedo, the Planning Commission approves UP-11-06, V-11-03, subject to all conditions and adding Project Specific Condition 44 as follows:**

**44. That the street trees selected for the project shall be consistent with surrounding corner parcels including the newly approved Auto Zone project.**

**AYES:** *Westerman, Baatrup, Langford, Azevedo, Johnson and Travers*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Manuel*

**4. UP-11-07/AR-11-04 – Meritage Homes** requests approval of a Use Permit and Design Review to introduce a new project type to the residential subdivision located at Hillcrest Avenue and Hidden Glen Drive (various parcel numbers).

Tina Wehrmeister, Community Development Director, provided a summary of the staff report dated May 26, 2011. She also stated that a standard condition was left out and needs to be added ~~No~~ permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.+

Commissioner Johnson confirmed with CDD Wehrmeister that there is no problem with this applicant paying fees but that they have had problems with applicants in general.

Commissioner Langford confirmed with CDD Wehrmeister that the new design guidelines are in effect on this project.

Commissioner Baatrup asked staff about the properties retained by Arcadia to which CDD Wehrmeister responded that Arcadia has certain improvements to complete prior to selling those lots.

**OPENED PUBLIC HEARING**

Scott Kramer, Meritage Homes, stated that they were excited to be doing business in Antioch, and that this is the second largest purchase for their company in the last five years. He presented a presentation showing the total project of 371 lots, 2 lot sizes, the stats on the large lots and Meritage's proposal, the architectural highlights, the proposed styles and the reasons for the new architecture, one of which is to create a greater mix of single story homes. He indicated that the architect was present to answer questions.

Chairman Westerman confirmed with applicant that they had read the conditions and concurred with them to which applicant said that they agree in general but there are proposed conditions for discussion.

Commissioner Azevedo asked applicant about landscaping for the houses to which applicant stated that front yard landscaping was provided and in many cases back yard options are offered.

Commissioner Johnson questioned applicant about the market driving single stories, why more single stories weren't proposed for the seven to be added to which applicant said that they wanted to provide variety and given the lot sizes, did not want to go with smaller square footage. Commissioner Johnson confirmed that the homes would be energy and eco friendly and that the original five plans would continue to be offered in addition to the seven proposed.

Commissioner Langford confirmed with applicant that a plant pallet was attached to the plan set and discussed that a variance was not needed given the setback standards in subdivisions. Commissioner Langford also clarified with the applicant that many of the lots allow for RV parking.

Discussion ensued between staff, the architect and the Planning Commissioners regarding the peer review recommendations regarding side and rear elevations detail, stucco options, masonry applications, incorporation of additional windows, and the popout details for the master bedroom.

CDD Wehrmeister clarified that the 2004 Resolution would apply to the five homes already approved.

CDD Wehrmeister stated that although a response letter is attached, that staff and the applicant have not met face to face to discuss the peer review recommendations.

Commissioner Langford expressed his desire to sit in on meetings with the Zoning Administrator or with staff. It was the consensus of the Planning Commission that meetings to work out the specifics to conform to the design guidelines would be better than having this come back before the Planning Commission multiple times.

CDD Wehrmeister suggested that specificity of items to be addressed be contained in the motion to be dealt with at staff level and said that a condition could be added that applicant, staff and one or two members of the Planning Commission meet to revise elevations to comply with the design guidelines and reflect discussion of Planning Commission meeting of June 1<sup>st</sup>.

The architect stated that it was clear what they are being asked to do. Vice Chair Baatrup expressed concern with the front entry courtyards on Plan 2 and the safety of the dark areas to which the architect stated that these courtyards created variety, has been very popular for privacy and that they haven't experienced any negativity.

Commissioner Langford suggested enhancing the front of it by putting wrought iron and Commissioner Westerman suggested deferring the specifics of the courtyard to staff.

Commissioner Travers discussed with applicant the timeline for development being a 72 day build schedule with sale to finish in about three months.

City Attorney Nerland suggested a break to work out details of conditions.

Commissioner Langford discussed with the architect that although fireplaces are an option, that there will not be chimney caps since these are not wood burning stoves.

A brief recess was taken and all Planning Commissioners were present at the conclusion of the recess.

CDD Wehrmeister suggested the following additional conditions:

20. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
21. Architectural detail, consistent with Spanish design, be added to Elevation A on all plans, such as tile, stone, wood, iron details and recessed windows unless otherwise approved by Community Development Director.
22. That at least three stucco application varieties be submitted for use on specific elevations.
23. That masonry veneer on appropriate elevations be increased to the satisfaction of the Community Development Director.
24. That plans 3, 5, 6 and 7 incorporate additional windows with appropriate design treatments as suggested in peer review comments prepared for this project dated May 21, 2011, unless otherwise approved by the Community Development Director.
25. That the enhanced architectural detail (pop out) at the master bedroom on Plan 4 shall be increased to 12 inches deep.
26. That the developer shall provide a front courtyard gate for Plan 2. Design of the gate shall be consistent with the various elevation styles and submitted to staff for approval.

**CLOSED PUBLIC HEARING**

Commissioner Azevedo stated that applicant was not asked if he agreed with these to which City Attorney Nerland stated we could reopen the public hearing.

**REOPEN PUBLIC HEARING**

Chairman Westerman asked applicant if he was agreeable to the additional conditions

to which applicant responded that they agreed with all conditions in the report as well as the ones which were added.

### **RECLOSED PUBLIC HEARING**

Commissioner Travers stated that Meritage builds exceptional homes, that he is happy that they are building in Antioch, that single story homes are in very high demand, that he is confident that the Community Development Director can iron out the conditions, and that he is in favor of the project.

Commissioner Azevedo stated that he appreciated single story homes, appreciated their willingness to work with staff and providing twelve models for buyers to choose from, he supports the project.

Commissioner Langford stated that he was glad to see the project move forward and is looking forward to the project.

Commissioner Johnson stated that he definitely supported the project after negotiations on details are worked out holding true to design guidelines, and he looks forward to the project being completed.

Vice Chair Baatrup thanked applicant for their patience.

Chairman Westerman concurred with the other commissions and stated that it was good to see housing construction, that this is the first large project in three years and that he would support the project.

Commissioner Langford confirmed with City Attorney Nerland that although the resolution does not include that a member of the Planning Commission attend the meetings, that if someone wants to sit in to contact Tina Wehrmeister provided that a quorum does not attend pursuant to the Brown Act.

### **RESOLUTION NO. 2011-06**

**On Motion by Commissioner Travers and seconded by Commissioner Azevedo, the Planning Commission approves UP-11-07, AR-11-04, subject to all conditions with the following additional conditions:**

- 20. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.**
- 21. Architectural detail, consistent with Spanish design, be added to Elevation A on all plans, such as tile, stone, wood, iron details and recessed windows unless otherwise approved by Community Development Director.**

22. That at least three stucco application varieties be submitted for use on specific elevations.
23. That masonry veneer on appropriate elevations be increased to the satisfaction of the Community Development Director.
24. That plans 3, 5, 6 and 7 incorporate additional windows with appropriate design treatments as suggested in peer review comments prepared for this project dated May 21, 2011, unless otherwise approved by the Community Development Director.
25. That the enhanced architectural detail on master bedroom shall be increased to 12 inches deep.
26. That the developer shall provide a front courtyard gate for Plan 2. Design of the gate shall be consistent with the various elevation styles and submitted to staff for approval.

**AYES:** *Westerman, Baatrup, Langford, Azevedo, Johnson and Travers*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Manuel*

### **ORAL COMMUNICATIONS**

City Attorney Nerland stated that she was not present at the last meeting, that she is not going to be at the next meeting, but that she wanted to remind the commissioners about the ethics training every two years and that she will be sending out more official notices.

City Attorney Nerland reminded the commissioners that the ethical basis for the Brown Act is governmental transparency and if further discussion was necessary that she was available.

### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

None.

### **ADJOURNMENT**

Chairman Westerman adjourned the Planning Commission at 8:45 p.m. to the next regularly scheduled meeting on June 15, 2011.

Respectfully Submitted,  
Cheryl Hammers