

**CITY OF ANTIOCH  
PLANNING COMMISSION MINUTES**

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

**June 2, 2010  
City Council Chambers**

**CALL TO ORDER**

Chairman Johnson called the meeting to order at 6:30 p.m. on Wednesday, June 2, 2010, 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 10, 2010.

**ROLL CALL**

Present: Commissioners Johnson, Westerman, Langford, Azevedo, Baatrup and Manuel  
Absent: Commissioner Travers  
Staff: Senior Planner Morris  
Community Development Technician Stahl  
Environmental Resource Coordinator Haas-Wajdowicz  
Minutes Clerk Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None

**CONSENT CALENDAR**

1. Approval of Minutes April 21, 2010

*On motion by Commissioner Langford, and seconded by Commissioner Azevedo, the Planning Commission approved the Minutes of April 21, 2010.*

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

**END OF CONSENT CALENDAR**

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**CONTINUED PUBLIC HEARING**

- 2. UP-07-14/AR-07-19 T-Mobile** is requesting approval of a use permit to install new cellular antennas and roof top equipment at Kaiser Medical Center located at 4501 Sand Creek Road. The project is located at 5201 Deer Valley Road (**APN 057-022-017**).

Staff recommended that this item be continued to July 7, 2010.

**On motion by Commissioner Azevedo, seconded by Commissioner Baatrup, the Planning Commission members present unanimously continued UP-07-14/AR-07-19 to July 7, 2010.**

**NEW PUBLIC HEARINGS**

- 3. UP-08-20 – Qin’s Bistro and Bar** requests a sixty day review of their use permit for live entertainment at the existing restaurant located at 5007 Lone Tree Way in the Lone Tree Landing Shopping Center. The Planning Commission will consider revocation, modification, or affirmation of the existing use permit (**APN 056-012-024,025**).

Staff recommended that this item be continued to June 16, 2010.

**On motion by Commissioner Azevedo, seconded by Commissioner Westerman, the Planning Commission members present unanimously continued UP-08-20 to June 16, 2010.**

- 4. UP-05-36/AR-05-31/V-05-07 – Steve Fosenburg** requests a one year review of the necessity of maintaining the existing joint parking agreements for the Antioch Indoor Sports Center located at 1210 Sunset Drive (**APN: 068-253-003**).

Kim Stahl, Community Development Technician, requested that this item be moved down on the agenda given that the applicant has not yet arrived.

- 5. UP-09-13 – Kamps Propane** requests approval of a new propane storage and distribution facility. The adoption of the Mitigated Negative Declaration will also be considered. The project site is located at 2100 Wilbur Avenue just west of Wilbur Lane (**APN: 051-100-028**).

Kim Stahl, Community Development Technician, provided a summary of the staff report dated May 27, 2010. She also stated that a memo was on the dais this evening for the Commission which proposed deleting conditions 37 and 42, modifying condition 73 and adding condition 80.

Commissioner Langford questioned staff about Wilbur Lane eventually being widened fronting Wilbur to which City Engineer Brandt stated that eventually Wilbur Avenue will be a four lane arterial and that the project will continue taking access on the little driveway and building in turn pockets.

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**OPENED PUBLIC HEARING**

Applicant, Jay Oliver, manager, stated that he has been doing this for 15 years for Kamps, and that he is working on an identical project in Sonora which will make eight of these projects in 15 years. Applicant stated that he is concerned about the change in colors and that given that Tahoe Blue is a corporate color, would like to change the trim color to Tahoe Blue. He also stated that one issue they are dealing with is the railroad easement for landscaping and access and that although they do not have answers yet, two railway crossings are considerably expensive. He stated that the development on Wilbur will affect the project and they are not certain if the railroad tracks will be removed or left in existence.

Commissioner Langford questioned applicant about the landscape plan and the area north of the roadway being landscaped and the fence coming down the road to which applicant stated that although they intend to do something, they are not sure how far they can go given the railroad easement, that they are not sure who owns the fence given that it may be owned by the railroad and that given the steep 12 foot drop in elevation on Wilbur there is not much that can be done in that area for landscaping.

Commissioner Azevedo clarified with applicant the change in trim color from Charcoal Gray to Tahoe Blue given that they are corporate colors.

Chairman Johnson questioned applicant about how the Charcoal Gray color became part of the project to which applicant stated that staff may have seen the roof covering having Charcoal Gray shingles, but that their preference is to keep the Tahoe Blue color. Chairman Johnson then questioned applicant if the railroad easement issue would prevent them from moving forward to which applicant replied that although they will need to contact the railroad regarding the easement and the affect of the Wilbur Avenue widening, that this will not prevent them from moving forward with the project.

Chairman Johnson asked applicant if there were any conditions which caused any problems to which applicant stated that he had issues with requiring the barbed wire on top of the six foot fence and that although the vinyl clad fencing would be acceptable, that they did not see the necessity of slats in the back by the railroad line and the east and west which would face large industrial uses.

Chairman Johnson asked applicant if the parking space requirements were acceptable to which applicant stated that given they will only have about twenty employees, that there is a lot of space available for parking.

Applicant stated that another item of concern was with the trash enclosures being required to be plumbed and to drain to the sanitary sewer line given they are on a septic system and requested that Condition 57 be eliminated.

Commissioner Langford stated that although he feels it would still need to be plumbed, rain would not go down the drain given that the area was protected and would be needed for washing down any leaking from the system. Applicant stated that although

this was not a big issue, he would need to check with Contra Costa County because there are things that should not be put into a septic system.

Chairman Johnson confirmed with staff that the condition could be changed to align with Contra Costa County Health requirements regarding draining into a septic system.

Commissioner Langford questioned applicant about the trim being around the windows to which applicant stated that there is a frame around the windows, trim along the roofline at the base of the gutters and rollup doors which would all be painted Tahoe Blue.

Commissioner Langford confirmed with the applicant that the front supports on the overhang could be switched from Douglas fir to metal.

Discussion ensued between Commissioners Langford, Baatrup, Azevedo and staff regarding condition 79 and the signage being a cabinet sign with a plastic decal being lit from inside and the concerns of requiring a raised letter sign for a nicer look.

Senior Planner Morris stated that although the City is discouraging cabinet signs, this is a unique location given the industrial area which is zoned planned business.

Chairman Johnson confirmed with applicant that although this is a balancing act in an old industrial area, that Kamps always uses the internally lit box sign with their logo on the building and that given that the sign sits 75 to 80 feet off the road, the monument sign they are proposing on Wilbur will create a higher impact.

Commissioner Langford and staff discussed with applicant the omission of the monument sign on the plans and that there is generally a different plan sheet detailing the signage to which applicant stated that he assumed the signage was done with the package, the signs have been designed and the plans have been completed and that he is able to pdf those if needed.

Commissioner Azevedo questioned staff about the new design guidelines and what is required about signs to which Senior Planner Morris stated that although this project is not subject to the new design guidelines, there is no guidelines for sign criteria for industrial uses.

Commissioner Azevedo asked applicant about the monument sign being in the right of way for the railroad tracks to which applicant stated that although the easement is 70 feet wide, it would be outside the easement and given that the drawings were not complete, he would check with his architect.

Commissioner Manuel questioned applicant about the east elevation being so blank and the possibility of adding four more windows whether they be actual windows or just painted on windows to which applicant stated that although this side faces the parking lot of the can company and not wanting to look at trucks that given this is not the shop section, it would not be a problem to add three more windows to total five windows on the east side.

Commissioner Azevedo confirmed with applicant that the shop area would be for repair and to store records and tools and that there would be no storage of propane inside the building, given that there are very strict rules to follow and that an empty tank would need to be secure before bringing it into the building.

Commissioner Langford discussed with Commissioner Manuel the need for the windows given that side is fenced from view with an 8' vinyl fence and that coming down Wilbur not much of the building would be seen to which applicant stated that given they are limited to the standard 6' vinyl clad fence, the building would not be blocked from Wilbur on the east side and then they could accommodate the windows.

Chairman Johnson confirmed with CDT Stahl that the 6' fence was acceptable.

### **CLOSED PUBLIC HEARING**

Commissioner Manuel stated that he appreciated the flexibility of the applicant and he confirmed with applicant that he had read all conditions and was in agreement with all conditions presented as well as the specific conditions.

Commissioner Azevedo clarified that Condition 57 would be changed to say that it would be pumped to the sanitary sewer or meet with Contra Costa County Health regulations, that Condition 70 would reflect Tahoe Blue paint and not Charcoal Gray, and that Conditions 37 and 42 would be deleted. He then clarified with CDT Stahl that Condition 73 states staff's preference that the outside storage shed be screened with 6' vinyl fence with slats.

Commissioner Azevedo stated that although he knows about trade brands, that there are standards in the City for signage and if the monument sign would not be built that the building sign would need to be upgraded. Applicant stated that if the monument sign out front with raised letters was not built, that they would change the signage on the building to raised lettering. He also clarified that if the monument is installed, it would be illuminated, but that the building sign would not be illuminated.

Commissioner Azevedo stated that this was a good project and feels that coming to an agreement with signage and painting the Tahoe Blue, he could support the project.

Commissioner Langford concurred that this was a great project and that although there are a couple minor issues, most of the concerns have been clarified.

Chairman Johnson stated that he appreciated the applicant working with the commission, that this is a great project to bring to Antioch and that he can support the project. He went on to state that there are two issues before the commission, to approve or deny the mitigated negative declaration and a motion to adopt the project.

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**RESOLUTION NO. 2010-18**

**On Motion by Commissioner Langford and seconded by Commissioner Azevedo, the Planning Commission Adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Kamps Propane project.**

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

**RESOLUTION NO. 2010-19**

**On Motion by Commissioner Azevedo and seconded by Commissioner Manuel, the Planning Commission Approves UP-09-13, a propane storage and distribution facility located at 2100 Wilbur Avenue, subject to the following changes:**

- **Delete Conditions 37 and 42.**
- **Change Condition 73 to read “that outside storage shall be maintained in a designated area which shall be screened by a six (6) foot chain vinyl clad link fence with slats as approved by staff”.**
- **Change Specific Condition 70 to read “That the overhang support posts, steel man and roll up doors, and the window and door trim shall be painted a Tahoe Blue color as approved by staff.”**
- **Adding Specific Condition 80 to read “Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.”**
- **Amending Specific Condition 57 to read “That a trash enclosure is required. The trash enclosure shall be covered by a roof structure to prevent runoff and that the interior be plumbed to the sanitary sewer or shall meet the Contra Costa County Health Department requirements for drainage ”.**
- **Add Specific Condition 81 to read “That the applicant shall submit an application for a monument sign on Wilbur Avenue prior to the submittal of a building permit for the project. If a monument sign is not built, then the building signage shall be changed to individually mounted channel letters”.**
- **Add Specific Condition 82 to read “Three windows shall be added to the northeast elevation, as approved by staff.**
- **Add Specific Condition 83 to read “The material of the front supports on the overhang shall be changed from Douglas fir to powder coated metal”.**

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

4. **UP-05-36/AR-05-31/V-05-07 – Steve Fosenburg** requests a one year review of the necessity of maintaining the existing joint parking agreements for the Antioch Indoor Sports Center located at 1210 Sunset Drive (**APN: 068-253-003**).

Kim Stahl, Community Development Technician, provided a summary of the staff report dated May 27, 2010.

Chairman Johnson confirmed with CDT Stahl that while on street parking is permitted in commercial and residential areas and could not be prohibited, off-street parking would allow patrons to park easily and get off of the streets.

#### **OPENED PUBLIC HEARING**

Applicant, Steve Fosenburg, owner, spoke to say that as far as the parking situation, he is trying to work with the owners of the lot across the street but because the current lease is through August 1<sup>st</sup>, negotiations could not take place until that time. He stated that customers will park in front on the street before they will park down the street and that he is looking into buying property next door.

Chairman Johnson clarified with applicant that the location of the lot he is negotiating is across the street to the left of the building. Applicant stated that the owners are currently getting \$3500.00 per month but that he is hoping to negotiate a better deal.

Chairman Johnson asked staff if this arrangement was acceptable to staff to which CDT Stahl stated that this would eliminate the parking problems and would eliminate the need for this to come back to the Planning Commission.

Commissioner Langford clarified with applicant that even if applicant does not obtain the lease on this lot that he still has two parking agreements down the street and that customers will still be able to park on the street.

CDT Stahl stated that the resolution does require that applicant maintain the existing parking arrangement but gives some flexibility in the future which staff can approve.

#### **CLOSED PUBLIC HEARING**

Commissioner Azevedo stated that given that he drives the street a lot even on weekends or evenings, that everyone is legally parked and that parking is not bad even with the church parking. He stated that both entities are doing a good job to make sure patrons are being respectful in the area, that there have been no police calls and that he could support this item.

Commissioner Langford stated that he sees no problems with the business or the parking in that area, that the facility is appreciated and great for the City. He stated that his only concern is with the banners that are not permitted and he would like to see those taken down to conform to prior conditions.

Chairman Johnson discussed with Commissioner Langford that due to the lack of code enforcement staff, that business would need to take the removal of the banners on themselves. Chairman Johnson asked applicant if he could address the issue of the banners to which applicant stated that although there is no permanent sign on the back of his building the banners are needed for the people driving on the freeway, but he would take them down right away.

CDT Stahl interjected that banners can be legally permitted with an Administrative Use Permit for 10 days per quarter through the Planning Department.

Commissioner Langford instructed applicant that he could apply to have a sign put onto the back of his building to which applicant stated that money was an issue with doing that.

**RESOLUTION NO. 2010-17**

**On Motion by Commissioner Azevedo and seconded by Commissioner Langford, the Planning Commission Upholds the approved Resolution 2006-19, requiring parking agreements for the Antioch Indoor Sports Complex, subject to all conditions.**

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

**NEW ITEM**

5. Presentation of the draft Community Climate Action Plan (CCAP) for public input by the Green MBA Program of Dominican University. The draft CCAP will outline the possible programs and policies the City hopes to implement to reach the greenhouse gas emissions reduction goals set by City Council Resolution 2009/57.

Environmental Resource Coordinator Julie Haas-Wajdowicz made reference to the project team who would be conducting the presentation.

Chairman Johnson clarified that the project team were students as well as consultants.

Owen Lawrence stated that he was a former student of the program and that he has been working with Julie and a dozen students.

Mr. Lawrence went through his portion of the presentation with the Commission including the project scope: extensive community outreach, the website, workshops, performed detailed analysis of greenhouse gas reduction, and the CCAP report for the City Council. He stated the reasons why Antioch needs CCAP and the potential benefits: keeping money locally, reducing energy costs, improving air quality, job



creation, and addressing traffic congestion. He went on to say that there are State & Federal Financial incentives and key legislative mandates.

Isis Spinola-Schwartz guided the Commission through her portion of the presentation and went over the footprint of Antioch, the software being used, the funding sources, emissions, promotion, education, energy, green building and Antioch waste strategies. She stated that the project team is looking for feedback.

Commissioner Manuel thanked the team. He questioned the team regarding how compliance with the state and making sure that the same components are measured from city to city to be sure all elements are covered.

ERC Haas-Wajdowicz stated that there is a Contra Costa County leaders group, that a lot of information is shared at staff level, and that projects at countywide solid waste program are discussed quarterly. She said that although not all cities in Contra Costa County are working on climate work and the State is actively not requiring this, Antioch believes this should be done and that all cities themselves need to get on board.

Chairman Johnson asked Mr. Lawrence if there was a basic simply formula used for calculating inventory to which he stated that they are looking at energy use, they can then ask PG & E what energy was used in the area and figure emissions results from that.

Chairman Johnson then asked Ms. Spinola-Schwartz about the safe route to school to which she stated that the programs are aimed at having more children ride bicycles, take buses and getting bus passes for high school kids.

Chairman Johnson then asked about the strategy to get this program going at the elementary level to which Ms. Spinola-Schwartz stated that this would entail getting more attendance at crossings, getting more painted lanes where children are crossing, developing route programs for children and setting up carpooling through the website.

Commissioner Baatrup stated that he has a background in recycled water and water treatment to which Mr. Lawrence stated that although water is obvious to increase strategies, this is the type of thing that the team would like to learn from the Planning Commission. Commissioner Baatrup stated that transportation is a huge chunk of emissions, that we have a unique community and how we can avoid transportation issues. Ms Spinola-Schwartz stated that Hillcrest is a proposed transit oriented development, for people to work closer to home with more jobs here.

Commissioner Baatrup confirmed with Ms. Spinola-Schwartz that this will be included in the draft plan.

Commissioner Langford asked staff about the levels being as of 2005 and how often this is going to be updated to see where we are to which ERC Haas-Wajdowicz stated that inventories will be conducted every five years and that the next inventory will be done in 2011 for 2010 emissions.

Commissioner Baatrup stated that while reductions are improved by offering incentives, his concern is that there may not be enough incentives and reductions may not be realized. Ms. Spinola-Schwartz stated that while it is difficult to predict what will happen with incentives and although the State is going very far and is coming up with new incentives, the State Building Code is inevitable and it may no longer be a matter of choice.

Chairman Johnson clarified with Mr. Lawrence and Ms. Spinola-Schwartz that energy and transportation strategies did not come up in workshops and would need to be incorporated but that there is green job training in education programs.

Vice Chair Westerman asked staff about the %Implement Pay-as-You-Throw Program+ listed on list given to the Planning Commission to which ERC Haas-Wajdowicz stated that this was a garbage term and that this would entail a variable can rate so that if you generate more then you pay more.

Chairman Johnson clarified the feedback website as [info@antiochclimateaction.org](mailto:info@antiochclimateaction.org).

Mr. Lawrence and Ms. Spinola-Schwartz told the Planning Commission that the timeframe for feedback would be one week to comment so that they could finalize the draft but the sooner for the feedback, the better.

Curtis Corlew, a participant from the workshops then said that he has been a resident since 1979, that he would like to see greenhouse gases reduced and is very interested in transportation, as well as safe routes to schools to get kids to ride bikes to school and getting adults to ride bikes to work. He said that Antioch has wonderful weather but has lost bicycle lanes.

### **ORAL COMMUNICATIONS**

Senior Planner Morris polled the Planning Commission to be sure that there would be a quorum for the July 7<sup>th</sup> Planning Commission meeting. It was determined that only Vice Chair Westerman would be absent.

SP Morris then reminded the Commission that the groundbreaking for the widening would be Monday, June 7<sup>th</sup> at 10:00 a.m. at the corner of Loveridge and Highway 4.

SP Morris then stated that the Planning Commission's decision on Walmart was appealed and will be going to City Council sometime in July.

### **WRITTEN COMMUNICATIONS**

Nothing was reported.

### **COMMITTEE REPORTS**

Nothing was reported.

**ADJOURNMENT**

Chairman Johnson adjourned the Planning Commission at 8:26 p.m. to the next regularly scheduled meeting on June 16, 2010.

Respectfully Submitted,  
Cheryl Hammers