

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

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

**June 3, 2009
City Council Chambers**

CALL TO ORDER

Chairman Langford called the meeting to order at 6:30 p.m. on Wednesday, June 3, 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, June 10, 2009.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes April 1, 2009

On motion by Commissioner Brandt, and seconded by Commissioner Johnson, the Planning Commission approved the Minutes of April 1, 2009.

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

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

- 2. UP-09-01 – Antioch Seventh Day Adventist Church requests approval of an automatic bell system player and speakers to be installed in the church eaves at the Antioch Seventh Day Adventist Church located at 2200 Country Hills Drive. The applicant is requesting permission to play the chimes on Fridays at sunset, Saturdays at 11:00 a.m. and sunset, and Sundays at 11:00 a.m. for a period not to exceed thirty minutes (APN 055-071-104 and 105).**

Community Development Technician (CDT) Stahl provided a summary of the Staff Report dated May 29, 2009. She further noted that written public comments were received and entered into the record.

OPENED PUBLIC HEARING

Gene Zimmerman, applicant, stated that the chimes would not be at a high decibel and would only be heard within the vicinity of the church and felt the music would not be a detriment to the public. He requested that the music be played, per the Staff Report, but also wanted the option to play the music 5 or 10 minutes longer than requested by staff.

Reed Newcomb, Maas-Rowe Carillons, Inc., representing the Compact Disc Carillon Player, spoke to the decibel level and stated that the sound would be similar to the sound played at a larger church, but the volume could be turned down to nothing or very low if it is the Commission's request. Mr. Newcomb distributed a brochure that depicted another location that he had installed the chimes and stated that the sounds are heard on campus and not the surrounding area. He also distributed a handout to the Commission that explained how the chimes worked and spoke to the type of music that would be played.

Commissioner Brandt asked Mr. Zimmerman if he would be agreeable to a six month review wherein he stated that he would, but noted that the chimes would not be installed and working until October.

Commissioner Azevedo asked Mr. Zimmerman if he had read and agreed to all the conditions as stated within the Staff Report, wherein Mr. Zimmerman stated that he had read them and agreed.

Mr. Thurston, a resident of Pismo Court, expressed a concern to the chimes being played twice a day and questioned what the decibel level would be. He wanted to ensure that a one month review be conducted.

CLOSED PUBLIC HEARING

Commissioner Westerman stated that he was in general support of the application, but felt that the chimes should be limited to 5-10 minutes, rather than playing for 30 minutes. He stated that he was in support of a future review within a specific timeframe and that he would support the application with this type of condition.

Commissioner Brandt stated her support and felt the decibel level would be satisfactory and not disturb the nearby residents. She also took comfort with the speakers being located on all four sides of the building given the proposed decibel level. She stated that she did agree with a six month review.

Commissioner Johnson stated his support for a six month review and felt all other concerns were addressed by the applicant.

Commissioner Azevedo felt he could support this item, due to the testimony from the applicant, and felt comfortable with the proposed decibel level. He requested that a 90 day review be conducted after its implementation and that the church notify staff when the chimes are implemented.

Commissioner Langford stated that he supported this item and felt that his concerns were satisfied with the testimony of the applicant. He did support a 90 day review and suggested that during this first 90 days that the chimes be played per the applicant's request.

RESOLUTION NO. 2009-24

On motion by Commissioner Azevedo, and seconded by Commissioner Brandt, the Planning Commission approved a Use Permit for the installation of Carillon Chimes and a Carillon Chimes Player, with the following amendments:

- ***Change Project Specific Condition No. 12 to read: "That the chimes shall be allowed at sunset on Friday and Saturday evening; and at 11:00 a.m. on Saturday, Sunday and major religious holidays."***
- ***Change Project Specific Condition No. 15 to read: If there have been no complaints within the 90 day review timeframe, only an administrative review will be conducted after six months."***
- ***Add Project Specific Condition No. 16 to read: "There will be a 90 day review after implementation of the sounding of the bells and it would be the church's responsibility to notify staff when they begin playing the chimes."***

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

ABSENT: Travers

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3. **V-09-02 – R&S Erection of Concord, Inc., on behalf of Hudson Townhouse Manor, requests a variance from the required front yard setback to allow the installation of automatic gates at the driveways into Hudson Townhouse Manor located at 3421 Hudson Court (APN 074-123-012).**

Community Development Technician (CDT) Stahl provided a summary of the Staff Report dated May 29, 2009.

OPENED PUBLIC HEARING

Phil Tucker, applicant, explained the gate system and felt it was the intent of the developer to monitor the parking for the residents.

Commissioner Brandt asked if the applicant had read and agreed to all conditions contained within the Staff Report. Mr. Tucker stated that he had read and agreed with all conditions.

Ellis Gacini, nearby property owner, felt that if problems were kept out of the complex due to the proposed gate system, additional problems might spill onto the nearby streets and the surrounding area. He noted that there is a sign that states that Hudson Court is not a public street and questioned who would maintain Hudson Court. He requested that the City conduct a 6-8 month review.

CLOSED PUBLIC HEARING

Commissioner Langford requested that staff approve the color of the gate and that the color be something other than black, and that, it work aesthetically with surrounding area.

Commissioner Brandt supported this item and felt that the applicant had a right to protect their property with this proposed gate system.

RESOLUTION NO. 2009-25

On motion by Commissioner Brandt, and seconded by Commissioner Azevedo, the Planning Commission approved a Variance to place a six foot fence within the required front yard setback for the Hudson Townhouse Manor, with the addition of:

- ***Condition No. 13: "That a color be approved by staff, other than black, and that it work aesthetically with the surrounding area.***

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

A recess was taken at 7:30 p.m. and reconvened at 7:35 p.m. with all Commissioners present.

- 4. MDP-05-01, RDA-07-01, PD-09-03, UP-09-05, AR-09-05 – Aviano Senior Housing Project – Del Webb requests review of a Planned Development (PD) rezone, a Master Development Plan, 266.5 Residential Development Allocations (RDA), a tentative map, a use permit and design review for the development of up to 535 age-restricted single family homes on an approximately 189 acre parcel. The project is located at the northwest corner of (Future) Hillcrest Avenue and (Future) Sand Creek Road (APN's 057-050-013 and 057-030-001). Certification of a final Environmental Impact Report will also be considered.**

Senior Planner Morris provided a summary of the Staff Report dated May 29, 2009, and provided a Power Point Presentation and displayed conceptual drawings for the Commission's review. A memo recommending that conditions of approval #109 and #110 in the last resolution be replaced with a condition stating that the architecture, design and landscaping for the entire project shall be subject to review and approval by the Planning Commission prior to application for building permits for the project was distributed for the Commission's review.

OPENED PUBLIC HEARING

Mike Serpa, Del Webb, Project Manager, provided a brief history of the project and spoke to the architecture, landscaping and the development plan, per a Power Point presentation.

Commissioner Brandt asked if the applicant agreed to all mitigation measures. Mr. Serpa stated that he did and further spoke to the mitigation measures and setback issues.

CLOSED PUBLIC HEARING

Commissioner Brandt felt this project would be a benefit to the community and stated her appreciation to staff for their efforts and to the developer for their commitment to the community on this project.

Commissioner Johnson further stated his support.

Commissioner Azevedo felt this plan was in line with the City's plan, and that there is a shortage of this product within the community. In regards to setbacks, he agreed with the applicant and felt it did not violate the intent of the City.

Commissioner Langford stated his appreciation of the specifics in the designs but voiced concerns regarding the design review process that included:

- 1) The design of the masonry wall, in that, it should be an exceptional design and that exceptional materials are used for durability.

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- 2) That the finishes come back before the Commission with additional stucco patterns, so that all homes are not exactly the same.
 - 3) That energy conservation measures are taken for each home.
 - 4) That additional information be brought back at the design review process regarding chimneys, in terms of direct vents, overhangs, window grids and exterior light fixtures.
 - 5) That the street fixture designs are detailed and aesthetically pleasing.

RESOLUTION NO. 2009-26

On motion by Commissioner Azevedo, and seconded by Commissioner Brandt, the Planning Commission recommended that the City Council certify the Environmental Impact Report for the Aviano Active Adult Community Project as adequate for addressing the Environmental Impacts of the proposed project.

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

RESOLUTION NO. 2009-27

On motion by Commissioner Azevedo, and seconded by Commissioner Westerman, the Planning Commission recommended approval of an Ordinance to rezone approximately 189 acres, comprising the Aviano Active Adult Community Project Site (APN's 057-050-013 and 057-030-001), from Study Zone(s) to Planned Development District (PD) and a Master Development Plan.

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

RESOLUTION NO. 2009-28

On motion by Commissioner Azevedo, and seconded by Commissioner Johnson, the Planning Commission recommended for approval 266.5 residential development allocations for the Aviano Adult Community Project.

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

RESOLUTION NO. 2009-29

On motion by Commissioner Brandt, and seconded by Commissioner Manuel, the Planning Commission recommended approval of a Tentative Map/Final Development Plan and Use Permit for the Aviano Adult Community Project with the amended changes:

- ***That Project Specific Condition Nos. 109 and 110 is combined into 109, per the memorandum from staff.***

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- ***That a new Project Specific Condition No. 112 be added to read: “That landscape setbacks on arterial streets shall be shown on the project’s final map.”***
 - ***That staff delete references to “Design Review” from the last Resolution.***

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

ABSENT: ***Travers***

ORAL COMMUNICATIONS

Deputy Director of Community Development (DDCD) Wehrmeister stated that there would not be a second Planning Commission meeting this month.

WRITTEN COMMUNICATIONS

(DDCD) Wehrmeister reviewed the received correspondence.

COMMITTEE REPORTS

None.

ADJOURNMENT:

Chairman Langford adjourned the Planning Commission at 8:30 p.m. to the next regularly scheduled meeting on July 1, 2009.

Respectfully Submitted,

Debra Lawson