

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**July 1, 2020
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Planning Commission meetings live stream (at <https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/>). The Planning Commission meeting was conducted utilizing Zoom Audio/Video Technology.

Chair Schneiderman called the meeting to order at 6:34 P.M. on Wednesday, July 1, 2020 in the City Council Chambers. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners. 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 Thursday, July 9, 2020.

ROLL CALL

Present: Commissioners Parsons, Motts, Soliz, Barrow, Vice Chair Martin and Chair Schneiderman
Staff: Director of Community Development, Forrest Ebbs
Planning Manager, Alexis Morris
Associate Planner, Kevin Scudero
Contract Planner, Cindy Gnos
City Attorney, Thomas Lloyd Smith

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: A. May 6, 2020
 B. May 20, 2020
 C. June 3, 2020

On motion by Commissioner Soliz, seconded by Commissioner Motts, the Planning Commission approved the minutes of May 6, 2020, May 20, 2020 and June 3, 2020, as presented. The motion carried the following vote:

AYES: **Motts, Parsons, Martin, Soliz, Barrow and Schneiderman**
NOES: **None**
ABSTAIN: **None**
ABSENT: **None**

NEW PUBLIC HEARING

2. **The applicant, Richland Planned Communities, Inc.** is requesting approval of a master planned residential community consisting of 1,177 residential units over 253.50 acres on a 551.50-acre site, including Low Density (LD), Medium Density (MD), and Age Restricted (AR) units; a 5.00-acre Village Center consisting of commercial, office, and retail space; 3.00 acres of public services facilities, including a new fire station site and a trail staging area; approximately 22.50 acres of public parks and landscaped areas; 229.50 of open space including trails; and 38.00 acres of roadway improvements. Necessary approvals from the City include: certification of an Environmental Impact Report; General Plan Amendments including changes to the land use map, text, Circulation Element, and Housing Element; Rezone to Planned Development District; approval of a Master Development Plan; Design Review and adoption of Design Guidelines, approval of a Resource Management Plan, and an approval of a Development Agreement. The project site is located within the Sand Creek Focus Area of the General Plan. The project site is surrounded by a single-family residential subdivision to the north, undeveloped land to the south, Deer Valley Road and Kaiser Permanente Antioch Medical Center to the east, and undeveloped land and Empire Mine Road to the west (APNs: 057-010-002, 057-010-003, and 057-021-003).

Contract Planner Gnos presented the staff report dated July 1, 2020 recommending the Planning Commission take the following actions: 1) Approve the resolution recommending certification of The Ranch Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, an adopting the mitigation monitoring and reporting program; 2) Approve the resolution recommending approval of a Development Agreement between the City of Antioch and Richland Planned Communities, Inc.; 3) Approve the resolution recommending approval of a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map, General Plan Text, Circulation Element, and Housing Element (GP-20-01); 4) Approve the resolution recommending approval of an ordinance rezoning the property to Planned

Development and adopting the development standards; 5) Approve the resolution recommending approval of a Master Development Plan, Design Review adopting Design Guidelines, and a Resource Management Plan (MDP-20-01).

In response to Commissioner Motts, Legal Counsel Cole explained that if the project was approved by Council prior to the November election, the rights will have been vested.

Derek Cole, Legal Counsel, provided the Planning Commission with a memorandum dated June 1, 2020 in which he responded to contentions raised by Andrew Bassak, attorney for Zeka Group Incorporated and Alicia Guerra on behalf of Oak Hill Park Company and Richfield Real Estate Corporation.

Director of Community Development Ebbs announced that there was a technical issue this evening related to the public being able to join the Zoom meeting. He noted it was however being streamed live so all content was available to the public. He requested the Planning Commission take a break so that he could insure everyone had access to provide their public comments. He apologized to anyone unable to reach the Zoom meeting. He stated he would be providing a screen share with instructions on how the public could call in to make comments.

Planning Manager Morris added that there was also an online comment form on the City's website for public comments.

In response to Commissioner Motts, Legal Counsel Cole clarified that if Council approved the project prior to the November election, its rights will have been vested so the Save Mount Diablo Initiative would not affect the approval. Ethan Walsh, Legal Counsel responded the commitment of \$2.5M for economic development and job creation would go into a special fund dedicated for that purpose.

In response to Vice Chair Martin, Contract Planner Gnos explained the proposed General Plan Amendments. She clarified that this application looked at the policy documents and establishing broader policies for land use. She noted next steps would be for the applicant to submit tentative maps, design review for the residential property, design review of the commercial property and conditional use permits. She stated it would be appropriate this evening for the Planning Commission to provide feedback as to the uses listed as administrative, use permit required or not allowed, in the area.

Vice Chair Martin thanked Legal Counsel for clarifying the Sand Creek and Let Antioch Voters Decide initiatives.

In response to Vice Chair Martin, Legal Counsel Walsh confirmed that 6-months was an appropriate period to hold discussions with the Antioch Unified School District (AUSD) on necessary mitigations. He noted EIR had determined with the payment of mitigation fees, there would not be a significant impact; however, they wanted AUSD to have the opportunity to address the issue. Three pieces of development south of sand creek have only one access point.

In response to Vice Chair Martin, Contract Planner Gnos explained that the development plan showed alternate connections to the south in the future. She reported that the Fire District supported the circulation plan and their concerns had been addressed. Planning Manager Morris added that there would be an emergency vehicle access plan internal to the project prior to future developed to the south. She stated staff believed there was adequate emergency access and fire and police had agreed.

Planning Manager Morris explained that Sierra Vista was a subdivision that was previously approved on the western side of Antioch south of James Donlon Blvd. behind the Mira Vista Hills development. She noted their map was recorded; however, they never went forward with their project. She further noted the property owner had sold it to the East Bay Regional Park District and those lots would be removed from executive/higher income housing from the housing element. She noted that issue would be addressed when they clarified that this project was providing similar types of homes.

In response to Vice Chair Martin, Contract Planner Gnos clarified that the development standards in the planned development ordinance included setback requirements. She stated that at this point there were no tentative maps so they did not know what areas would be gated. Planning Manager Morris added that developers typically decided what neighborhoods to gate with their marketing perspective. She noted at times they asked for their projects to be approved either way, so they had flexibility. Contract Planner Gnos confirmed the design guidelines for this project were consistent with citywide design guidelines and other developments in the area. She explained that because there were no tentative maps at this time, they did not know who would be responsible for maintaining parks and open spaces; however, parks in a gated community would be private and maintained by an HOA. She added that when they reviewed the tentative map, they would be specific on who was responsible for park/open space maintenance. Planning Manager Morris added that the Parks and Recreation Commission would be reviewing the parks in the future and determine whether the project would be responsible for any in lieu fees.

In response to Vice Chair Martin, Planning Manager Morris stated that the issue of why there was a permit for a day care in an age restricted area would be better answered by the applicant; however, she could see it being potentially compatible on an arterial or corner lot of major intersections at the edge of a neighborhood. She clarified that there were different categories of day care in the ordinance and State law, which were different land uses. Additionally, she noted all free-standing parking lots required administrative use permits to assure ADA parking requirements were met, driveways were in the correct location, and safe ingress and egress was provided.

In response to Commissioner Soliz, Contract Planner Gnos explained that the planned development standards in the ordinance outlined the process for approval for each area and Use Permits would come before the Planning Commission. Planning Manager Morris added that pages D-15 and D-16 had the requirements for open space and public areas.

In response to Commissioner Soliz, Legal Counsel Cole discussed the application process.

Commissioner Barrow thanked the developer for their patience and wished him success with the Master Plan Community. He thanked Legal Counsel Cole for his explanation of the project. He asked staff if there were outstanding EIR issues at this time.

Planning Manager Morris responded that only outstanding issue was the action before the Planning Commission this evening and future consideration by the City Council.

Commissioner Barrow stated he believed proper protocols for the Master Development Plan had been followed.

Planning Manager Morris stated staff's recommendation was that the Planning Commission make a recommendation of approval for the resolutions. She noted they had included all the findings and they had done the required noticing for the project.

Commissioner Parsons stated she had watched the entire project transpire. She congratulated the developer and stated she appreciated how much they were willing to work with the City and the commenters over the years to morph their project. She thanked Contract Planner Gnos, Planning Manager Morris and Legal Counsel.

Chair Schneiderman declared a recess at 7:44 P.M. The meeting reconvened at 7:54 P.M. with all Commissioners present.

Chair Schneiderman opened the public hearing.

Kyle Masters, Richland Communities, thanked staff for their assistance with the application and gave a history of the advancement of their Master Development Plan. He presented a PowerPoint presentation that included the Conceptual Site Plan, On-Site Open Space Area and Trails, and Grading Area Summary. He showed a video simulation of the project.

Chair Schneiderman stated that she loved the number of trails that were proposed in the project and how they integrate with the surrounding development.

In response to Commissioner Motts, Mr. Masters clarified that there were larger setbacks to accommodate existing homes on the northern edge of the project site and the grades between the existing homes and their development were relatively flat. Regarding placing a trail in the setback area, he reported that they had had negative experiences regarding maintenance and safety issues for those types of areas. He commented that by placing the buffer within the HOA, it would ensure structures would be prohibited and that it would be maintained as a greenbelt.

Commissioner Martin voiced his appreciation to Richland Development for remaining in Antioch and changing their plans to accommodate stakeholders. He stated he was pleased it was before the Commission prior to the next initiative going to the voters. He voiced his support for the design of the project noting it had all aspects needed for the community and addressed environmental concerns.

In response to Vice Chair Martin, Mr. Masters stated that he did not have a problem removing the day care center from the age restricted development.

Commissioner Barrow congratulated Mr. Masters on his project and stated he was impressed with the housing options and trail system. He wished him the best moving forward.

In response to Commissioner Barrow, Mr. Masters stated they had had conversations with Kaiser Permanente regarding the trail system and they would be including it as part of their health system. He noted they also had a reimbursement agreement with Kaiser on some of the improvements that they would be building.

Commissioner Soliz discussed the possibility of the day care terminology being applied to an adult day care facility.

Commissioner Parsons stated that this project had evolved and accommodated the concerns of the Commission and the public. She agreed that an adult day care facility may be appropriate for the area.

Chair Schneiderman agreed that it was a great project and the developer had done an excellent job to accommodate all interested parties.

Chanel Castillo commented that the plan looked beautiful; however, she did not believe 5000 square foot lots were adequate. She suggested the City focus more on bringing businesses to Antioch.

Alicia Guerra, Buchalter Richfield Real Estate and Oakhill Park's Property, representing the owner of the property on the southern boundary of The Ranch project expressed concern that they had not received notice regarding the availability of the draft EIR. She stated she was happy staff had confirmed this evening that they did not intend to change the General Plan land use designation on her client's property. She noted they were still concerned that the project contained offsite infrastructure that extended through her client's property and the impacts of that had not been addressed in the EIR.

Juan Pablo-Galvan, Senior Land Use Manager for Save Mount Diablo (SMD), gave a history of their involvement in the development of the project as well as their "Let Antioch Voters Decide" initiative. He explained that their concerns were about the impacts and benefits of Sand Creek, Black Diamond Mines Preserve and Deer Valley Preserve. He reported SMD was not taking a specific position on The Ranch project, but they were pleased with the changes to the project made by Richland.

Andrew Bassak, representing Hanson Bridgett, representing The Zeka Group, owners of the property to the west of The Ranch project, reported that The Zeka Group had submitted an SB330 preliminary application to develop 338 residential units between the western edge of The Ranch development and Black Diamond Mines. He noted what was missing from the package before the Planning Commission was the work that needed to be done to harmonize the two projects, such as road, utility and trail alignment. He requested the public hearing be continued to allow them to have discussions regarding these concerns.

The following public comments were read into the record by Associate Planner, Kevin Scudero.

Brian Wenter, representing Miller Starr Regalia representing Richland Communities, provided written comment in which he discussed Zeka's SB 330 preliminary application and explained that they believed it had no bearing on The Ranch Project. He encouraged the Planning Commission to conduct tonight's public hearing as planned and noticed as nothing in SB 330 prohibited the Commission from proceeding.

Donald Greibling, former Chief Building Official for the City of Antioch, provided written comment expressing concern that the project had been downsized since the original proposal and the EIR not addressing the noise and traffic impacts. He also expressed concern regarding the elimination of open space.

Nick Goodwin, Assistant Business Manager representing UA Local 159 Plumbers and Steamfitters Union, provided written comment in favor of the project.

REBUTTAL

Craig Cristina, representing Richland Communities, gave a history of their project and stated they were committed to the City of Antioch. He noted the Initiative adopted by the City Council was a culmination of the input from various stakeholders. He further noted it was important for them to stay true to that plan. He stated they were proud and excited to be able to develop a project that everyone could be proud of being involved in. He recognized his development team as well as City staff for their hard work.

Chair Schneiderman thanked the applicant for investing in Antioch.

RESOLUTION NO. 2020-13

On motion by Commissioner Parsons, seconded by Commissioner Soliz, the Planning Commission unanimously approved the resolution recommending certification of The Ranch Project Environmental Impact Report, adopting findings of fact and statement of overriding considerations, an adopting the mitigation monitoring and reporting program. The motion carried the following vote:

AYES: Motts, Parsons, Martin, Soliz, Barrow and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: None

Commissioner Martin stated he appreciated Richland stepping forward and going beyond what they were required to do. He thanked them for helping Antioch and stated the Development Agreement was a forward step for the City.

RESOLUTION NO. 2020-14

On motion by Commissioner Martin, seconded by Commissioner Parsons, the Planning Commission unanimously approved the resolution recommending approval of a Development Agreement between the City of Antioch and Richland Planned Communities, Inc.

AYES: Motts, Parsons, Martin, Soliz, Barrow and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: None

Commissioner Soliz stated he appreciated how the project had come together and he believes it was a model of what other plans should be coming before all communities.

Commissioner Motts stated he had been a part of this process since the beginning and he believed it had evolved into an exceptionally good project.

RESOLUTION NO. 2020-15

On motion by Commissioner Parsons, seconded by Vice Chair Martin, the Planning Commission unanimously approved the resolution recommending approval of a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map, General Plan Text, Circulation Element, and Housing Element (GP-20-01).

AYES: Motts, Parsons, Martin, Soliz, Barrow and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION NO. 2020-16

On motion by Commissioner Barrow, seconded by Commissioner Parsons, the Planning Commission unanimously approved the resolution recommending approval of an ordinance rezoning the property to Planned Development and adopting the development standards.

AYES: Motts, Parsons, Martin, Soliz, Barrow and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION NO. 2020-17

On motion by Commissioner Parsons, seconded by Commissioner Motts, the Planning Commission unanimously approved the resolution recommending approval of a Master Development Plan, Design Review adopting Design Guidelines, and a Resource Management Plan (MDP-20-01).

AYES: Motts, Parsons, Martin, Soliz, Barrow and Schneiderman
NOES: None
ABSTAIN: None
ABSENT: None

Chair Schneiderman congratulated the applicant and wished them good luck with his project.

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

On motion by Commissioner Soliz, seconded by Vice Chair Martin, the Planning Commission unanimously adjourned the meeting at 8:55 P.M. The motion carried the following vote:

<i>AYES:</i>	<i>Motts, Parsons, Martin, Soliz, Barrow and Schneiderman</i>
<i>NOES:</i>	<i>None</i>
<i>ABSTAIN:</i>	<i>None</i>
<i>ABSENT:</i>	<i>None</i>

Respectfully submitted:
KITTY EIDEN, Minutes Clerk