

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**July 20, 2016  
City Council Chambers**

Chair Motts called the meeting to order at 6:30 P.M. on Wednesday, July 20, 2016 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 date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, July 27, 2016.

**ROLL CALL**

Present: Commissioners Parsons, Husary, Mason, Hinojosa and  
Chair Motts  
Absent: Vice Chair Zacharatos  
Staff: City Attorney, Michael Vigilia  
Assistant Engineer, Ken Warren  
Senior Planner, Alexis Morris  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. **Approval of Minutes:** **May 4, 2016**  
**May 18, 2016**

Chair Motts requested the Planning Commission take separate action on the minutes.

***On motion by Commissioner Parsons, seconded by Commissioner Mason, the Planning Commission approved the minutes of May 4, 2016, as presented. The motion carried the following vote:***

***AYES: Parsons, Husary, Mason***  
***NOES: None***  
***ABSTAIN: Motts, Hinojosa***  
***ABSENT: Zacharatos***

***On motion by Commissioner Hinojosa, seconded by Commissioner Husary, the Planning Commission approved the minutes of May 18, 2016, as presented. The motion carried the following vote:***

**AYES:** *Husary, Mason, Hinojosa, Motts*  
**NOES:** *None*  
**ABSTAIN:** *Parsons*  
**ABSENT:** *Zacharatos*

**NEW PUBLIC HEARINGS**

2. **UP-16-04, AR-16-01 – The Habit Burger Grill** is requesting approval of a use permit and design review application to construct an approximately 3,418 square foot restaurant with a drive-thru, including the demolition of the existing building on site. The project site is located at 2430 Mahogany Way (APN 074-370-013).

Senior Planner Morris presented the staff report dated July 15, 2016 recommending the Planning Commission approve the use permit and design review application, subject to the conditions contained in the staff report's attached resolution.

In response to Commissioner Parsons, Senior Planner Morris stated that the applicant had indicated he accepted all of staff's recommendations.

In response to Commissioner Mason, Senior Planner Morris explained the current code requirement was to screen mechanical equipment from the City's right of way.

Chair Motts opened the public hearing.

Christopher Wadleigh Director of Development for Habit Burger Grill, stated they were looking forward to bringing the second restaurant to Antioch.

In response to Commissioner Parsons, Mr. Wadleigh stated he accepted staff's recommendations as presented in the report.

Commissioner Parsons thanked the applicant for building an additional project in Antioch.

In response to Chair Motts, Mr. Wadleigh stated there would be a railing around the patio area and their landscape plan was subject to approval of planning staff.

Commissioner Hinojosa thanked the applicant for his interest in Antioch.

In response to Commissioner Hinojosa, Mr. Wadleigh stated he could accomplish moving the trash enclosure and still meet the parking requirements.

In response to Commissioner Mason, Mr. Wadleigh stated they expected the time of completion to be in the first or second quarter of 2017.

Chair Motts thanked the applicant and closed the public hearing.

**RESOLUTION NO. 2016-10**

***On motion by Commissioner Parsons, seconded by Commissioner Hinojosa, the Planning Commission approved the use permit and design review application, subject to the conditions contained in the staff report's attached resolution. The motion carried the following vote:***

**AYES:** *Parsons, Husary, Mason, Hinojosa, Motts*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Zacharatos*

- 3. PD-15-03, PW-698 – Laurel Ranch – Strack Farms Land, LLC**, requests approval of an Addendum to the Future Urban Area #2 Specific Plan Environmental Impact Report, a rezone to Planned Development District (PD), a Vesting Tentative Map/Final Development Plan, and a development agreement. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031).

Senior Planner Morris presented the staff report dated July 15, 2016 recommending the Planning Commission take the following actions:

1. Approve the resolution recommending approval of the Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report.
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 an ordinance rezoning the project site from Planned Development District (PD) to Planned Development District (PD-15-03).
4. Approve the resolution recommending approval of a Vesting Tentative May/Final Development Plan (PW 698), subject to conditions of approval.

Senior Planner Morris explained modifications to the conditions of approval and development agreement were made subsequent to the publishing of the staff report and those items were provided to the Planning Commission in the Memorandum dated July 19, 2016.

In response to Chair Motts, Senior Planner Morris explained the secondary entry onto Laurel Ranch Road would be exit only and noted a full signalized intersection at this location, would be too close to the existing signal at Country Hills Drive.

In response to Commissioner Parsons, Senior Planner Morris stated the applicant had agreed to the conditions of approval and accepted the changes proposed in the staff report.

In response to Commissioner Mason, Senior Planner Morris explained the original submittal by the applicant had 187 units and they were unable to accomplish lot line adjustments; therefore, they had resubmitted a 180 lot plan.

Commissioner Hinojosa questioned how the applicant was planning to address fitting the three required garbage cans into their designated spaces and accommodate cars on pick up days.

In response to Commissioner Hinojosa, Senior Planner Morris explained options available included restricting parking on garbage pickup days, alternating pickup days throughout the development and multi-family group trash enclosures. She stated the Planning Commission could condition the project to address this issue or request the applicant come back and provide additional materials. In addressing Commissioner Hinojosa's additional concerns, she explained the applicant proposed restricting the percentage of rental units in the project's CC&Rs and his Attorney as well as City Attorney Vigilia felt confident it was legal, enforceable and defensible. She noted it was a condition of the project to be enforced by the HOA and required to be reviewed by the City Attorney and City Engineer. She explained that increased lighting in the courtyards was part of the project description and was shown in their design guidelines. She noted it would be appropriate for the Commission to call out aspects of the Design Review application in the conditions of approval.

Commissioner Hinojosa stated she wanted to ensure courtyard lighting was carried forward and considered when the project was brought forward for Design Review. She reiterated her concerns regarding how the CFD was being developed for Police Services noting there were inconsistencies in the language for the provision within the Aviano and Heidorn Ranch Development Agreements.

Senior Planner Morris explained this Development Agreement was carried forward from the Park Ridge development which predated the Aviano and Heidorn Ranch Development Agreements. She noted the basis was the same with one project creating the Police Facilities District which would then be reimbursed by the other projects. She noted the proposed language did not absolve them from following the formula; it was just not as specific as the language in the other Development Agreement.

City Attorney Vigilia stated he reviewed and was comfortable with the way the Development Agreement had been drafted. In terms of the amount of the fee, he noted there would be a rigorous review and staff would substantiate any fee that was imposed. He further noted the formation of the CFD was entirely a public process as required by State statutes and the public would have the opportunity to provide feedback.

Commissioner Hinojosa spoke to the importance of transparency in the process of forming the CFD noting it had been said in the past that fees could be going toward items that were also included in the developer impact fees.

In response to Commissioner Hinojosa, Mary Bean environmental consultant from First Carbon Solutions, reported a number of plant and animal surveys were conducted for this site and it was well vetted. She noted the applicant was responsible for mitigation and was required to comply with standard practices and protocols.

Chair Motts stated during a tour of the site he noticed the creek area and was pleased it was being mitigated for in the environmental document.

Chair Motts opened the public hearing.

Aaron Ross–Swain representing Richland gave an overhead presentation on the Laurel Ranch project which included: property description, land use, project background, proposed vesting tentative map, landscaping, architecture and project highlights. He shared an exhibit demonstrating how they would handle the placement of garbage bins on pick up day and noted the CC&Rs would address this issue. He further noted there was sufficient curb area in front of each cluster to accommodate three cans per unit and the impact to guest parking was only for a 24 hour period which would be mitigated by an abundance of guest parking throughout the community.

Commissioner Hinojosa thanked Mr. Ross-Swain for addressing the issue and providing the graphic.

Mr. Ross-Swain explained they had reconfigured the conceptual floor plans to provide active living areas on the front of the home to be able to provide some surveillance of the alley.

In response to Commissioner Hinojosa, Senior Planner Morris explained given the small number of lots and challenges of enforcement, staff proposed a general standard that would restrict patio covers and detached accessory structures. She noted the Planning Commission could make an exception specific to particular lots.

Speaking to the HOA, Mr. Ross-Swain explained typically there was a master HOA with a flat fee for the entire community and those who would live in the private alleys would pay slightly higher dues. Additionally he noted, costs associated with the professional management company would be included.

Senior Planner Morris explained that there was not a condition of approval or language in the Development Agreement that required a professional management company for the HOA.

Mr. Ross-Swain further noted it was an industry standard and practice for builders to hire professional management companies.

In response to Chair Motts, Mr. Ross-Swain stated the intent along the main entry was to have separated sidewalks along the edges and landscaping in the center medians. He clarified students from this community would be attending Antioch schools and

would not trigger the need for new facilities. He noted they were paying school fees at permit issuance to mitigate for school impacts.

Chair Motts spoke in support of landscaping the private lanes. He thanked the applicant for addressing concerns expressed by the Planning Commission during their review of the preliminary development plan.

In response to Commissioner Mason, Mr. Ross-Swain stated they could look into providing passive solar for street lighting.

Commissioner Mason expressed concern for the limited park space in the development and suggested a larger percentage of single story units be provided.

Mr. Ross-Swain explained they were contributing 15,000 square feet of neighborhood parks and they would be paying a park in lieu fee to mitigate for their impacts. He noted the Park Ridge development to the south would provide larger community parks.

Senior Planner Morris added the Park Ridge development would have a regional size park and it was connected by a trail to this subdivision. She noted this applicant was proposing small private facilities that would be maintained by the HOA in addition to paying the park in lieu fees.

In response to Commissioner Mason, Mr. Ross-Swain stated he would be amiable to increasing the percentage of single family homes to 15% provided there were lots that could fit those homes.

Commissioner Husary spoke in support of installing gates at the entrances.

Chair Motts opened the public hearing.

Chair Motts declared a recess at 8:06 P.M. and reconvened at 8:16 P.M. with all Commissioners present with the exception of Commissioner Zacharatos who was absent. The public hearing remained open.

Allen Payton, Antioch resident, suggested the Planning Commission require the project to be gated and pursue a standard flat fee per unit for the police services fee. He spoke in support of the project and the infrastructure improvements they were providing.

Kevin Van Buskirk, representing Sheet Metals Workers Local 104, spoke in support of the project and in particular the Project Labor Agreement (PLA) that would provide local jobs for local union members. He urged the Planning Commission to approve the project.

Wendi Aghily, Antioch resident, thanked Richland for the presentation and expressed concern that this was another request for an amendment to the plan. She stated she did not support the project as proposed. She provided the Planning Commission with a copy of the HUD report and she urged them to delay this project until after the election.

Chair Motts closed the public hearing

Commissioner Parsons spoke in support of the project and noted it would connect by trail to a large community park. She stated the completion of Laurel Road would provide much needed access to and from the Highway 4 Bypass.

Following discussion, the Planning Commission agreed that for consistency and given the challenges of enforcement, they supported the proposed PD zoning standard for the private lane neighborhood that prohibited patio covers and detached accessory structures. Additionally they agreed to support increasing the single story home product to 15%.

Chair Motts stated he supported the project; however, a strong recommendation to Council would be to focus on Economic Development. He noted this project places higher density housing in an appropriate area, along a transportation corridor. He further noted the developer addressed concerns expressed during the review of the Preliminary Development Plan and they were amiable to the changes proposed this evening. He stated the trail connection was also important as was the completion of Laurel Road and their contribution to Slatten Ranch Road.

Commissioner Hinojosa voiced her support for the project and recognized the applicant for incorporating changes requested by the Planning Commission during the preliminary development plan process. She reiterated that lighting would need to be addressed in the Design Review process. She noted this was a good location for this product type and thanked the applicant for bringing their project to Antioch.

#### **RESOLUTION NO. 2016-11**

***On motion by Commissioner Parsons, seconded by Commissioner Mason, the Planning Commission approved the resolution recommending approval of the Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report. The motion carried the following vote:***

|                 |  |
|-----------------|--|
| <b>AYES:</b>    | <b>Parsons, Husary, Mason, Hinojosa, Motts</b> |
| <b>NOES:</b>    | <b>None</b>                                    |
| <b>ABSTAIN:</b> | <b>None</b>                                    |
| <b>ABSENT:</b>  | <b>None</b>                                    |

#### **RESOLUTION NOS. 2016-12, 2016-13, 2016-14**

***On motion by Commissioner Mason, seconded by Commissioner Parsons, the Planning Commission 1) Approved the resolution recommending approval of a Development Agreement, as revised in staff's memo dated July 15, 2016, between the City of Antioch and Richland Planned Communities, Inc. 2) Approved the resolution recommending approval of an ordinance rezoning the project site from Planned Development District (PD) to Planned Development District (PD-15-03).***

**3) Approved the resolution recommending approval of a Vesting Tentative May/Final Development Plan (PW 698), subject to conditions of approval as amended in staff's memo dated July 15, 2016, and amending condition #D 2 to read: A minimum of 15% of the homes in the Conventional Neighborhood shall be single story homes. The motion carried the following vote:**

**AYES:** Parsons, Husary, Mason, Hinojosa, Motts  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

### **ORAL COMMUNICATIONS**

Senior Planner Morris introduced Kevin Scudero as the City's new Associate Planner.

In response to Commissioner Hinojosa, Senior Planner Morris stated she would email the Planning Commission an update on the Sand Creek Focus area.

### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

Chair Motts reported on his attendance at the Transplan meeting.

### **ADJOURNMENT**

***Chair Motts adjourned the Planning Commission at 8:58 P.M. to the next regularly scheduled meeting to be held on August 17, 2016.***

Respectfully Submitted,  
Kitty Eiden