

**CITY OF ANTIOCH  
PLANNING COMMISSION**

**Regular Meeting  
7:30 p.m.**

**August 1, 2007  
City Council Chambers**

Chairman Travers called the meeting to order at 7:38 p.m. on Wednesday, August 1, 2007, in the City Council Chambers.

Chairman Travers 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, August 8, 2007.

**ROLL CALL**

Present: Commissioners Martin, Azevedo, Delgadillo, Brandt, Long and  
Chairman Travers  
Staff: Deputy Director of Community Development Wehrmeister  
Senior Planner Morris  
Senior Planner Oshinsky  
Assistant Planner Gentry  
Traffic Engineer Bernal  
City Attorney Nerland  
Minutes Clerk Lawson

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

**1. APPROVAL OF MINUTES:**

None.

**END OF CONSENT CALENDAR**

**CONTINUED HEARINGS**

- 2. UP-07-04 – Floran Antioch Care Home – Florinda Yambao requests approval of a Use Permit to expand a single family home in order to operate a residential care facility for the elderly at 1921 Blue Mountain Court (APN 055-030-016).**

Chairman Travers stated that the applicant has requested that this item be removed from the agenda and that it will be revised and resubmitted in the near future.

### **NEW PUBLIC HEARINGS**

- 3. PDP-07-02 – Highlands Ranch Phase II – West Coast Home Builders, Inc., requests review of a Preliminary Development Plan, which is not an entitlement, for the development of 194 acre mixed use project consisting of 18,000 square feet of retail space, 295,000 square feet of office/flex space, 306 high density residential units, 896 single family homes and a five acre park. A portion of the project is outside of the City of Antioch's City limits, but within the City of Antioch's Sphere of Influence. The project is located south of Buchanan Road on the east and west sides of Somersville Road (APN's 089-150-013, 076-101-030, 031, 032 and 034).**

Senior Planner Morris provided an overview of the Staff Report dated July 27, 2007.

#### ***Opened Public Hearing***

Jackie Seeno, Project Manager of Highlands Ranch Phase II, representing Discovery Home Builders and West Coast Home Builders, provided a brief introduction of the proposed project.

Carl Campos, Loving & Campos Architects, gave a power point presentation that highlighted the detailed architectural aspects and also spoke to the conceptual displayed wall drawings of the proposed project.

Commissioner Martin felt that Staff had not presented this project in a very good light, in relationship to the City's General Plan. In listening to the presentation, he questioned why it was that Discovery Builders or the applicant felt that the City's General Plan was inadequate, in that, Antioch could not have the 40 percent business park and related commercial and open space uses, as designed approximately 3-4 years ago.

Louis Parsons, Discovery Builders, responded that when his company was reviewing the overall concept it was clear that with this application, and when Discovery Homes moves forward with the final PD application, he would propose a General Plan amendment to the Somersville Road corridor focus area. Furthermore, that in looking at the overall site and combining it with the 24 acres east of Somersville, and looking at the overall concept with the incorporation of the 25 acres Sequoia Business Park, he felt it still met the general intent of the Somersville corridor focus area. Mr. Parsons felt that this land plan would be more appropriate and conducive to the area and added that Somersville Road would be used as a buffer. He further explained proposed traffic and circulation patterns and added that the Standard Oil Road would be proposed as a two lane road, as consistent with the General Plan.

Commissioner Martin stated that he felt the Standard Oil Road, as proposed by the applicant, would be a bit less than a residential road because it was eventually supposed to go down to another project in the Baker property. He felt that placing traffic calming and additional traffic through a major residential area to a general commercial retail area did not seem appropriate.

Commissioner Azevedo expressed concern that the project was not in compliance with the 40% business and retail component of the General Plan and suggested that the applicant conduct a preliminary job generation analysis. He felt that if he had a job generation analysis to review, it might possibly ease his concerns.

Commissioner Long stated her approval of the roundabouts, in terms of providing traffic calming measures, and also felt that the roundabouts would bring the communities together.

Commissioner Brandt expressed a concern to the consideration that the Standard Oil Road be a residential street and felt that additional traffic would be generated on this road.

Chairman Travers expressed concern to the minimum of 40% business park being proposed and stated that he would prefer additional retail development along Somersville Road. He stated his approval of the proposed housing elements.

Chairman Travers read a prepared statement written from a speaker card from Ricardo and Raquel Estrada, residents of Pittsburg.

Mr. Parsons responded to the Estradas' comments and stated that construction mitigation measures would be taken to comply with City regulations, in terms of ground stability, noise and unearthing of rodents. Also, in regards to the proposed walls on Somersville Road and the Buchanan Road Bypass, they would be built for mitigation purposes to block out sound and that they would be built to City code.

Mr. Parsons responded to the Staff Report's conclusion and noted the following:

- No. 1: That a minimum of 40% of the site located on the west side of Somersville Road be devoted to business park not be recommended and that the applicant provide the retail as shown at the project entry. Also, that the business and commercial be provided on the east side of Somersville.
- No. 2: That it remain as proposed by the applicant.
- No. 3: The applicant feels that the business park not be located along the Buchanan Road frontage and that they remain at the area proposed by the applicant.
- No. 4: That the proposed community center be placed at the end of the Sequoia corridor, as proposed by the applicant.
- No. 5: That the proposed apartments remain as proposed by the applicant.

- No. 6: That Villages IX and X do match substantially with the adjacent residential project in Pittsburg and that Village VIII be left as proposed.
- No. 7: The east-west connector road remains as proposed.
- No. 8: That it remain as proposed by the applicant.
- No. 9: That it remain as proposed by the applicant.
- No. 10: That the applicant does acknowledge the agreement and understand that any of the infrastructure improvements surrounding the site and agreements will be analyzed as the applicant moves forward with the proposed project.
- No. 11: The applicant agrees with this recommendation.
- No. 12: The applicant can not obtain an annexation deemed complete by LAFCO without CEQA; therefore, it is felt that it would not be appropriate to comply with this request. The applicant questions the timing of the required timeframe to submit annexation concurrently with the tentative map application, and requested that the annexation application be submitted after the map is deemed complete and a finalized CEQA analysis is obtained.
- No. 13: That it remain as proposed by the applicant.
- No. 14: It was felt that the applicant's site plan does comply with this request, unless the applicant has misread this.
- No. 15: The applicant does agree and requests that an EVA access be provided for secondary access into the commercial/retail area.
- No. 16: The applicant agrees and will have the detention basin located in the north-westerly portion of the site with landscaping to mitigate any visual impacts of the clean water basin.
- No. 17: With the applicant's final development plan, the applicant will work with Staff **on a design** that satisfies the City.
- No. 18: That wording is added to read: That the entire project not only provide a Homeowner's Association (HOA), but also a Lighting and Landscape District (LLD), and the cost of maintenance will be provided by the LLD and the HOA.
- No. 19: That the applicant will work with Staff and felt that the proposed project has provided pedestrian connectivity between all villages.
- No. 20: That it remain as proposed by the applicant.

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### **Closed Public Hearing**

Commissioner Martin expressed the following comments:

- He approved of retail and houses being in close proximity, but expressed concern to 1,202 units being placed into 194 acres and felt this was excessive due to the lack of community facilities.
- Per the Staff Report stating that a residential project of this size would have a significant impact on the school district, he felt that additional parks were needed if the City were to build this project as presented, as well as additional parking areas for the park.
- He agreed with Staff that Somersville Road should be built up with employment and not all residential, and agreed with Staff that a minimum of 40% of business park and related commercial be located on the west side of Somersville Road.

- He disagreed with the proposed roads, as shown on the applicant's proposal, and wanted to see a more meandering design.
- He felt the overall design plan was boring and suggested that a variety of housing and varying setbacks could be added to the project. Also, that 3 to 4 different facades for each product be added with no two products sitting side by side.
- He disapproved of Standard Oil Road becoming a residential street and felt it would become a problem area for the HOA and the City as a bypass.
- Per Item No. 11 of the Staff Report, he requested that the CEQA process to look at the environmental impacts to Markley Creek and the Contra Costa Canal.

Commissioner Azevedo stated the following:

- He wanted to see the 40% retail within the project.
- He approved of the retail entrance area.
- That the community center be located near high density residential.
- Approved of the proposed area for the high density residential.
- Disagreed with 6,000 sq. ft. lots and requested that larger lot sizes be redesigned for the single family homes.
- He requested that a more variety of product be available and did not want the project to have all the homes look the same.
- Referring to Village 6, he felt that the homes should not back up to the Chevron property without some type of buffer.
- He suggested that the project be subject to the RDA process.

Commissioner Delgadillo stated that he was disappointed in the percentage of land to be used for retail and office space and felt it would come out to be less than a third of what the General Plan has suggested. He agreed with the applicant regarding the placement of the community center, but felt that additional park space was needed with a consideration of some type of sports field.

Commissioner Brandt stated that she wanted to see larger buffered areas intertwined in with the roadways and high density areas. She expressed concern to the impacts that the project would place on the school district and felt that by adding business and retail, as well as reducing some of the density within the project, this would help ease the school impacts. Commissioner Brandt further expressed concern to additional traffic that the project would create and felt that additional roundabouts might possibly mitigate this situation. She also wanted to see a larger park area within the project and felt that additional space could be added to the proposed park.

In regards to Commissioner Long's inquiry regarding No. 12, City Attorney Nerland stated that she would research the issue.

Commissioner Long suggested that some type of speed bumps be added to the long arterials to reduce speeding, the park be constructed larger, and that there should be an increase of business and retail.

Chairman Travers agreed that additional commercial should be located along Somersville Road and felt this would be important, in terms of revenue and keeping the residents within the community.

A recess was taken at 9:27 p.m. and reconvened at 9:37 p.m.

4. **UP-07-03 – Tobinworld II – MS Walker and Associates, Inc., requests the approval of a Use Permit for a 9,600 square foot school for developmentally disabled or emotionally disturbed students from elementary school to high school. The project is part of Parcel 4 of Deer Valley Business Park, which is located on the south corner of Deer Valley Road and Country Hills Drive (APN 055-071-090).**

Assistant Planner Gentry provided a summary of the Staff Report dated July 27, 2007 and noted that two memorandums were distributed to the Commission, one being an amended change to Project Specific Condition No. 48 stating that: "The school shall operate on Monday through Friday from 8:00 a.m. to 5:00 p.m. Special events going beyond 9:00 p.m. shall apply for an Administrative Use Permit from the City of Antioch." A second memo was in regards to an e-mail that was forwarded to the Planning Department regarding Tobinworld II.

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Commissioner Martin stated if this Use Permit were to be approved, it would run with the land; therefore, he expressed a concern to another type of similar school coming into this location with different types of students. City Attorney Nerland felt that it would be difficult to try to word something that would address Commissioner Martin's concerns without raising ADA or other anti-discriminatory types of regulations. She stated that if the Commission has a concern, the Commission should not focus on the types of conditions the students may or may not have.

#### ***Opened Public Hearing***

Eric Hasseltine, representing MS Walker and Tobinworld II, explained the services that the school would provide and suggested that the Commission place "Special Education" into the Use Permit. He noted that special education needs are rising within the community and the surrounding area and that this area was a central location for a majority of the students that currently attend Tobinworld II.

Richard Couch, Principal of Tobinworld II, stated that in speaking to Commissioner Martin's concerns, this type of school serves special education students only, as opposed to alternative education students. He stated that he did agree with Staff's change to Condition No. 48, as well as all other proposed conditions. Mr. Hasseltine interjected that he also agreed with all proposed conditions.

City Attorney Nerland suggested that wording within the Resolution, second line, could read "to operate a special education school in a 9,600 sq ft building from elementary

school to high school". She felt this wording might satisfy Commission Martin's concerns.

**Public Comment**

Devi Lanphere expressed concern to the proposed project, in terms of losing additional retail and business park space and the fact that this type of Use Permit would run with the land, leaving the space open to another similar type of school. She also expressed a concern to safety and security and questioned the proposed location, in relationship to the adjacent senior development. Ms. Lanphere felt the project was needed within the community but questioned if this was the correct location.

Eric Hasseltine stated that information was provided to Staff regarding vacancy rates and felt that this project would be a catalyst to begin the growth in this area.

**Closed Public Hearing**

Commissioner Long stated that she did have a concern to the common occurrence of vacancies within the City, but felt the needs of this project were an obligation of the community.

Commissioner Brandt stated that she understood the need for special educational needs, but also felt that there was a need for office space throughout the City. She questioned if Antioch Unified School District had offered Tobinworld II a location.

Chairman Travers expressed concern to the chipping away of retail space and business parks, but felt that at this time there was adequate space throughout the City to fill these needs.

**RESOLUTION NO. 2007-17**

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***On motion by Commissioner Long and seconded by Commissioner Martin, the Planning Commission approved a Use Permit to operate a non-public school for special education in a 9,600 s.f. building for students from ages 5 to 22. The project is part of Deer Valley Business Park Parcel 4 which is located on the south corner of Deer Valley and Country Hills Drive. (UP-07-03)(APN 055-071-090), with the amended change to Condition No. 48, per Staff's recommendation.***

**AYES: Long, Martin, Azevedo, Delgadillo and Travers**  
**ABSTENTION: Brandt**

- 5. UP-07-07 – 1700 4<sup>th</sup> Street – FPA Antioch Associates, LP, requests the approval of a Use Permit for the purposes of occupying an existing vacant industrial building in the Planned Business Center (PBC) District and developing a master use list for future occupancy of the building (APN 074-040-047).**

Commissioner Martin stated that he currently is on the Board of Directors for the Antioch Historical Society which is immediately adjacent to the property; therefore, he excused himself, due to a conflict of interest.

Senior Planner Oshinsky provided an overview of the Staff Report dated July 27, 2007.

Commissioner Brandt clarified that per the Staff Report, the Planning Commission had not recommended approval of a preliminary development plan to develop a 202 unit small lot residential subdivision to the City Council, but that the Planning Commission had only given direction.

### ***OPENED PUBLIC HEARING***

Warren Weber, applicant, stated that it was his intent to develop the Rivertown Village residential project which would be an asset to the revitalization of downtown Antioch. In speaking to the type of tenant for this use, the applicant is willing to work with the City in creating a tenancy that will coincide with the General Plan. In speaking to a concern expressed by Commissioner Azevedo regarding any type of research and development use, the applicant would not jeopardize any type of future residential development, in terms of the use of chemicals that could possibly require an environmental cleanup. Mr. Weber stated that he was officially requesting a five-year Use Permit which would guarantee a long term tenant, but wanted it noted that it was the long term vision and goal to move forward with the Rivertown Village project.

Deputy Director of Community Development (DDCD) Wehrmeister stated that staff had just been made aware that a 2-year Use Permit would not be acceptable to the applicant. She stated that she sympathized with the applicant that a 1-year timeframe would be problematic in signing a lease with a potential client, but felt that a 3-year timeframe would be more in line with how long the entitlement process may take, in regards to the residential project. She further did not feel comfortable with granting a 5-year timeframe.

### ***Public Comment***

Stan Davis, President of the Antioch Historical Society, stated that he had no objection to the continued use of this building, and requested that the Use Permit have only a 3-year timeframe, due to it being a temporary use. Furthermore, he noted that a request for warehousing and distribution and research and development uses are not listed in the proposed Resolution and wanted to ensure that what is approved per the Staff Report is stated within the Resolution. He also expressed a concern to the outside users appearance.

### **Closed Public Hearing**

Commissioner Azevedo expressed a concern to residential use in this area, due to recent environmental issues that have occurred in the area, and felt that this type of use would be more appropriate for this area.

Commissioner Long responded to Mr. Davis' concerns relating to the uses not being listed within the Resolution and stated that she felt they were addressed in the proposed Resolution under the fifth "WHEREAS" under Nos. 1 and 5.

City Attorney Nerland suggested that within the proposed Resolution, under the first "WHEREAS" that wording be added "that the Use Permit to occupy an approximately 251,820 s.f. building for either warehousing and distribution and research and development uses".

### **RESOLUTION NO. 2007-18**

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***On motion by Commissioner Long and seconded by Commissioner Azevedo, the Planning Commission approved a request from FPA Antioch Associates, LP for approval of a Use Permit to occupy an approximately 251,820 s.f. existing vacant industrial building on 16.45 acres located at 1700 4<sup>th</sup> Street (UP-07-07)(APN 074-040-047), with the amended changes to:***

- ***Add Condition No. 17 to read: "That this Use Permit expire three years from the date of approval (August 1, 2010). The applicant may submit a written request for an extension subject to payment of all appropriate fees. The extension shall include a plan for all required permanent improvements such as landscaping, parking lot upgrades and any other site improvements as deemed necessary and shall be subject to conditions of approval."***
- ***Within the Resolution, under the first WHEREAS, to read: "WHEREAS, The City of Antioch received a request from FPA Antioch Associates, LP for approval of a Use Permit for warehousing and distribution and research and development uses to occupy an approximately 251,820 s.f. existing vacant industrial building on 16.45 acres located at 1700 4<sup>th</sup> Street (UP-07-07)(APN 074-040-047)."***

**AYES:** Long, Azevedo, Brandt, Delgadillo and Travers  
**ABSTENTION:** Martin

### **ORAL COMMUNICATIONS**

Commission Long announced that she would be resigning from the Planning Commission.

Commissioners Martin, Azevedo, Brandt and Delgadillo all wished Commissioner Long well in her future endeavors.

DDCD Wehrmeister stated her appreciation to Commissioner Long for her service to the City.

**WRITTEN COMMUNICATIONS**

None.

**COMMITTEE REPORTS**

Commissioner Azevedo reported that in regards to the RDA Committee, two projects would be forthcoming to the Planning Commission in the near future.

**ADJOURNMENT**

***Chairman Travers adjourned the Planning Commission at 11:00 p.m. to the next regularly scheduled meeting to be held on August 15, 2007.***

Respectfully Submitted,

Debra Lawson