

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**August 19, 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 6:30 P.M. on Wednesday, August 19, 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/](http://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 Wednesday, August 26, 2020.

**ROLL CALL**

Present: Commissioners Parsons, Barrow, Vice-Chair Martin and Chair Schneiderman  
Absent: Commissioners Motts and Soliz (Commissioner Soliz arrived at 6:55 P.M.)  
Staff: Director of Community Development, Forrest Ebbs  
Planning Manager, Alexis Morris  
Associate Planner, Jose Cortez  
Contract Planner, Cindy Gnos  
City Attorney, Thomas Lloyd Smith  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

## NEW PUBLIC HEARING

1. **GP-18-02, PD-18-03, UP-18-19, and AR-18-20 – Delta Fair Village** - The applicant is requesting approval of the demolition of 73,546 sf of the 147,081 sf Delta Fair Village Shopping Center to develop the site with approximately 210 multi-family residential units, which would be located in five four-story buildings above a single-story parking garage. The apartment complex would include a courtyard with a clubhouse, pool, and playground. Additionally, a new 4,174-sf retail building would be constructed on the western portion of the site. The new development would total 411,511 sf. Necessary entitlements from the City include a General Plan Amendment from Regional Commercial to Mixed Use; Rezone from C-3 to Planned Development (P-D); Lot Line Adjustment; and Use Permit and Design Review for the development of a new retail building and a multi-family residential development at a density of 35 du/ac within a P-D zoning district (APNs: 076-440-029, -030, and -031).

Contract Planner Gnos presented the staff report dated August 19, 2020 recommending the Planning Commission 1) Adopt the resolution in Attachment A recommending approval of the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring and Reporting Program (MMRP); 2) Adopt the resolution Attachment B recommending approval of a General Plan Amendment for the purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02); 3) Adopt the resolution in Attachment C recommending approval of an ordinance rezoning the property to Planned Development District (PD-18-03); and 4) Adopt the resolution in Attachment D recommending approval of a Final Development Plan Use Permit (UP-18-19) and Design Review (AR-18-20).

Commissioner Soliz arrived at 6:55 P.M.

In response to Commissioner Parsons, Contract Planner Gnos stated the applicant had not raised any concerns regarding the conditions of approval and mitigation measures proposed by staff.

In response to Commissioner Barrow, Contract Planner Gnos clarified that the applicant would be demolishing 73,546 sq. ft., adding a 4,000 sq. ft building and new structure of 411,511 sq. ft. She noted 73,535 sq. ft. would remain and be upgraded prior to construction of the apartment project. She noted renovation plans for the retail/commercial elevations were provided in the packet.

In response to Chair Schneiderman, Contract Planner Gnos agreed that the structure was taller than average and to compensate, they had provided relief at the street with roof variations which also helped with massing. Director of Community Development Ebbs explained that he expected code enforcement issues to remain on site as long as there was a vacant building on the property. He commented that Contra Costa County Fire had codes and requirements during construction and job site security was standard.

Planning Manager Morris added that staff had included a condition of approval in the attached resolution requiring the property owner to resolve all Code Enforcement violations prior to issuance of building permits.

In response to Vice Chair Martin, Contract Planner Gnos reiterated which buildings would remain and which would be demolished. She explained that this project contributed to a significant impact at the intersection so they would be required to construct all of the Somersville Road/Buchanan Road intersection improvements. She commented that the City had an MOU with the Tuscany Meadow's developer that outlined the timing of payment for their fair share of those improvements. She noted once improvements were constructed and accepted, the City could reimburse the applicant for the construction.

Vice Chair Martin questioned if the Fire Department had a ladder truck at the Gentrytown Fire Station that could service a 64-foot-tall building.

Planning Manager Morris responded that the Fire Department had commented on the project and they were mostly concerned about being able to access all four sides of the building and had not raised any concerns about the height. She noted ladder trucks were available to serve the area because they had recently approved the AMCAL project that was also four stories.

In response to Vice Chair Martin, Contract Planner Gnos explained that if the building official determined solar was required, he would make sure it was provided. Speaking to staff's recommendation to modify the elevation to include a 12-inch pop out for the façade, she explained that those features would provide relief and shadows on the end of the building. She clarified that some of the peer review recommendations are not applicable because the building was not like any other building in town. She noted staff had decided what was important given the context of what was being proposed.

Commissioner Soliz apologized for joining the meeting late this evening and noted that it was due to a work-related meeting.

Chair Schneiderman opened the public hearing.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

**Proponent**

Eric Christen, spoke in support of the project. He commented that a letter sent in opposition from Antioch Residents for Responsible Development was a frivolous complaint to force the developer into an exclusionary agreement that would interfere with their ability to get the project built. He requested the Planning Commission debate the project on its merits.

## Opponent

Kyle Jones, Antioch Residents for Responsible Development, stated that they were committed to sustainable community growth that addresses and minimizes environmental and public health impacts. He stated that they believed the City should set aside the IS/MND until an EIR was prepared because they believed the IS/MND contained errors that underestimated total project impacts related to air quality and public health.

Chair Schneiderman closed the public hearing.

In response to Commissioner Parsons, Brian Pendley, Project Architect, stated that they would comply with all conditions of approval.

Commissioner Parsons stated that she liked the project and it would be a significant improvement to this area of the City. She commended the developer for improving this part of Antioch.

Chair Schneiderman agreed with Commissioner Parsons and noted that mixed use projects were the future of developments. She noted it would be a nice addition.

Commissioner Soliz stated that this area had been blighted for a long time and he was in favor of anything that would improve the area. He noted residents would be grateful as it would have a positive impact on property values in the area.

Commissioner Barrow commended the applicant for the significant improvement to the Delta Fair Boulevard and Buchanan Road corridor. He stated he liked the landscape frontage on Delta Fair Boulevard.

In response to Commissioner Barrow, Mr. Pendley stated the original design would have been apartments with a future conversion to condominiums; however, the developer was now interested in making this a condominium project.

Contract Planner Gnos responded that architectural peer review was completed and included in the staff report. She clarified that the project before the Planning Commission this evening did not include approvals to make it a condominium project. She noted that she had explained to the applicant that if it were a condominium project, they would have to submit tentative maps along with other items. She further noted that they had responded that that process would delay the project, so they were choosing to move forward with an apartment project. She explained that if they wanted to pursue condominiums, they would have to add a map now or come back to do so later. She reported that the project had been properly noticed.

In response to Commissioner Barrow, Mr. Pendley stated that these units would be market rate and clarified that this property owner did not own the property across the street. He explained that the use permit limited them to two years to pull a permit.

Commissioner Barrow commented that this project would add a positive impact to that community. He applauded the applicant for their project and wished them good luck.

In response to Commissioner Soliz, Contract Planner Gnos reiterated that the applicant had not submitted the tentative map for the condominium project so at this time the Planning Commission could continue this item to allow the applicant to submit the tentative map or he could submit it prior to beginning construction. She explained that converting the project to condominiums after it was constructed as an apartment project was a separate process that required notifications and relocation benefits as well as other processes.

Mr. Pendley stated the owner did not want to continue the public hearing; however, he noted that they had created the tentative map in February. He further noted they would rather get the project approved as apartments and address the conversion later.

Director of Community Development Ebbs added that the meeting was not noticed as a condominium project and it was not part of the staff report. He clarified that the item before the Planning Commission this evening was for a rental project.

Chair Schneiderman stated that this evening they would be considering the apartment project and informed the applicant that if they wanted to move forward with condominiums, they would have to contact the Planning Department and respond with the required submittals.

Planning Manager Morris clarified that if the building was built and occupied there was a chapter of State law regarding converting projects from apartments to condominiums. She noted if they wanted to move forward with condominiums, they could be processing the map within the next three to four months and be well underway prior to construction.

Mr. Pendley stated he understood the process.

Vice Chair Martin stated he realized that times had changed and the demand for retail had decreased. He stated he liked the project as proposed and encouraged the applicant to consider the need for a grocery store in this area of Antioch. He stated he was not supportive of tandem parking or reciprocal parking agreements. He noted it was a needed improvement for an area that was currently blighted.

Commissioner Soliz stated he was concerned that the applicant had suggested that they wanted to move forward with condominiums and questioned if it was better to approve it as apartments or wait until the applicant provided the proper documents so they could approve it as a condominium project. He stated condominiums would provide pride of ownership which would facilitate maintenance of the project.

Commissioner Parsons commented that time was money and she did not want to delay this development.

**RESOLUTION NO. 2020-21**

*On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present adopted the resolution in Attachment A recommending approval of the Delta Fair Village Project Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring and Reporting Program (MMRP). The motion carried the following vote:*

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

**RESOLUTION NO. 2020-22**

*On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution Attachment B recommending approval of a General Plan Amendment for the purposes of amending the City of Antioch General Plan Land Use Map (GP-18-02). The motion carried the following vote:*

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

**RESOLUTION NO. 2020-23**

*On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment C recommending approval of an ordinance rezoning the property to Planned Development District (PD-18-03). The motion carried the following vote:*

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

**RESOLUTION NO. 2020-24**

***On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment D recommending approval of a Final Development, Plan Use Permit (UP-18-19), and Design Review (AR-18-20). The motion carried the following vote:***

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

Chair Schneiderman congratulated the applicant on the project and stated he they wanted to move forward with condominiums, she encouraged him to work with Planning Department. She thanked him for investing in Antioch. She stated she hoped other property owners will want to make investments in the area.

Mr. Pendley thanked the Planning Commission.

**NEW ITEM**

- 2. AR-19-14 - Oakley Knolls Design Review** – The applicant, Discovery Builders Inc. requests design review approval for home designs and architecture for the previously approved development for the Oakley Knolls Subdivision. Plans include four different floor plans both one- and two-story plans and three architectural styles include Spanish, Traditional, and Cottage. The project site located on the north side of Oakley Road, immediately south of the terminus of Honeynut Street, east of Willow Avenue, and west of Phillips Lane.

Associate Planner Cortez presented the staff report dated August 19, 2020 recommending the Planning Commission adopt the resolution in Attachment A approving the Design Review application for home designs and architecture for the previously approved Oakley Knolls Subdivision.

Chair Schneiderman opened and closed the public comment period with no members of the public requesting to speak.

In response to Commissioner Barrow, Associate Planner Cortez explained that the applicant had incorporated the recommendations made by staff and the Planning Commission into the project.

Vice Chair Martin stated that he liked the improvements made to the project after the initial discussion of this item. He commented that the developer had only used two elevations on Hickory Nut Street, and it would have been nice if they had added another model. He noted the architecture could possibly provide a variety.

Chair Schneiderman commented that the designs, textures and materials were very well done.

**RESOLUTION NO. 2020-25**

***On motion by Commissioner Barrow, seconded by Commissioner Parsons, the Planning Commission members present unanimously adopted the resolution in Attachment A approving the Design Review application for home designs and architecture for the previously approved Oakley Knolls Subdivision. The motion carried the following vote:***

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

Chair Schneiderman congratulated the applicant on their designs, wished them good luck with their project, and thanked them for investing in Antioch.

Commissioner Parsons commented that this project would have great access to the BART station.

**ORAL COMMUNICATIONS**

Planning Manager Morris announced the September 5, 2020 Planning Commission was cancelled and due to COVID-19 they were expecting light agendas and possibly cancelled Planning Commission meetings for the near future. She explained that they had recently become very busy and those applications should be coming to the Planning Commission in the winter/spring timeframe.

**WRITTEN COMMUNICATIONS**

None.

**COMMITTEE REPORTS**

None.

**ADJOURNMENT**

***On motion by Vice Chair Martin, seconded by Commissioner Parsons, the Planning Commission unanimously adjourned the meeting at 7:49 P.M. The motion carried the following vote:***

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

Respectfully submitted:  
KITTY EIDEN, Minutes Clerk