

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**September 7, 2016
City Council Chambers**

Chair Motts called the meeting to order at 6:31 P.M. on Wednesday, September 7, 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, September 15, 2016.

ROLL CALL

Present: Commissioners Parsons, Mason, Hinojosa, Vice Chair Zacharatos and Chair Motts
Absent: Commissioners Husary and Conley
Staff: Director of Community Development, Forrest Ebbs
Contract Planner, Cindy Gnos
Assistant City Engineer, Lynne Filson
City Attorney, Michael Vigilia
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: August 17, 2016

On motion by Commissioner Zacharatos, seconded by Commissioner Parsons, the Planning Commission approved the minutes of August 17, 2016, as presented. The motion carried the following vote:

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

NEW PUBLIC HEARING

2. **PD-16-02, UP-16-06, AR-16-03 – Vineyard Self-Storage** – Reid Hamilton, Hamilton Solar, requests approval of a Mitigated Negative Declaration, a rezone to Planned Development District (PD), a Use Permit, and Design Review for the development and operation of a 1,390 square foot office building, 100,943 square foot of self-storage space, and approximately 70,600 square foot of outdoor boat and RV storage space on approximately 6.68 acres. The proposed project also includes off-site sewer improvements.

Staff recommended that this item be continued to September 21, 2016.

On motion by Commissioner Parsons, seconded by Commissioner Zacharatos, the Planning Commission unanimously continued PD-16-02, UP-16-06, AR-16-03 – Vineyard Self-Storage to September 21, 2016.

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

3. **UP-15-16 – Delta Courtyard** – Antioch Pacific Companies, requests use permit, design review, and a lot line adjustment approval for the construction of 126-units of affordable rental housing. The project would consist of a three-story and four-story building that combine to house 17 one-bedroom, 38 two-bedroom, 62 three-bedroom units, and 9 four-bedroom units. Based on the R-25 zoning designation, 115 units would be allowed on the site; therefore, the applicant is requesting a density bonus of ten percent in order to allow 126 units. In conjunction with the density bonus, the applicant is requesting approval of an incentive to reduce the required parking from 240 spaces to 187. The proposed project would develop affordable rental housing units on two adjoining parcels located at 701 and 810 Wilbur Avenue (APNs 065-110-006 and -007).

Contract Planner Gnos presented the staff report dated September 2, 2016, recommending the Planning Commission approve the use permit and design review subject to the conditions contained in the staff report's attached resolution. In addition, staff recommended approval of the Density Bonus and would like Planning Commission's further consideration and direction regarding the requested Parking Concession.

In response to Commission Hinojosa, Contract Planner Gnos clarified the property owner to the east has requested a masonry wall along the property line.

Commissioner Hinojosa stated she reviewed the preconstruction survey and there remained a potential for burrowing owls to be present at the time of grading; therefore,

she suggested adding a condition of approval requiring a preconstruction survey and avoidance and minimization measures for the project.

Commissioner Hinojosa suggested the Commission and applicant discuss the potential for adding a gated entry to the project.

In response to Commissioner Hinojosa, Director of Community Development Ebbs cautioned that setbacks for the gate would require careful site planning.

In response to Commissioner Hinojosa, Director of Community Development Ebbs explained requirements necessary to achieve state-mandated concessions. Contract Planner Gnos added that the below market rate housing plan met all the requirements.

Commissioner Mason expressed concern that there was no guest parking and it would be unsafe to park on the other side of Wilbur Avenue as there was no safe crossing. He noted at 28.5 units per acre, this project exceeded the City's requirements per the Municipal Code.

Contract Planner Gnos explained the Density Bonus ordinance allowed the project to reduce the City's parking requirements without a variance as well as exceed the maximum density.

Director of Community Development Ebbs added the Density Bonus was consistent with the provisions in the Municipal Code and the City was compelled to allow the additional units above 25 per acre. In addition, the applicant was allowed to ask for additional concessions, which the City was compelled to give unless the City could make a finding to the contrary.

Vice Chair Zacharatos stated she felt 215-239 parking spaces were reasonable, given the total amount of bedrooms in the project and questioned whether this site was appropriate for housing.

In response to Vice Chair Zacharatos, Director of Community Development Ebbs explained the City was compelled to continually add to their inventory of affordable housing.

Contract Planner Gnos added the Housing Element identified this site for the provision of affordable housing and it was rezoned to R-25 as part of the Housing Element.

In response to Chair Motts and Commissioner Hinojosa's questions regarding the CEQA exemption, Contract Planner Gnos explained criteria used to determine this project as an infill project and noted the project was consistent with the General Plan. Director of Community Development Ebbs added that the City had adopted a community climate action plan, which carried the burden for greenhouse gases through a series of programs and non-development type activities.

In response to Commissioner Hinojosa, Contract Planner Gnos stated the applicant had attempted to mitigate the parking issue through the proposed Parking Management Plan. She noted C3 requirements were State law.

Chair Motts opened the public hearing.

William Spann, Pacific West Communities, Delta Courtyard Apartment Project, presented a PowerPoint presentation which included a background of their company, examples of other projects, overview of amenities, site plan, illustration of materials and project benefits. He explained the Parking Management Plan and discussed the results of the studies that indicated low income families had fewer cars especially in urban areas. He explained funding for the project and noted there was a shortfall and if they were to lose units due to the concern over parking, that shortfall would increase. He noted the installation of a gate would most likely reduce parking spaces; however, he agreed to look at the issue.

In response to Commission Mason, Mr. Spann stated he would discuss a local hire provision with his partner.

Commissioner Mason stated a good faith effort of at least 25% local hire would be preferred.

In response to Commissioner Hinojosa, Mr. Spann explained the onsite property management team enforced provisions of the Parking Management Plan. He discussed their outreach and communication strategies. He expressed concern regarding the requirement to provide bus passes noting he was unaware of the costs associated; however, he offered to research the issue and cooperate if possible.

Director of Community Development Ebbs explained the Antioch Police Department and Code Enforcement would not patrol private property or issue citations for vehicles legally parked on the street; however, if a vehicle was parked in the red zone or on the street for longer than 72 hours, the vehicle could be cited and towed.

Andrew Wheeler, Project Architect, stated onsite managers and maintenance staff lived on the property and their parking would come out of the provided parking.

In response to Chair Motts, Mr. Spann stated they would be amiable to analyzing permeable materials to offset the size of the retention basin and gain more parking area.

Mr. Spann displayed a video flyover of the proposed project.

In response to Commissioner Hinojosa, Mr. Spann explained garages helped the financial performance of the project and physical appearance. He commented that there would be windows so staff could monitor their usage.

In response to Commissioner Mason, Mr. Spann clarified 4-5 managers/maintenance staff would live onsite.

In response to Vice Chair Zacharatos, Mr. Spann explained they had designed a similar project in Gilroy that had comparable parking constraints.

In response to Commissioner Parsons, Assistant City Engineer Filson clarified the project would drain into the C3 basins which then cleaned and slowed down drainage into the public storm drain system. She stated she was unsure if it would drain into Lake Alhambra. She noted the water could not drain any faster and had to be at least as clean as it is in its current undeveloped state. She noted there would not be any impact or deterioration of the existing condition.

Commissioner Parsons spoke in support of increasing the masonry wall height to 8 feet along North Lake Drive.

Andrew Wheeler, Project Architect, explained the project was heavily landscaped on the east elevation as a visual barrier and the majority of the project would be native and drought tolerant plants.

Commissioner Parsons requested the applicant enhance landscaping on the east elevation.

Mr. Spann stated that they could explore planting trees on the Garrow property.

Bill Campbell, Antioch resident, voiced his opposition to the project draining into Lake Alhambra. He suggested draining the project toward Wilbur Avenue and then utilizing the retention basin area for additional parking. He requested an 8 foot masonry wall on North Lake and that the facility is gated. Additionally, he expressed concern for a four story building being constructed adjacent to existing residential development.

Mike Serpa, property owner, discussed the challenges of developing this site. He spoke in support of Pacific West Communities noting they had a reputation for building and managing very successful affordable rental projects. He explained that draining the project toward Wilbur Avenue would not be possible and noted the C3 basin was designed to function efficiently. He offered to fund enhanced landscaping and install an 8 foot masonry wall to address Mr. Campbell's concerns.

Chair Motts closed the public hearing and reopened the public hearing at the request of a speaker.

Greg Piasatelli, expressed concern for the screening of this project from his property along Minaker Drive as well as the project draining into the river. Additionally, he noted he was concerned for parking spilling into the adjacent neighborhood and a low income housing project decreasing his property values. He reported Cupertino Tow utilized Minaker Drive as a main thoroughfare, which was loud and deteriorating the street.

Chair Motts closed the public hearing.

Chair Motts declared a recess at 8:19 P.M. The meeting reconvened at 8:27 P.M. with all Planning Commissioners present with the exception of Commissioners Conley and Husary who were previously noted as absent.

Commissioner Hinojosa listed the following items she would like considered for the conditions of approval:

- Conduct and provide results of a preconstruction survey and implement minimization measures for avoidance for western burrowing owls and nesting birds prior to the grading of the project.
- Installation of an entry gate on site if it could be accommodated and encroachment of the setback would be acceptable without taking away parking
- Submission of an annual report on how the parking management plan is performing, require guest parking passes, and provide bus passes at no cost to the residents
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- The masonry wall on the North Lake Drive side shall be increased to 8 feet
- The masonry wall shall be installed on the East property line
- The applicant shall provide additional landscape screening along North Lake Drive

Director of Community Development Ebbs speaking to the parking management plan explained additional language could be added; however, this was a permanent project and there would be no recourse if parking became a problem.

Assistant City Engineer Filson stated if parking on the street became a problem, residents could request a permit parking district.

Director of Community Development Ebbs explained a parking district was not available at this time.

Chair Motts agreed with Commissioner Hinojosa and suggested in the future for C.3 compliance, staff consider permeable materials for projects to free up space for parking.

In response to Commissioner Hinojosa, Director of Community Development Ebbs explained the Planning Commission would be approving the Development Plan and the Density Bonus would go to Council to formalize the contract.

In response to Commissioner Parsons, Director of Community Development Ebbs explained C3 requirements.

Assistant City Engineer Filson stated if water drained into Lake Alhambra, it would go into the very outfall on the north end heading into the river.

In response to Commissioner Mason, Director of Community Development Ebbs clarified the nearest bus stop was east bound 250 feet to the west on the south side of Wilbur Avenue. Assistant City Engineer Filson added if an additional bus stop were needed, Tri Delta would provide one. She noted there were signalized crosswalks at Cavallo Road and Minaker Drive.

Commissioner Mason supported installation of an entry gate for the project, bus passes for residents and extension of the masonry wall to 8 feet. He stated he would prefer 200 parking spaces and questioned if motorcycle spaces were included.

Vice Chair Zacharatos concurred with comments made by Commissioners Hinojosa and Mason.

Director of Community Development Ebbs stated the Commission could ask for a yearly review of the Parking Management Plan; however, the City was limited on what could be done if it was not functioning successfully.

Commissioner Hinojosa shared concerns regarding the parking issue; however, she felt the City was obligated due to State requirements linking back to the concessions. She stated she did not know that she could attribute the necessary findings for denial. She noted that while she felt there would not be adequate parking and they were creating a nuisance for the community, she believed there was a moral and legal obligation to meet the affordable housing requirements and the need within the community. She further noted adding more substance to the parking plan may help address these concerns even though enforcement was limited. She stated she felt this location was good for linking to public transit.

Chair Motts added with the sale of the Gaylord property, there may be potential for employment within the neighborhood. He questioned if there was an ability to encroach into the setback to provide space for the gated entry.

Director of Community Development Ebbs stated if there was consensus for the installation of a gate, a condition could be added that the applicant exhaust all measures to install a gate except reducing parking.

In response to Commissioner Parsons, Assistant City Engineer Filson stated the long term plan for Wilbur Avenue was bike lanes for both sides.

Director of Community Development Ebbs clarified the options for the Planning Commission this evening included approving the project with the conditions as amended, directing staff to develop findings for denial or continue the project for redesign to reduce the impact of the concession.

Following discussion, the Planning Commission agreed the garage doors enhanced the design of the project.

In response to Commissioner Hinojosa, Contract Planner Gnos clarified the applicant addressed the majority of revisions requested by Stantec Architects. Director of Community Development Ebbs noted the removal of the basketball court would not result in additional parking spaces.

Following discussion the Planning Commission agreed that staff should work with the applicant to explore the compact spaces to increase parking.

Contract Planner Gnos stated staff would make sure there was adequate guest parking when reviewing the Parking Management Plan.

RESOLUTION NO. 2016-16

On motion by Commissioner Hinojosa, seconded by Vice Chair Zacharatos, the Planning Commission approved the use permit and design review subject to the conditions contained in the staff report's attached resolution. With the following modifications and additions:

- **Modify Condition D3 to eliminate the requirement for the formation of the police services CFD.**
- **Modify Condition J9 to require the installation of entry gates without parking reduction.**
- **Modify Condition J14 to require that garage doors have windows and not be eliminated.**
- **Modify Condition J15 requiring guest parking permits, free bus passes for residents, parking stickers or implement other measures to control parking and require annual monitoring of garages to ensure they are not being used for storage.**
- **Add a Condition requiring preconstruction surveys and minimization and avoidance measures for burrowing owls and nesting birds.**
- **Add a Condition adding two feet on the masonry wall adjacent to N. Lake Drive.**
- **Add a masonry wall along the east side property line.**
- **Add additional landscape screening along N. Lake Drive.**

The motion carried the following vote:

AYES:	<i>Parsons, Zacharatos, Mason, Hinojosa and Motts</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>Husary, Conley</i>

In response to Commissioner Parsons, Assistant City Engineer Filson stated she would provide her with information as to where the detention basin water was draining. Commissioner Parsons stated she would like the City to pursue a sewage line that does not drain into Lake Alhambra.

NEW ITEM

4. PC Training Budget

Director of Community Development Ebbs reported the training budget for his staff and the Planning Commission was not included in the last budget. He noted the League of California Cities Planning Commissioner's Academy and California Chapter of the American Planning Association Annual Conference would be held in Northern California next fall. He further noted his intent would be to insert at least \$500.00 per Commissioner into next year's budget to ensure they could participate in one of the conferences. He explained that since the local events were not scheduled until next fall, he did not feel it necessary to request a mid-year budget transfer.

Chair Motts reported the American Planning Association held some local weekend training sessions.

Commissioner Hinojosa added that those trainings were free and held in public locations.

Director of Community Development Ebbs encouraged Commissioners to forward any local training opportunities to him so he could disperse the information to other Commissioners.

City Attorney Vigilia added if the Planning Commission were interested in certain training topics, his office could coordinate with outside legal counsel to provide workshops or trainings during a Commission meeting.

Director of Community Development Ebbs added if the Commission had questions regarding the City code or planning issues, he would be happy to provide a report to the Commission.

ORAL COMMUNICATIONS

In response to Commissioner Hinojosa, Director of Community Development Ebbs clarified that Commissioner Conley had been appointed to an unexpired term and his seat was up for reappointment

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Motts adjourned the Planning Commission at 9:29 P.M. to the next regularly scheduled meeting to be held on September 21, 2016.

Respectfully Submitted,
Kitty Eiden