

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

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

**September 21, 2011
City Council Chambers**

CALL TO ORDER

Vice Chair Baatrup called the meeting to order at 6:35 p.m. on Wednesday, September 21, 2011, 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 decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, September 29, 2011.

ROLL CALL

Present: Commissioners Baatrup, Langford, Johnson, Travers and Azevedo
Absent: Chairman Westerman
Staff: Senior Planner, Mindy Gentry
Assistant Engineer, Harold Jirousky
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: September 7, 2011

Pursuant to clarification by City Attorney Nerland later in the meeting, the September 7, 2011, Minutes were approved as follows:

On motion by Commissioner Azevedo, and seconded by Commissioner Langford, the Planning Commission approved the Minutes of September 7, 2011.

AYES: Baatrup, Langford, and Azevedo
NOES: None
ABSTAIN: Johnson and Travers
ABSENT: Westerman

END OF CONSENT CALENDAR

CONTINUED PUBLIC HEARING

2. **UP-11-08, AR-11-05, V-11-04** – Satellite Housing, Inc. requests the approval of a Senior Housing Overlay District with a density bonus, an exception to the parking ratio, a use permit for 85 affordable senior housing attached units, a variance to provide covered parking, and design review. The project is located on the southeast corner of James Donlon Boulevard and Tabora Drive (**APN: 072-011-062**).

City Attorney Nerland stated that this item is a continued hearing and that Commissioners Travers and Johnson were not present at the first part of the hearing on September 7, 2011. She said that both Commissioners have indicated that they have reviewed all materials and that applicant has indicated no objection to have the matter proceed. She said that because we have two commissioners who were not present at the last hearing that Senior Planner Gentry will elaborate on issues from the last meeting.

SP Gentry provided a summary of the staff report dated September 15, 2011. She said that applicant has a presentation.

OPENED PUBLIC HEARING

Applicant, Karl Lauff, Satellite Housing Inc., stated that he heard the comments from the last hearing, that they have brought the information requested and was handing this over to Betsy Yost.

Betsy Yost, Pyatok Architects, said that they are here to respond to issues which arose at the last hearing. She gave an overview of the development and showed slides regarding the design of the buildings, storm water, diversity of elevations, roof lines, French balconies, sunscreens with added brackets, materials on connectors to the buildings being smooth finish stucco and the board and batten siding with horizontal joints. She handed over to Bruce Jett to talk about landscaping.

Bruce Jett from Bruce Jett Associates stated their overall concept in integrating gardens with storm water control methods and showed slides discussing the gardens, patio area, shade garden, masonry wall by canal and fire path, vehicular gates, drop off/pickup areas, colored concrete, wood for boardwalk, redwood arbors and fences, decomposed granite, stamped asphalt band, CMU wall and steel fencing.

Commissioner Travers questioned applicant about their numerous properties and the ages of residents to which Karl Lauff said that historically they have developed senior housing. Commissioner Travers then asked applicant about the setback on the path by the canal to which Betsy Yost stated that the fence is shown on the property line which is about three to four feet from the edge of the path and that the path is ten feet wide.

Commissioner Langford thanked applicant for the changes and additional information. He said that he was glad to see the upgrade to plaster from Hardy Board. He stated his

concerns about making sure that all of the metal was either powder coated or galvanized and painted but noted that when it heats up the paint will peel. He added that the aluminum could be anodized.

Betsy Yost stated that they will look into that but that there is a special treatment for that. She said that this is a technical issue that they would need to spend some time on.

Commissioner Langford questioned applicant about the vinyl windows which appeared to be trim less windows on the plans and asked if the windows would be trimmed to seal them off to which Betsy Yost said that although they want a modern look of trim less, it appears that a small piece of trim would be needed.

Commissioner Travers pointed out to the applicant the slide showing the side of the buildings on other developments which appear to have trimmed windows.

Commissioner Langford stated he would like to see them finish off around the windows and that he still had concern with the massive size of the roof. He said that if they were to cut down the pitch of the roof that this would cut the roof height by six feet.

Betsy Yost responded that there are storm water issues to which Commissioner Langford said that given everything runs down into a drain system that they could drain around the building to the front depressed area to collect water. Betsy Yost stated that this would be asking them to redesign the project. Commissioner Langford reiterated his concern of the massive roof and the visibility of it from James Donlon. Betsy Yost said that it is visible to some units up the hill but felt that this was an interesting solution to the problem.

Commissioner Langford confirmed with applicants that they had been through the design guidelines which specifically deal with this issue and stated his thought that the roof would be less visible if they bring the height of the building down.

Betsy Yost stated that their intent was to make the building slightly less traditional.

Karl Lauff stated that they are limited on site to treat storm water.

Bruce Jeff said that given the distance between the building, the path and the fence being so tight, he did not see getting water to the other side other than going underground and that was the reason for the roof being pitched the way it is.

Commissioner Langford asked the applicant where the garbage containers were located to which Betsy Yost stated that there were trash rooms at the ends of the buildings.

Commissioner Langford then confirmed with Betsy Yost that there were outside stairwells which would have stucco walls with wood on the caps.

Commissioner Johnson questioned staff about the housing guidelines and Commissioner Langford's preference for roof being gable and hip versus the shed style and asked if the shed style was prohibited. SP Gentry stated that it was not prohibited and that the Zoning Code does allow for flexibility.

Commissioner Azevedo confirmed with Commissioner Langford that if the roof type were changed that the height difference would be cut down approximately six feet. He stated that with a net of about five to six feet, would applicants be willing to put the entire drainage system on the backside. Bruce Jett said that there was not enough room to accommodate drains on the backside and that ideally for Contra Costa County C.3 requirements, a 2 percent drop is needed to get water to flow.

Betsy Yost stated that the grading plan and getting elevations to work was difficult to achieve.

Commissioner Johnson suggested using the pitch of the roof and gravity to drain to the other side to which Bruce Jett said that Code requires the roof to be treated and that a green roof is challenging.

Commissioner Travers asked applicant about the time, effort and dollar amount to change everything to which Karl Lauff said this would take several months time delay which would be problematic for their funding schedule and that it would cost tens of thousands of dollars in architect fees.

Commissioner Langford questioned the applicant about putting the AC units on the flat roof area and if they would be screened from view to which Betsy Yost said that the units are not very tall, that most of them are located on the ground behind the building and that the ones located on the flat portions would be screened from close points of view.

Vice Chair Baatrup confirmed with applicants that no detail was provided detailing the screening, detail and treatment. Karl Lauff stated that they would be happy to look at screening the units and would use any reasonable attempt to screen them from view.

City Attorney Nerland suggested asking if anyone from the public wished to comment which Vice Chair Baatrup did and seeing none, he closed the public hearing.

CLOSED PUBLIC HEARING

Commissioner Travers stated that this project would be a great benefit to serve the older community and that he would support the project. He said that if and when the action was brought up for a vote Project Specific Condition 71 could be added to speak to the screening of the units on the roof.

SP Gentry interjected that Standard Condition 40 stated that ~~all~~ mechanical equipment shall be screened from public view+.

Commissioner Johnson thanked the applicant for giving the summary and stated he could support the project but that he had concerns about the roof. He said that he did not like it but based on the trouble in redesigning the drainage, does not really see another option without time that the applicant does not have. He said that he does support Commissioner Langford's suggestions about powder coating any metal exposed and that he could support the project.

Commissioner Azevedo stated that the concept of the project is a good one, that this is a strange parcel and difficult to develop and felt they have done a good job. He said that he does support the coating of all metal, as well as the vinyl windows transition to be aesthetically pleasing. He said that regarding the roof he can understand the concern but given that it does meet the Code and guidelines he is not sure they would get much bang for their buck to redesign it. He stated that he did not see it being an eyesore and that he supported leaving the roof the way it is, requiring coating of all metal and dealing with the vinyl windows.

Commissioner Langford stated that although he liked the concept and could totally support senior housing, he had a problem with the objections raised to changing things. He said that the design guidelines talk about bringing the mass down and that although applicant is trying to make it look different, bringing the roof down would bring the whole building down. He stated his opinion that things could be done, that cost is not out of line, that he felt applicants were using the cheapest type of construction with the cheapest materials including 30 year roofing and is not sure the compromise is worth it.

Commissioner Johnson asked Commissioner Langford if in his professional opinion, he felt that in ten years the building would look like it was twenty years old.

Commissioner Langford responded that he felt the building would be tough to maintain with all of the paint and maintenance issues. He said that getting water from the back to the front was not a big issue, that they can filter some in back and some to the front, that they can use internal drains and that the new design guidelines were developed to raise the level of materials for the design of properties in Antioch and that he did not feel this is going to do that and is not in favor of this design.

Commissioner Johnson asked that the hearing be reopened to ask a question of the applicant.

REOPENED PUBLIC HEARING

Commissioner Johnson asked Karl Lauff to speak to the issue of the maintenance plan for the building and asked how currently owned buildings are maintained.

Karl Lauff stated that their organization has roughly 100 employees and the majority of their employees are property management. He said that maintenance is their utmost concern in their selection of design and materials and materials are looked at by

maintenance as they want them to last a long time and they are not interested in overly maintaining.

Commissioner Johnson then questioned Karl Lauff about funding sources and if these sources fall short if the project would happen at all. Karl said that the financing of the project is looked at carefully, that there are a number of sources they plan on using including investors and government entities and that if one funding source falls short, they would re-evaluate the plan. He went on to say that the investors and government entities want a project that is a benefit serving the purpose intended and they want to ensure that this building remains a quality building for the long term.

Commissioner Johnson asked the applicant what the age of the oldest project is to which Karl Lauff stated he did not know specifically but he believed about forty years old. He said that buildings do wear out over time but that they generally refinance the buildings to rehabilitate them so fifteen years down the road they will be looking to do work if needed.

Commissioner Azevedo confirmed with staff that technically the roof line was not in compliance with guidelines, that hip roof and gable were preferred in the guidelines but that the Zoning Code does allow for flexibility. She said that she believed the remainder of the materials meet guidelines and that there were not any recommendations by the peer reviewer in terms of materials or elevations.

Commissioner Langford stated that there is something in the guidelines that mention a fifty year roof, storage issues and other things as well, but that there is flexibility because of the nature of this project.

RECLOSE PUBLIC HEARING

Commissioner Johnson stated that although code enforcement deals with maintenance, he questioned staff about what depth can be required for a building to be repainted or landscaping updated.

SP Gentry replied that these types of things are complaint driven and if staff were available these would be followed through. She said that for some commercial buildings, there are landscape maintenance agreements if there are multiple owners and that conditions can be put onto the project such as reviews.

Commissioner Langford commented to fellow commissioners that looking at the elevations with the white vinyl windows, changing the color to beige without trim on the windows would wash them out and suggested using window tint which would help with Title 24 requirements.

Commissioner Azevedo said that although it would be a massive crème colored wall, the balconies, wainscoting and vegetation would help. He went on to say that realistically not all projects will be top of the line but he is concerned that the roof

doesn't technically meet the guidelines. He said that weighing the pros and cons of benefits to the City verses raising the bar for this project to be over and above minimum expectations.

Commissioner Johnson stated that Commissioner Azevedo makes good points that where they fall short is not super significant, that he would like to see a perfect project, that the guidelines are flexible for this type of project and in the interest of more development in Antioch he could support the project but would like to see a 5 to 7 year maintenance agreement subject to staff approval to alleviate his concerns.

Commissioner Travers stated he would want the City to be viewed as facilitators not obstructionists, that we prepared the guidelines and that we have to look at the bigger picture and the condition of the property now. He said that Commissioner Langford has far more experience than he but feels this is a balancing act and that he is still in favor of the project with some aesthetic adjustments.

Vice Chair Baatrup said that this was a fantastic project and a good service to provide but that he agrees with Commissioner Langford that they did not get creative ideas concerning the roof concerning the pitch and the 30 year roof, and that he is reluctant and has a difficult time supporting the project.

Commissioner Langford stated that he thinks it is important to stick to the guidelines, that there is a lot of flexibility in those guidelines, that if compromises are made what about other applicants and that there are things that applicants could have done differently to enhance this project. He said that while he would love to see this project there, based on the plans, he cannot support it.

Commissioner Travers confirmed with Commissioner Langford that although Commissioner Langford's inability to support the project was based primarily on the pitch of the roof, that he had other objections as well that are detailed out such as colors, trim and the stucco with wood trim.

Commissioner Travers asked City Attorney Nerland if they were to vote on each separate action. CA Nerland suggested voting on the entire matter and if it failed, then they could look at bifurcating the recommendation to the City Council for the consensus on part but not all.

Commissioner Travers made a motion to approve. Commissioner Azevedo seconded with amendment asking for 50 year roof, vinyl windows trimmed out and powder coating, anodizing aluminum or galvanized with paint added as Specific Condition 71.

Commissioner Langford commented that 50 year roof is thicker on the bottom and that the minimum pitch is a water runoff issue.

City Attorney Nerland interjected that the Specific Condition would be 70 looking at the new resolution.

A brief recess was taken to be sure that everyone was referring to the correct version of the Resolution.

SP Gentry stated that a 5 to 7 year maintenance plan could be added.

Discussion ensued between the Commissioners regarding enforcement of such a plan to which CA Nerland stated that in the interest of a maintenance plan a condition could be added and if it comes to the City's attention that they are in violation, remedies would be determined.

RESOLUTION NO. 2011-**

On Motion by Commissioner Travers and seconded by Commissioner Azevedo, the Planning Commission voted to recommended to the City Council approval of UP-11-08, AR-11-05, V-11-04, subject to added conditions:

- 70. That all metal surfaces be powder coated, galvanized steel or anodized aluminum.**
- 71. That vinyl windows have a small trim piece.**
- 72. That a 5 to 7 year maintenance plan subject to staff approval.**

The motion failed pursuant to the attached vote:

AYES:	<i>Johnson, Travers and Azevedo</i>
NOES:	<i>Baatrup and Langford</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>Westerman</i>

CA Nerland stated that given that there will be further discussions with the applicant, the Commission did not need to spend a lot of time to split all of the conditions but suggested that the Commission make a motion to approve all but the design review to share with the City Council.

Vice Chair Baatrup asked CA Nerland what the Council would do with the lack of design review to which CA Nerland stated that they have several options, they could approve the design, they could share their comments and suggest that the project come back to the Planning Commission, or they could deny it outright.

Commissioner Langford made a motion to approve all elements as discussed except for design review and recommend to the City Council with the addition of conditions from previous motion which was seconded by Commissioner Johnson.

Commissioner Azevedo wanted to put on record that although he understands Commissioner Langford and Commissioner Baatrups conviction that this project doesn't meet all guidelines for design review, after discussing with staff and given the peer review, he is not convinced that it doesn't meet requirements. He added that he is not in favor of a project that does not meet guidelines or inferior projects, but does not feel this project meets that definition.

RESOLUTION NO. 2011-13

On Motion by Commissioner Langford and seconded by Commissioner Johnson, the Planning Commission recommended to the City Council approval of the Senior Housing Overlay District with a density bonus, an exception on the parking ratio, use permit and a variance for covered parking.

AYES: *Baatrup, Langford, Johnson and Azevedo*
NOES: *Travers*
ABSTAIN: *None*
ABSENT: *Westerman*

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Commissioner Johnson stated that one of the previous applicants, Redeemed Christian Church of God is having their first community fair which is an outreach to the community supporting different services and has invited the Planning Commission as well as City Council. He provided the invitation to SP Gentry to distribute to the City Council and gave all Planning Commissioners a copy.

COMMITTEE REPORTS

None.

ADJOURNMENT

Vice Chair Baatrup adjourned the Planning Commission at 8:35 p.m. to the next regularly scheduled meeting on October 5, 2011.

Respectfully Submitted,
Cheryl Hammers