

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**October 3, 2018
City Council Chambers**

Chair Parsons called the meeting to order at 6:30 P.M. on Wednesday, October 3, 2018 in the City Council Chambers. 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, October 10, 2018.

ROLL CALL

Present: Commissioners Zacharatos, Motts, Martin, Schneiderman, Vice Chair Turnage and Chair Parsons
Staff: Director of Community Development, Forrest Ebbs
Contract Planner, Cindy Gnos
Interim City Attorney, Samuel L. Emerson
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes:** None

NEW PUBLIC HEARING

2. **PD-18-01** – Sean McCauley, applicant and owner, requests approval of a Final Development Plan for the construction of up to two single-family dwellings, one agricultural building, and all necessary infrastructure to serve two home sites at an existing 40-acre site at 7901-79 Deer Valley Road. The project site is located on the west side of Deer Valley Road at the terminus of Balfour Road (APN 057-060-014 and 057-060-015).

Director of Community Development Ebbs presented the staff report dated September 25, 2018 recommending the Planning Commission adopt the resolution recommending that the City Council approve the Final Development Plan. He announced that letters were received from East Bay Regional Park District (EBRPD), who indicated that they wanted it to be on the record, that they were working on developing recreational opportunities in the area. He noted that it had been acknowledged by the City and the

development plan. He reported that the second letter was from Dave Sanson, Manager Civic Rancho Meadows, LLC, who had expressed concern that the City was identifying their parcel as open space. He commented that in response to his concern, he had formulated alternative language for the Final Development Plan that would identify the area owned by Mr. Sanson, as a study area.

Director of Community Development Ebbs distributed to the Planning Commission, the substitute Final Development Plan, text and modified map reflecting the above changes.

In response to Commissioner Schneiderman, Director of Community Development Ebbs stated that the 80-acre agricultural land could be subdivided under the current County zoning. He explained that none of the rules discussed this evening applied to their property until they annexed into the City, which he noted was problematic. He further noted that if annexation did not occur, they could develop their parcels under the County.

In response to Commissioner Martin, Director of Community Development Ebbs described the location of the City limits/sphere of influence and noted the planning area for the General Plan extended beyond that area. He further noted that the City could plan for an area outside the City's sphere of influence and City limits; however, it would not be binding.

Commissioner Martin asked the City Attorney if identifying Mr. Sanson's property as study area would eliminate the concern regarding a taking of the property.

Interim City Attorney Emerson stated there was no concern at this point because the property was not within City boundaries; therefore, it was a speculative harm and there was no claim against the City. He noted the study area designation was a good idea because it gave the option to be flexible in the future. He explained that it was hard to make a case for a regulatory taking because they would have to show that they had deprived the parcel of all economically beneficial uses which was a high standard to meet.

In response to the Commission and speaking to the EBRPD letter, Director of Community Development Ebbs explained that recreation as a land use would occur under the context of a public park. As it was written, EBRPD could apply for a use permit or develop a master plan for the entire area. He commented that attorneys would have to provide guidance with regards to the EBRPD claims that their land use plans were not subject to approval of the local jurisdictions.

In response to Vice Chair Turnage, Director of Community Development Ebbs explained that Mr. McCauley owned the two home sites and they were inside the City limits.

Director of Community Development Ebbs explained this item was before the Planning Commission because a voter initiative said they must proceed this way.

Chair Parsons opened the public hearing.

Sean McCauley, applicant, stated in cooperation with the park district that they wanted to retain the agricultural look of the area. He noted that they felt the project would be a good addition to Antioch.

Commissioner Martin stated he supported the improvements the applicant was making in the area.

In response to Commissioner Martin, Mr. McCauley responded that the existing white fence encumbered both 20-acre parcels.

Trent Sanson, representing Dave Sanson, on behalf of Civic Rancho Meadows LLC, thanked staff and Mr. McCauley for working with them regarding their concerns for the open space designation for their property. He noted their letter was not intended to be a threat, it was meant to express their concern with potential opportunities for the property. He stated they supported the application with the modification of the development plan, as presented this evening.

Chair Parsons closed the public hearing.

RESOLUTION NO. 2018-26

On motion by Commissioner Motts, seconded by Commissioner Turnage, the Planning Commission adopted the resolution recommending that the City Council approve the substitute Final Development Plan.

The motion carried the following vote:

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|-----------------|--|
| AYES: | <i>Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons</i> |
| NOES: | <i>None</i> |
| ABSTAIN: | <i>None</i> |
| ABSENT: | <i>None</i> |

NEW ITEMS

- Promenade at Sand Creek** – Century Communities requests design review approval for Villages 1-3 of the Vineyards at Sand Creek Project (APNs 057-030-003 and 057-050-007), which includes 96 units in Village 1, 121 units in Village 2, and 120 units in Village 3 (337 total units). The Design Review application consists of 15 different floor plans each with multiple design schemes, a Fitness Center located in Parcel A Park, and wall and fence designs for the six-foot tall masonry walls and good neighbor wood fencing. A separate Design Review application will be submitted for the landscaping.

Contract Planner Gnos presented the staff report dated October 3, 2018. She explained that the applicant had expressed concern that plotting all of the units at one time would not provide them with the flexibility they needed to respond to the market and their buyers; therefore, they suggested plotting 9-12 at a time and providing a continuous map that would be updated. She stated she would support modifying condition B4 to reflect that she would work with the applicant to develop a process to evaluate the plot plans and then move forward through the building permit process. Additionally, she noted that condition B6 required that the design of the park had to be approved by the Park and Recreation Commission at the time of the first building permit for Village 2; however, the Zoning Administrator had decided that the revised timeframe would be the 50th building permit. She noted B6 should be amended to match the current approved timing of the conditions. She recommended the Planning Commission approve the Design Review application, subject to the conditions contained in the staff report's attached resolution with the following modifications:

- B4 – First paragraph - to indicate that the applicant and staff would work together to come up with a process to evaluate the plot plans and move forward through the building permit process
- B6 - Amended to match the current approved timing of the condition

Commissioner Martin reported that he had noticed inconsistencies in the schematics versus the floor plans, specifically as it related to the windows.

Contract Planner Gnos explained that those issues would be clarified during the permitting process; however, the applicant could respond to those concerns.

Commissioner Martin expressed concern that canvas shades and covers, as well as soundwalls, were difficult to maintain. He questioned who was responsible for maintaining those features.

Contract Planner Gnos responded that the HOA would be responsible for maintenance of those items.

In response to Commissioner Martin, Contract Planner Gnos reviewed the phasing map (Attachment C).

In response to Vice Chair Turnage, Contract Planner Gnos confirmed that the Planning Commission was only considering the design of the project this evening.

Chair Parsons opened the public hearing.

Stephen Tindle, Century Communities, stated he was available to answer any questions this evening. He noted this was the first time they had built this type of project and it was designed specifically for this site; therefore, they wanted to keep flexibility to be able to respond to the market. He noted they were asking for phasing of the plot plans with the

building permits because it would allow buyers to pick a specific home site and plan as long as it fit the site and met the design guidelines.

Scott McQuay, Project Architect, explained that they had developed the floor plans first and through the design process developed the elevations. He noted the elevations showed the typical floor plan and did not address the changes in the design review package; however, discrepancies would be corrected in the construction documents.

Commissioner Martin stated he was pleased with the variety of product types. He expressed concern that an active adult community had an unusually large number of two-story plans.

Mr. Tindle responded that there was a market for two-story homes in other active adult developments in the area and the average buyer was fifty-eight years, so they did not believe it would be an issue. He noted there were some people that wanted single story and they had provided for that. He further noted if there were only single story homes; the lots and homes would be much smaller. He stated they believed they offered a wide variety of options for buyers and there were enough buyers in the market to purchase two story homes.

Scott McQuay added that the two story homes for active adults would have the main living space encompassed on the first floor; including the owners suite.

In response to Vice Chair Turnage, Mr. Tindle responded that they put together a detailed fit list that showed which homes could be built on which lots and when they come in for building permits, they would bring a map of what was built or in process so they could meet the guidelines.

Chair Parsons stated she liked the variation in product and she supported flexibility for the developer to respond to the market.

Chair Parsons closed the public hearing.

RESOLUTION NO. 2018-27

On motion by Vice Chair Turnage, seconded by Commissioner Martin, the Planning Commission approved the Design Review application subject to the conditions contained in the staff report's attached resolution with conditions B4 and B6 modified as follows:

- ***B4 – First paragraph - that the applicant and staff would work together to come up with a process to evaluate the plot plans and then move forward through the building permit process***
- ***B6 Amended to match the current approved timing of the condition***

The motion carried the following vote:

AYES: Zacharatos, Motts, Martin, Turnage, Schneiderman and Parsons
NOES: None
ABSTAIN: None
ABSENT: None

4. Measure W Presentation

Director of Community Development Ebbs stated that this item was a typographical error and it would be agendized for the October 17, 2018 Planning Commission meeting.

ORAL COMMUNICATIONS

Director of Community Development Ebbs announced the appointment for the Planning Commission vacancy was on the October 9, 2018 City Council agenda.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Motts announced a TRANSPLAN meeting was scheduled for next week.

ADJOURNMENT

Chair Parsons adjourned the Planning Commission at 7:36 P.M. to the next regularly scheduled meeting to be held on October 17, 2018.

Respectfully Submitted,
Kitty Eiden