

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

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

**October 18, 2023
City Council Chambers**

1. CALL TO ORDER

Chairperson Gutilla called the meeting to order at 6:31 P.M. on Wednesday, October 18, 2023, in the City Council Chambers.

2. ROLL CALL

Present: Commissioners Schneiderman, Martin, Motts, Lutz, and Chairperson Gutilla
Absent: Commissioner Hills (arrived at 7:00 P.M.) and Vice Chairperson Riley (arrived at 6:38 P.M.)

Staff: Acting Director of Community Development, Kevin Scudero
Acting Planning Manager, Zoe Merideth
Partnership for the Bay's Future Fellow, Meredith Rupp
Minutes Clerk, Kitty Eiden

3. PLEDGE OF ALLEGIANCE

Chairperson Gutilla led the Pledge of Allegiance.

4. EX-PARTE COMMUNICATIONS - None

5. PUBLIC COMMENT – None

6. CONSENT CALENDAR

6-1. Planning Commission Meeting Minutes August 16, 2023

On motion by Commissioner Martin, seconded by Commissioner Motts the Planning Commission approved the Minutes of August 16, 2023. The motion carried the following vote:

***AYES: Schneiderman, Motts, Martin, Gutilla
NOES: None
ABSTAIN: Lutz
ABSENT: Hills, Riley***

7. NEW PUBLIC HEARING

- 7-1. Innovative Housing (IH) Overlay District and Accessory Dwelling Units (LA2023-0003)** The City of Antioch is requesting Zoning Text Amendments to Antioch Municipal Code (Title 9 Chapter 5) Article 2: Definitions; Article 3: Establishment of Districts; Article 6: Height and Area Regulations; Article 7: Multi-Family Residential Objective Design Standards; Article 17: Parking Requirements; and Article 38: Land Use Regulations to adopt State ADU law and establish the Innovative Housing (IH) Overlay District, which would allow the development of multiple ADUs as "cottage communities" on certain sites currently developed with faith assembly uses. The City of Antioch is also requesting the adoption of a Zoning Map Amendment to add the IH Overlay District to specific parcels.

Acting Planning Manager Merideth introduced Partnership for the Bay's Future Fellow Meredith Rupp who presented the staff report dated October 18, 2023 recommending the Planning Commission review and adopt the following Resolutions: 1) Adopt a resolution recommending the City Council adopt text amendments to Title 9 Chapter 5 of the Antioch Municipal Code to implement State legislation regarding Accessory Dwelling Units and to permit multiple Accessory Dwelling Units in the Innovative Housing (IH) Overlay District (LA2023-0003). 2) Adopt a resolution recommending the City Council rezone 33 parcels to include an "Innovative Housing (IH) Overlay District."

Vice Chairperson Riley arrived at 6:38 P.M.

Chairperson Gutilla opened the public hearing.

Jasmine Tarkoff, Lead on Partnership for the Bay's Future Antioch Breakthrough Grant, and William Goodwin, Housing Policy Consultant / Hope Solutions, representing the Multifaith Action Coalition, announced their team was excited to pursue a new housing category of cottage communities on faith owned land to spur housing production and add to housing capacity. They reviewed their outreach efforts and the community's input reflected in the policy recommendations. They urged the Planning Commission to recommend adoption of the recommendations to the City Council.

Andrew Becker spoke in support of implementing state legislation regarding Accessory Dwelling Units and adopting the resolutions this evening. He discussed a property that he believed should receive consideration for rezoning in downtown Antioch. He suggested the IH overlay indicate that the zoning opportunity would remain, should the religious institution vacate the property.

Deborah Carney discussed the increase in the unsheltered and stated she believed they should be housed and have access to resources. She reported she had attended the listening sessions which were very successful at gathering information to help accommodate the unsheltered. She supported the proposed zoning code and map amendments and urged the Planning Commission to recommend adoption to the City Council.

Pastor Ruben Herrera stated their area was included in the proposed amendments and he was in full support. He reviewed their community outreach efforts and urged the Planning Commission to recommend approval to the City Council.

Chairperson Gutilla closed the public hearing.

In response to Commissioner Motts, Ms. Rupp clarified that each property would have its own overlay and applications meeting the objective design standards would be approved at a staff level.

Commissioner Hills arrived at 7:00 P.M.

In response to Commissioner Schneiderman, Ms. Rupp explained that there was a faith-based development coaching program with a small grant attached. She noted tenant selection would be determined by who the religious institutions wanted to serve. She further noted if public funding was used then fair housing rules would apply. She commented that many faith institutions had indicated they would be motivated to serve unsheltered or those with the greatest need.

In response to Commissioner Martin, Ms. Rupp explained that SB4 was for apartment style projects. She noted that smaller plots of land were more conducive to smaller cottage projects. She further noted there were also administrative requirements with SB4 that might make some developments unfeasible; however, they would be feasible under the IH Overlay. She explained the 20-year deed restriction was aligned with feedback they received and the federal funding sources. She clarified that since they were going beyond state law, they had discretion to apply the setbacks in the table of development standards related to cottage communities. She confirmed that all properties proposed for the overlay were faith-based owned.

Acting Director of Community Development Scudero added that if the property sold the underlying zoning and overlay would remain. He noted if the zoning action was approved by Council it would remain in effect so the resolution would not need additional language regarding this matter.

Ms. Rupp clarified that acreage was based on parcel size. She explained if all the land not occupied by a church was to be developed, at maximum density approximately 1000 homes could be built.

Acting Planning Manager Merideth confirmed that if a project were to come in, staff would verify that it met all the Innovative Housing (IH) standards.

Acting Director of Community Development Scudero stated it would be incumbent upon the property owner to decide how to handle the utilities; however, all California building codes would apply.

In response to Commissioner Motts, Ms. Rupp clarified that the setbacks in the development standards would only apply to IH projects.

Commissioner Riley thanked staff for bringing the overlay housing item forward and stated it was great to match faith-based communities with the lack of housing.

In response to Commissioner Lutz, Ms. Rupp gave an overview of their outreach efforts, and noted that they were working on a report to identify the results. She commented there was infrastructure to ensure tenants were not displaced and units would remain affordable if property ownership changed. She noted that they needed to make sure faith partners understood their responsibilities during orientation. She further noted they were currently being funded by grants; however, Measure X may be a source of funding. She reported only 5% of the units could be used for staff of the faith institution. She commented that it would be a good idea to include fair housing laws in the public guide.

Acting Director of Community Development Scudero confirmed that all housing laws would apply to these institutions and reported that Council had passed a tenant protection ordinance.

Ms. Rupp stated state law required the City to allow a 50% reduction in parking to accommodate construction of the residential use. She confirmed that all ADUs require that they be leased for a minimum of 30-days; however, it would be very difficult to rent units out to new tenants monthly.

Commissioner Martin questioned if they could require a parking analysis for organizations wanting to reduce their parking.

Ms. Rupp responded that no parking studies were required for ADUs.

Acting Program Manager Merideth added they were codifying existing state law in terms of the 50% parking reductions.

Commissioner Martin expressed concern that Cornerstone Christian Center had utilized most of their parking lot for portable units, and he did not believe that church should have an overlay on it with the way it was currently being utilized.

Chairperson Gutilla stated she believed this was exciting and innovative. She thanked those responsible for using their talents to develop reasonable solutions.

On motion by Commissioner Martin, seconded by Commissioner Schneiderman the Planning Commission unanimously adopted a resolution recommending the City Council adopt text amendments to Title 9 Chapter 5 of the Antioch Municipal Code to implement State legislation regarding Accessory Dwelling Units and to permit multiple Accessory Dwelling Units in the Innovative Housing (IH) Overlay District (LA2023-0003). The motion carried the following vote:

AYES: Hills, Lutz, Schneiderman, Motts, Martin, Riley, Gutilla
NOES: None
ABSTAIN: None
ABSENT: None

Vice Chairperson Riley and Chairperson Gutilla spoke in opposition to the following motion, noting that they believed Cornerstone Christian Center should not be eliminated.

On motion by Commissioner Martin, seconded by Commissioner Lutz the Planning Commission adopted a resolution recommending the City Council rezone 32 parcels to include an “Innovative Housing (IH) Overlay District.” removing map Item #1 Cornerstone Christian Center.

AYES: Hills, Lutz, Schneiderman, Motts, Martin
NOES: Riley, Gutilla
ABSTAIN: None
ABSENT: None

- 7-2 Zoning Text Amendments (LA2023-0004)** The City of Antioch is requesting Zoning Text Amendments to Antioch Municipal Code (Title 9 Chapter 5) Article 2: Definitions; Article 6: Height and Area Regulations; Article 16: Fences, Walls, Hedges and Screen Plantings; Article 17: Parking Requirements; and Article 38: Land Use Regulations to implement Housing Element programs, codify State and federal laws, and provide minor corrections and clarifications.

Partnership for the Bay’s Future Fellow Meredith Rupp presented the staff report dated October 18, 2023, recommending the Planning Commission adopt a resolution recommending the City Council adopt text amendments to Title 9 Chapter 5 of the Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations (LA2023-0004).

Chairperson Gutilla opened the public hearing.

Andrew Becker reported that the City eliminated the Amtrak station so they would no longer have a major transit stop. He announced that he was developing an affordable housing project downtown and expressed concern that super density bonus law was contingent upon a major transit stop.

Chairperson Gutilla closed the public hearing.

In response to Commissioner Martin, Acting Director of Community Development Scudero explained that any structure built under previous code would become legal non-conforming. Acting Planning Manager Merideth explained that under the government code they could not apply separate standards to manufactured homes, so they were removed as distinct residential uses to come into compliance. Additionally, she noted mobile home parks were regulated through the state.

Acting Director of Community Development Scudero added all manufactured homes that complied with the objective design standards would be treated the same.

Speaking to the Parking Demand Study, Commissioner Martin suggested wording be changed from “may include” to “must include at least one”.

Acting Planning Manager Merideth suggested leaving the language as stated because it allowed flexibility for the traffic engineers.

Acting Community Development Director Scudero added the Zoning Administrator through analysis would provide guidance as to what needed to be submitted for the parking study.

Commissioner Martin stated he believed the term “may” would allow the applicant the flexibility to provide whatever they deemed necessary.

Acting Community Development Director Scudero stated he was comfortable with the language as stated; however, if the Commission had a recommendation, language could be amended. He added that if a developer chose to participate in a traffic demand study, it would be in their best interest to provide a study that would justify the reduction in parking spaces.

On motion by Commissioner Motts, seconded by Commissioner Martin the Planning Commission unanimously adopted a resolution recommending the City Council adopt text amendments to Title 9 Chapter 5 of the Municipal Code to implement Housing Element programs, codify legislation, and clarify existing regulations (LA2023-0004).

AYES: Hills, Lutz, Schneiderman, Motts, Martin, Riley, Gutilla
NOES: None
ABSTAIN: None
ABSENT: None

8. NEW ITEM

- 8-1 Walmart Online Pickup Expansion (AR-22-12)** The applicant, Teresa Jones, requests approval of a Design Review application to allow a 7,250 square foot expansion of Walmart at 4893 Lone Tree Way (056-011-030). The Design Review includes a review of the project’s architecture, site design and landscaping.

Acting Planning Manager Merideth presented the staff report dated October 18, 2023, recommending the Planning Commission adopt a resolution approving the Design Review application subject to attached conditions of approval (AR-22-12).

Chairperson Gutilla opened the public comment period.

Kevin Loscotoff, Public Affairs Director for Walmart, thanked the Commission for their time and consideration of their application. He also thanked staff for their work on this project. He gave a history of their store and noted they hired many Antioch residents as employees. He stated they were updating their facilities to better serve their customers by expanding their online pick-up area.

Chairperson Gutilla closed the public comment period.

Commissioner Lutz questioned how this project would affect parking on the west side of Walmart and what impact construction would have in the area.

A representative from Walmart clarified that construction would begin in early spring, take approximately four months, and be contained to the northwest corner of the building. They explained the reduction in parking stalls were along the back corner, so parking overflow may go toward the front of the store on Sunday. She noted there would be a higher turnover for online grocery pickup users.

Commissioner Lutz stated he liked the additional trees in the landscape plan.

In response to Commissioner Martin, a representative from Walmart explained the photo lab and fitting rooms would be relocated.

Acting Director of Community Development Scudero explained outdoor sales were subject to an administrative use permit and at that time they would evaluate if there was sufficient parking to allow that use.

In response to Commissioner Schneiderman, Mr. Loscotoff reported that approximately 300-400 people daily use pick up service now.

Mr. Loscotoff stated he had verified the trees in the landscaping plan.

In response to Commissioner Riley, Mr. Loscotoff stated this project would increase capacity to just over double.

Chairperson Gutilla encouraged the developer to maintain their parking lot and landscaped planters. She stated she was pleased with the construction hours.

Mr. Loscotoff mentioned that they are planning to update and remodel the store and he would add landscaping as an emphasis.

In response to Chairperson Gutilla, a representative from Walmart confirmed that they were relocating the bale and pallet storage to accommodate truck turnaround.

Chairperson Gutilla thanked Walmart for expanding to accommodate the community.

Commissioner Motts stated he believed the upgrade was a good idea.

In response to Commissioner Motts, Mr. Loscotoff stated the upgrades were to respond to current market trends.

On motion by Commissioner Martin, seconded by Commissioner Schneiderman, the Planning Commission unanimously adopted a resolution approving the Design Review

application for the Walmart Expansion at 4893 Lone Tree Way (AR-22-12) (APN 056-011-030). The motion carried the following vote:

AYES: Hills, Lutz, Schneiderman, Motts, Martin, Riley, Gutilla
NOES: None
ABSTAIN: None
ABSENT: None

9. ORAL/WRITTEN COMMUNICATIONS

Acting Director of Community Development Scudero announced that Acting Planning Manager Merideth had been appointed as Acting Planning Manager.

Acting Planning Manager Merideth announced HCD certified Antioch's Housing Element and the Antioch Commercial Infill Housing 2023 Comprehensive Plan received an Award of Merit.

Acting Director of Community Development Scudero recognized the Planning Commission for their input into the HCD process.

Acting Planning Manager Merideth introduced Monique Villagrana, Community Development Technician / Planning Division.

Acting Director of Community Development Scudero announced two Commissioners terms expired this evening and he recognized Commissioner Schneiderman and Commissioner Motts for their service. He stated he was unsure if new Commissioners would be appointed prior to the next meeting.

Chairperson Gutilla thanked Commissioners Schneiderman and Motts for their service.

Commissioner Motts thanked the City for appointing him and allowing him to serve. He provided departing words and stated he would continue to work at community efforts.

Commissioner Schneiderman thanked the City, staff and Commissioners and stated it had been a pleasure to serve.

10. COMMITTEE REPORTS

Commissioner Motts reported that the TRANSPLAN meeting had been cancelled.

11. NEXT MEETING: November 1, 2023

Chairperson Gutilla announced the next Planning Commission meeting was scheduled for November 1, 2023.

Minutes Clerk Eiden stated for the record that Commissioner Hills had arrived this evening at 7:00 P.M. and Commissioner Riley had arrived at 6:38 P.M.

12. ADJOURNMENT

On motion by Commissioner Martin, seconded by Commissioner Motts the Planning Commission unanimously adjourned the meeting at 8:22 P.M. The motion carried the following vote:

AYES: *Hills, Lutz, Schneiderman, Motts, Martin, Riley, Gutilla*
NOES: *None*
ABSTAIN: *None*
ABSENT: *None*

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk