

**CITY OF ANTIOCH
PLANNING COMMISSION**

**Regular Meeting
7:00 p.m.**

**November 1, 2017
City Council Chambers**

Chair Zacharatos called the meeting to order at 7:00 P.M. on Wednesday, November 1, 2017 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, November 8, 2017.

ROLL CALL

Present: Commissioners Martin, Motts, Turnage, Conley, and
Chair Zacharatos
Absent: Vice Chair Parsons
Staff: Director of Community Development, Forrest Ebbs
Police Chief, Tammany Brooks
Planning Manager, Alexis Morris
Assistant City Engineer, Lynne Filson
Contract Planner, Kevin Valente
Associate Planner, Kevin Scudero
City Attorney, Elizabeth Perez
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: September 6, 2017
September 20, 2017

On motion by Commissioner Turnage, seconded by Commissioner Conley, the Planning Commission approved the minutes of September 6 2017 and September 20, 2017 as presented. The motion carried the following vote:

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

NEW PUBLIC HEARING

2. **Z-17-02, UP-17-01, V-17-05, AR-17-02 – Rocketship Elementary School Project – Gant Bowman and Harrison Tucker, Rocketship Education, requests approval of a Mitigated Negative Declaration, a rezone from Regional Commercial District (C-3); to Professional Office District (C-0), Variance from front setback requirements, Use Permit, and Design Review for the construction of a new charter elementary school with a total building area of 31,052-square-feet. The Project would serve up to 600 students between Pre-K and 5th Grade with 32 full-time staff. The 1.7-acre project site is located at 1700 Cavallo Road, Antioch, CA 94509. The site is identified by Contra Costa County Assessor’s Parcel Number (APN) 065-151-049.**

Contract Planner Valente presented the staff report dated November 1, 2017 recommending the Planning Commission take the following actions: 1) Adopt the resolution recommending approval of the Rocketship Elementary School Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; 2) Adopt the resolution recommending approval of an ordinance Rezoning the project site from C-3 to C-0; and 3) Adopt the resolution recommending approval of: a Variance to allow a six-foot tall wrought iron fence within the front setback along Cavallo Road, a Use Permit for the construction of an elementary school, and Design Review, subject to conditions of approval.

In response to Commissioner Martin, Contract Planner Valente stated there were 25 spaces in the north parking area and overflow parking was in the southwest corner of the project site.

Assistant City Engineer Filson added they were considering restriping the roadway to allow parking along the curb; however, if vehicles began queuing onto the street they could prohibit left turns onto the property and parking along the curb during pick up and drop off times. She stated she proposed moving the bike lane away from the curb. She noted Rocketship provided a safe area for children to exit vehicles.

Contract Planner Valente added that if the offsite parking agreement was executed with the County, it would be for evening and weekend events. Planning Manager Morris added that it would also meet the needs for overflow parking.

Commissioner Martin questioned if the circulation plan was sufficient for minimum days when all of the children were dismissed at the same time.

Assistant City Engineer Filson responded that the traffic study did not address that issue. She noted the dynamics would be different at pickup times when parents would be waiting for their children to come to their vehicles and queuing may back onto

Cavallo Road, in which case she reiterated that they would prohibit left turns into the parking lot.

In response to Commissioner Conley, Assistant City Engineer Filson stated there was enough room to provide bike lanes and parking on both sides of Cavallo Road.

Commissioner Conley expressed concern with a bike lane being installed in an area with vehicles crossing it to enter and exit the property.

Assistant City Engineer Filson stated there would only be one area where vehicles would be crossing the bike lane and it was in place so children could ride their bikes to school. She noted that the school had indicated that they monitored vehicles aggressively.

Commissioner Turnage stated that he was also concerned with the ability to monitor children on bicycles and suggested having a bike lane on one side of Cavallo Road with children utilizing the crosswalk.

Assistant City Engineer Filson explained that the bike lane was provided for students as well as residents who wanted to utilize green infrastructure. She reiterated that if safety was an issue, left turns into the property would be prohibited.

Chair Zacharatos opened the public hearing.

Marie Gill, Bay Area Regional Director and Harrison Tucker, Director of Real Estate gave a PowerPoint presentation which included a history of their Charter School program, a response to key project concerns, project design, and architecture.

In addressing the project concerns, Mr. Tucker reviewed their security plan and requested condition #21 be revised to remove the requirement for “armed” security. He also reviewed their parking plan and stated they would commit to either having an active parking agreement in place or host school events at an offsite location. Additionally, in lieu of the enrollment restrictions, he requested implementation of a parking study protocol to ensure they were meeting their parking restrictions. He also requested removal of the condition requesting the facade change.

Ms. Gill thanked the Antioch Unified School District for authorizing the Charter School. She stated that she looked forward to bringing in a high quality educational opportunity that would provide for the advancement of economic development in the City.

In response to Commissioner Martin, Mr. Harrison stated that they estimated that five members of their staff would commute from outside the East County.

Ms. Gill added that they had an active ride share program in San Jose and eight staff members participated in the option.

In response to Chair Zacharatos, Mr. Harrison stated they served low income families with access to education and this area met the criteria for program needs and access. He clarified that Thursday's dismissal was staggered and they did not anticipate vehicles backing up onto Cavallo Road.

Ms. Gill added that they wanted the school to be located in an area that would be close to the families that they would be serving.

In response to Commissioner Turnage, Mr. Harrison stated that if they found they were not meeting their parking promises they would be willing to provide offsite parking for staff.

Angel Godinez Luevano, Executive Director of Todos Unidos, thanked the Planning Commission for their service and urged them to support the Rocketship Charter School. He suggested they expedite the process and make education a priority.

Nancy Fernandez, Antioch resident, spoke in support of Rocketship Charter Schools and urged the Planning Commission to approve the facility plan.

Marty Fernandez, Antioch resident, spoke in support of Rocketship Charter Schools and their investment in Antioch and children. He noted this option should be available for parents of students who cannot afford private school. He urged the Planning Commission to approve the plans.

Thomas McNell, Antioch resident, presented the Commission with a handout and spoke in support of Rocketship Charter Schools. He stated as a traffic volunteer at private schools, he did not believe parking would be an issue for this facility. He noted this project would be replacing a blighted building in the community and he urged the Planning Commission to approve the school as proposed.

Hans Ho, Antioch resident, stated he believed the Rocketship Charter School would improve the neighborhood, reduce crime, and increase property values. He urged the Planning Commission to approve the project.

Terry Ramus, Chamber of Commerce, spoke in support of the Rocketship Charter Schools investment in this area of the City. He reported he toured one of their facilities and it was very impressive. He stated the Chamber endorsed the plan to build an elementary school in Antioch. He urged the City to move through the process quickly and he urged the Planning Commission and City Council to approve the project.

Jessica Duran, Antioch resident, reported her daughter attended the Rocketship Charter School in Concord because it was the best educational choice for their family. She requested the Planning Commission support a local school for Antioch.

Natalie Lebron, Antioch resident, stated she was a second grade student at Rocketship and she enjoyed the school. She requested the Planning Commission approve the Antioch school so her mom would no longer have to drive out of the area for her to attend school.

Andrea Lebron, Antioch resident, stated she believed the parking issue could be resolved. On behalf of local families whose children attend a Rocketship school in Concord she discussed the need for a school in Antioch. She stated this facility offered children a place to obtain a better education and it would improve the community. She urged the Planning Commission to support the children and approve the project.

Walter Ruelig, Antioch resident, congratulated the parents in attendance for taking their job seriously and urged the Planning Commission to cooperate with them. He stated he did not believe armed security guards were practical. He spoke in support of quality education and equal opportunity for all students.

Debora Allen, East County Glass & Window Inc. and BART Director, stated children deserved better options for education and she requested the Planning Commission cooperate with Rocketship on this project. She committed to working with the school and BART on a transportation plan. She urged the Planning Commission to approve the project.

Chair Zacharatos closed the public hearing.

In response to the Commission, Chief Brooks reported that a 6 foot fence could be scaled and he would welcome any security in the area. He also stated that he did not know if the increase in activity would decrease illegal activity occurring in the area. He added that it was possible that video surveillance cameras at the intersection could capture activity in the area of the school.

In response to Commissioner Motts, Assistant City Engineer Filson stated she did not have concerns regarding parents parking on Cavallo Road as she felt it would go far to resolve the parking issues.

In response to Commissioner Motts, Planning Manager Morris stated staff's concern regarding the applicant's proposal to gradually increase enrollment years 1-3, was that if the parking study showed there was not adequate capacity, their option to reduce enrollment would be difficult.

Director of Community Development Ebbs stated that the issue regarding whether there was adequate parking would be a decision for the Planning Commission to make based on their judgment.

Planning Manager Morris stated conditions #29 and 30 were staff's interpretation of the citywide design guidelines and it was up to the Planning Commission's discretion.

Director of Community Development Ebbs added that design guidelines were for discussion purposes.

In response to Commissioner Martin, Assistant City Engineer Filson clarified the drive aisle would be utilized as playground when vehicles were not present. She noted at the end of the drive aisle there was overflow parking and as it continued there was a regular parking lot. She noted the proposal from the applicant did not work well and they have added “as approved by the City Engineer” to the condition of approval so they could work through the issues.

Chair Zacharatos stated this was an excellent project and she would like it to move forward.

Commissioner Conley stated he would accept the language as proposed from the applicant eliminating the requirement for the security guards to be armed. Speaking to parking issues, he noted there was not adequate parking at any school and to regulate this school to have more stringent requirements was not fair and would financially jeopardize the school by reducing enrollment. He further noted that he believed the parking issue would resolve itself. He stated he would move approval with staff recommendations modified per the applicant’s requests.

RESOLUTION NOS. 2017-19, 2017-20, 2017-21

On motion by Commissioner Conley, seconded by Commissioner Turnage, the Planning Commission members present unanimously: 1) Adopted the resolution recommending approval of the Rocketship Elementary School Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; 2) Adopted the resolution recommending approval of an ordinance Rezoning the project site from C-3 to C-0; and 3) Adopted the resolution recommending approval of: a Variance to allow a six-foot tall wrought iron fence within the front setback along Cavallo Road, a Use Permit for the construction of an elementary school, and Design Review, subject to conditions of approval modified per the applicant’s request.

The motion carried the following vote:

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

Chair Zacharatos declared a recess at 8:39 P.M. The meeting reconvened at 8:48 P.M. with all Commissioners present with the exception of Vice Chair Parsons who was previously noted as absent.

3. **Citywide General Plan Land Use Element Update:** The City of Antioch is proposing amendments to the Land Use Element of the General Plan. The purpose of these amendments is primarily to accommodate a pending Downtown Specific Plan and to properly designate affected properties. In addition, the amendments will address and reconcile past actions, will resolve minor conflicts, and will provide greater consistency throughout the document. The proposed changes do not affect the current Sand Creek Focus Area policies. An addendum to the original 2003 General Plan Environmental Impact Report (EIR) has been prepared. The proposed changes ultimately require City Council approval and the Planning Commission will serve as an advisory board, providing a recommendation to the City Council on the matter.

Director of Community Development Ebbs presented the staff report dated October 25, 2017, recommending the Planning Commission: 1) Recommend that the City Council Adopt the Addendum to the 2003 General Plan EIR; and 2) Recommend that the City Council adopt the Citywide General Plan Land Use Element Update.

Director of Community Development Ebbs stated staff was recommending that a property located at 18th Street near Highway 160 be changed from light industrial to high density residential to be consistent with the properties on both sides of the site. He noted the property owner was in support of the recommendation.

In response to Commissioner Motts, Director of Community Development Ebbs explained that this effort carved out space for the Downtown Specific Plan. He clarified that a portion of the Dow wetlands was in Antioch.

Director of Community Development Ebbs explained that the reduction in development yield was a reflection of past actions and technology which had eliminated undevelopable areas.

In response to Chair Zacharatos, Assistant City Engineer Filson stated it was her understanding that there was a voter initiative in the City of Pittsburg to bring Tuscan Meadows into their City.

In response to Commissioner Motts, Director of Community Development Ebbs clarified page 3.0.7 referencing the Sand Creek Focus Area, did not reflect the action by Council to table the update; however, the conclusions had not changed.

In response to Commissioner Martin, Director of Community Development Ebbs stated when the housing element was updated it would identify all vacant land for residential development.

In response to Commissioner Martin, Director of Community Development Ebbs explained in referencing page C22 that jobs were determined by square footage and to be consistent he utilized the same ratios to update the tables.

In response to Commissioner Martin, Director of Community Development Ebbs explained page C-32 in 4.4.3.2.(f) was a new policy and a result of feedback received as well as changes in state policies. He noted it was also in response to infill sites which allowed zoning ordinance amendments for commercial sites to be developed as multifamily.

Commissioner Martin stated he was concerned with commercial and multifamily being located on the same property. In speaking to page 4-43 Land Use, 4.4.6.2 (a), the fourth bullet, he stated if the Chevron property was annexed prior to this item going to Council, he would request that the language be updated to reflect that action.

Director of Community Development Ebbs stated once approved by Council, he would provide the Commission with copies of the General Plan Land Use Element Update for their records.

Chair Zacharatos opened and closed the public hearing with no members of the public requesting to speak.

RESOLUTION NO. 2017-22, 2017-23

On motion by Commissioner Martin, seconded by Commissioner Turnage, the Planning Commission unanimously: 1) Recommended that the City Council Adopt the Addendum to the 2003 General Plan EIR; and 2) Recommended that the City Council adopt the Citywide General Plan land Use Element Update with direction to amend section 4.4.6.2 (a) fourth bullet, if the Chevron property is annexed to the City of Pittsburg prior to the item going to Council. The motion carried the following vote:

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

ORAL COMMUNICATIONS

Director of Community Development Ebbs requested any Commissioners interested in attending the Planning Commission Academy in April to let him know.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Zacharatos adjourned the Planning Commission at 9:26 P.M. to the next regularly scheduled meeting to be held on December 6, 2017.

Respectfully Submitted,
Kitty Eiden