



TO: ANTIOCH PLANNING COMMISSION
FROM: Anne Hersch, AICP, Planning Manager
SUBJECT: UP-22-10 Executive Inn Transitional Housing Use Permit, 515 E. 18th Street
DATE: June 15, 2022

Property Owner: Rudram LLC 515 E. 18 th St. Antioch, CA 94509	Applicant/Representative: City of Antioch, CA 200 H St. Antioch, CA 94509
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PROJECT: Executive Inn Transitional Housing Use Permit FILE #: UP-22-10 APN: 065-143-018, 19 GP LU: Neighborhood Community Commercial OVERLAY: Transitional Housing ZONING: C-1 PLANNER: Forrest Ebbs/Anne Hersch	Date of Notice Posted/Mailed: June 3, 2022 Date of Public Hearing: June 15, 2022
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REQUEST

The applicant is seeking Use Permit approval for transitional housing in the existing motel building located at 515 E. 18th Street (APNs 065-143-018, 19). The subject site is .72 acres with an existing 24,829 sq. ft. building built in 1964. The property was recently rezoned to Transitional Housing Overlay as part of Ord No. 2208-C-S which allows for transitional housing subject to approval of a use permit.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the Resolution approving a use permit to allow transitional housing and supportive services at 515 E. 18th Street.

SITE LOCATION

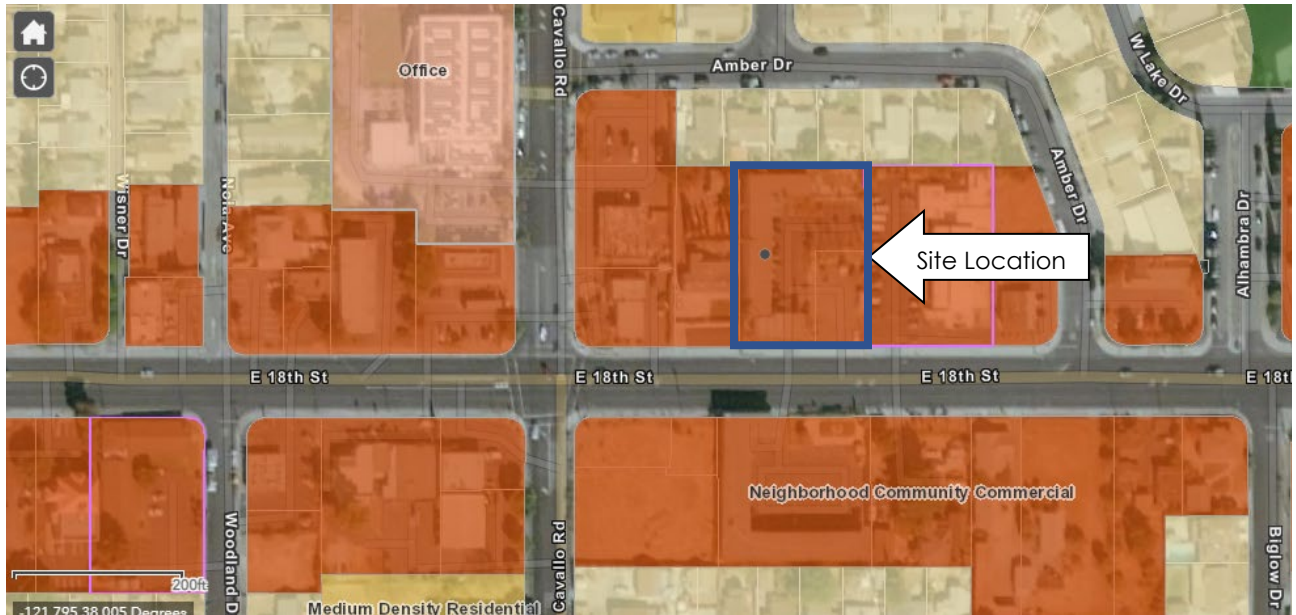


Image 1. Site Location

Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Medium Low Density Residential	R-10	Residential
South	Neighborhood Community Commercial	C-1	Economy Inn
East	Neighborhood Community Commercial	C-1	Community Outreach Center
West	Neighborhood Community Commercial	C-1	Residential

Table 1. Zoning & Adjacent Land Uses

STREET ELEVATION



BACKGROUND

Transitional Housing Zoning

Planning Commission Review 2021

On December 1, 2021, the Planning Commission adopted a resolution by a 6-0 vote recommending the following:

1. The City Council adopt the ordinance amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) establishing a Transitional Housing Overlay District; and
2. The City Council adopt the ordinance amending the zoning of the two parcels at 515 E. 18th Street (APNs 065-143-018, 19) to be located within the Transitional Housing Zoning Overlay District.

As part of the review, a Use Permit request for transitional housing at 515 E. 18th Street was also presented to the Planning Commission. The Planning Commission unanimously directed staff to provide additional details and come back to the Planning Commission with a Use Permit request at a future date.

City Council Review 2022

On February 22, 2022, the City Council introduced the proposed ordinance establishing a Transitional Housing Overlay District and rezoning the parcels at 515 E. 18th Street to the Transitional Housing Overlay zoning classification.

On March 8, 2022 the Council adopted Ord No. 2208-C-S and the Ordinance became effective on April 8, 2022.

City Council Direction

On May 10, 2022, the City Council adopted Resolution No. 2022/83 which authorized the following:

1. Authorized the City to pursue State of California Homekey Program funding for housing opportunities associated with the Executive Inn located at 515 East 18th Street;
2. Pledged the 5-year City commitment of a subsidy estimated at \$12.3 million dollars in local funds; and
3. Authorized the pursuit of the public procurement process to identify an experienced developer partner to assist with financing, development, long term ownership and operations of the future Homekey site.

The City's overall approach to transitional housing at the subject property includes seeking a Use Permit from the Planning Commission for lease of the property. The City is concurrently pursuing State support for acquisition through the Homekey Program which provides for significant land use streamlining from discretionary reviews, permits and approvals.

Project Homekey

Project Homekey is a statewide effort to provide housing for persons experiencing homelessness or at risk of homelessness. The program was created during the COVID-19 pandemic to provide temporary housing. The program is administered by the California Department of Housing and Community Development (HCD) and provides grant funding to local public entities, including cities, counties, or other local public entities throughout California.

The program provides an opportunity for state, regional, and local public entities to develop a broad range of housing types, including but not limited to hotels, motels, hostels, single-family homes and multifamily apartments, to permanent or interim housing for persons experiencing homelessness.

ANALYSIS

Use Permit

Pursuant to Section 9-5.2703 "Required Findings" (B) (1) of the Antioch Municipal Code, the Planning Commission is required to make findings in support of a Use Permit for the project. Draft findings are included in Attachment A.

Program Overview

The site will be operated as a "Non-Congregate Bridge Housing" program for people in Antioch who are unhoused. "Non-congregate" refers to the facility configuration - each participant in the program will have a room. "Bridge Housing" means that the program offers a short-term place to stay while participants "bridge" to more permanent housing. Participants will receive intensive support services from a highly experienced non-profit service provider to help them stabilize and develop a plan to secure housing.

Target Population and Program Size

Participants in the program will all be adults aged 18 or older. Each room in the program will be occupied either by 1 or 2 adults. There will be no minors allowed in the program. The program

will have the capacity to serve 45 adult participants at one time. There is no fixed time limit for stays but participants are anticipated to stay between 120 days and 180 days.

Program Operations and Community Safety

The program will be operated by a non-profit service provider under contract with the City of Antioch. The service provider will have staff on-site 24 hours per day, 7 days per week. Staff responsibilities will include the following: enrolling participants, ensuring participants are following program rules, maintaining the safety of participants and the community, and providing supportive services. Staff are trained in conflict resolution, de-escalation, and other safety protocols. In the event of an emergency or situation that requires an urgent response, staff will call 911.

The property includes perimeter fencing and access to the site will be monitored 24/7. Only staff, participants and approved guests will be permitted to access the property. Participants will be able to bring pets and a reasonable number of belongings when they move into the program.

The service provider will be responsible for naming a staff point of contact for the community and for meeting as needed with neighbors and other community stakeholders to answer questions and address any neighborhood concerns about the program.

Supportive Services

Each participant will work with a case manager and housing specialist who will help to develop a service plan, as well as a plan to secure housing. Meals and laundry will also be provided on-site. The service provider will support participants in accessing a wide range of community-based services:

- Employment and job training services
- Health care
- Behavioral health services (mental health services and substance use recovery)
- Transportation assistance
- Legal services

ENVIRONMENTAL REVIEW

Staff recommends that the proposed project be considered categorically exempt from the requirements of CEQA per Section 15303, "New Construction or Conversion of Small Structures" of the CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The only construction associated with this project is the installation of fire sprinklers and other minor interior changes consistent with a change in occupancy from "R" to "R-2."

NEXT STEPS

Once UP-22-10 is approved by the Planning Commission, staff will seek City Council action to award a Non-Congregate Bridge Housing Program Services Provider contract and a Motel Occupancy Agreement to Shelter Unsheltered Residents. City staff will also initiate the solicitation of an experienced developer partner for the future Homekey site consistent with the City Council direction.

ATTACHMENTS

- A. Planning Commission Resolution with Exhibit A Conditions of Approval

**ATTACHMENT A
PLANNING COMMISSION RESOLUTION
WITH EXHIBIT A
(SEPARATE PAGE)**

**PLANNING COMMISSION
RESOLUTION NO. 2022-xx**

**A RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT (UP-22-10) FOR TRANSITIONAL HOUSING SERVICES AT
515 E. 18th STREET
(APN: 065-143-018, 19)**

WHEREAS, the City of Antioch requests use permit approval for transitional housing services at 515 E. 18th Street (APN 065-143-018, 19);

WHEREAS, on December 1, 2021, the Planning Commission adopted Resolution 2021-30, recommending that the City Council amend Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District

WHEREAS, on February 22, 2022 the City Council introduced amendments to Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and amending the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District;

WHEREAS, the City Council adopted Ord No. 2208-C-S on March 8, 2022, amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and amend the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District;

WHEREAS, Ord No. 2208-C-S became effective on April 8, 2022;

WHEREAS, the proposed project will provide transitional housing facilities for unhoused individuals;

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to Section 15303 "New Construction or Conversion of Small Structures;"

WHEREAS, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on June 3, 2022 for the public hearing held on June 15, 2022.

NOW, THEREFORE, IT BE RESOLVED that the Planning Commission does hereby make the following findings for recommendation to the City Council for approval of a Use Permit pursuant to Section 9-5.2703 "Required Findings" (B) (1) of the Antioch Municipal Code:

- a) The granting of such Use Permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

Finding: The proposed transitional housing project will be subject to operational restrictions imposed by the City of Antioch through a separate process and agreement. These restrictions will ensure that proper management and property maintenance occur and are sustained for the proposed land use.

- b) The use applied at the location indicated is properly one for which a Use Permit is authorized.

Finding: Ord No. 2208-C-S established amendments to the zoning map and Municipal Code creating a Transitional Housing Overlay District and applies to the property at 515 E. 18th Street. Transitional housing is a permitted land use subject to review and approval of a Use Permit.

- c) That the site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

Finding: The property was evaluated for project suitability and found to be adequate. The proposed land use is functionally comparable to the existing motel land use. Parking will remain available for residents and managed through the program.

- d) That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

Finding: The project site is located on E. 18th Street, which is a major thoroughfare in the City of Antioch and has capacity to handle trip generation to and from the site.

- e) The granting of such Use Permit will not adversely affect the comprehensive General Plan.

Finding: The transitional housing land use is comparable to many other land uses currently anticipated in the Neighborhood Community Commercial General Plan district in the Antioch General Plan, including the existing motel land use. Adverse impacts and conflict with the General Plan are not expected.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission of the City of Antioch hereby recommends that the City Council **APPROVE** the use permit for transitional housing at 515 E. 18th Street (APN 065-143-018, 19), subject to the Conditions of Approval attached hereto in Exhibit A.

* * * * *

I HEREBY CERTIFY the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 15th day of June 2022, by the following vote:

AYES:
NOES:

**ABSENT:
ABSTAIN:**

**FORREST EBBS,
SECRETARY TO THE PLANNING COMMISSION**

EXHIBIT A: CONDITIONS OF APPROVAL

General Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
1.	Project Approval. This Use Permit approval is for 515 E. 18 th Street, as substantially shown and described in the staff report and presented to the Planning Commission on June 15, 2022. For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	Project Approval Expiration. This Use Permit expires on June 22, 2024 (two years from the date of approval) or at an alternate time as specified by a Condition of Approval unless a building permit has been issued and construction has been diligently pursued. An extension may be granted by the Zoning Administrator for a period up to one (1) year, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department.	City of Antioch	On-Going	Planning Department	
3.	City Fees. The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant. <i>Discretionary or ministerial permits/approvals will not be considered if the</i>	City of Antioch	On-Going	Community Development Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	<i>developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i>			
4.	<p>Pass-Through Fees. The developer shall pay all applicable pass-through fees. Fees include but are not limited to:</p> <ul style="list-style-type: none"> a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance. b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance. c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s). d. Contra Costa County Flood Control District Drainage Area fee. e. School Impact Fees. f. Delta Diablo Sanitation Sewer Fees. g. Contra Costa Water District (CCWD) Fees. 	City of Antioch	On-Going	Community Development Department
5.	<p>Appeals. Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission, which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.</p>	City of Antioch	Within 5 Days of Planning Commission Action	Planning Department
6.	<p>Requirement for Building Permit. Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.</p>	City of Antioch	On-Going	Building Department

EXHIBIT A: CONDITIONS OF APPROVAL

<p>7. Modifications to Approved Plans. The project shall be constructed as approved and with any additional changes required pursuant to the Zoning Administrator or Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.</p>	City of Antioch	On-Going	Planning Department	
<p>8. Hold Harmless Agreement/Indemnification. The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.</p>	City of Antioch	On-Going	Planning Department	

Fire Standards		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
9.	All requirements of the Contra Costa County Fire Protection District shall be met.	Contra Costa County Fire Protection District (CCCYPD)	As required by CCCYPD.	Contra Costa County Fire Protection District (CCCYPD)	

EXHIBIT A: CONDITIONS OF APPROVAL

At the Time of Building Permit Issuance		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
10.	Encroachment Permit. The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.	City of Antioch	At the Time of Building Permit Issuance	Public Works Department	

At the Time of Construction		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
11.	Collection of Construction Debris. The applicant shall ensure that all construction debris is gathered on a regular basis and placed in a waste dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, ground tarps shall be used to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
12.	Construction Hours. Construction activity shall be as outlined in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the Community Development Director.	City of Antioch	On-Going	Building Department / Public Works	
13.	Demolition, Debris, Recycling. The applicant shall comply with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.	City of Antioch	On-Going	Building Department / Public Works	

EXHIBIT A: CONDITIONS OF APPROVAL

Prior to Issuance of Occupancy Permit		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
14.	Fire Prevention. A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	City of Antioch	Prior to Occupancy Permit	Fire Dept (CCCFPD)	

Project Specific Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
15.	Any forthcoming terms between the City of Antioch and the owner of the subject property and/or business are hereby incorporated as Conditions of Approval of this Use Permit.	City of Antioch	On-Going	Community Development Department	
16.	The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission or City Council.	City of Antioch	On-Going	Community Development Department	