

PLANNING COMMISSION STAFF REPORT



Lakeview Center Parcel 5 Rezone

October 5, 2022

Lone Tree Way and Golf Course Road /APN: 072-510-005
Z-22-06



Quick Facts

Applicant: City of Antioch

Zoning: Planned
Development (PD 09-01)

GP Land Use: Office

Land Area: 2.25 Acres

Project Description

The City of Antioch is proposing to rezone Parcel 5 of the Lakeview Center project to include the Commercial Infill Housing (CIH) Overlay District to the subject site. The CIH Overlay District allows residential development to occur on the parcel. Three vacant parcels in the development were rezoned to include the CIH Overlay District on April 26, 2022 (Ord. No. 2210-C-S).

Requested Approvals

REZONE OF PARCEL

STAFF RECOMMENDATION: APPROVE

BACKGROUND

Subject Site

The subject site is 2.25 acres in size. The site is the southeastern most parcel of the Lakeview Center, which is at the corner of Lone Tree Way and Golf Course Road. The site is an undeveloped parcel (Parcel 5) within the Lakeview Center commercial development. The three other vacant parcels in the development were rezoned to include the CIH Overlay District on April 26, 2022 (Ord. No. 2210-C-S).



Site History

In 2009, the Lakeview Center commercial project was approved by City Council. The project approvals included a General Plan Amendment, a rezone of the project to Planned Development, a Final Development Plan, a Use Permit, Design Review and a Tentative Map. The project consisted of 50,000 square feet of retail space and 150,000 square feet of office space. Currently, the majority of the retail space has been constructed. The rest of the project, including the subject rezone site, is currently vacant. As part of the City's Strategic Infill Housing

Study, the three other vacant parcels were rezoned to include the CIH Overlay District on April 26, 2022 (Ord. No. 2210-C-S).

ANALYSIS

Overview

The City of Antioch is seeking to rezone the subject site from Planned Development District to include the CIH Overlay District. The CIH Overlay District will allow for the development of residential uses at the site, which will be required to conform to the detailed site development regulations of the CIH Overlay District.

General Plan, Zoning, and Land Use

The General Plan designation of the site is office. As part of the City's Strategic Infill Housing Study (Study), the General Plan Land Use Element was amended to include Commercial Infill Housing policies in section 4.4.8. The policy allows the development of mixed use or residential projects on sites zoned with the CIH Overlay District. The policy direction allows the CIH Overlay District to be placed on vacant and/or underutilized infill sites a minimum of 20,000 square feet in size.

The zoning of the site is Planned Development (PD-09-01). The site's Planned Development standards only allow retail and office uses. With the rezone to the CIH Overlay District, the site will be able to accommodate mixed use or residential developments with a density of 12 to 35 dwelling units per gross developable acre. Densities of up to 50 dwelling units per gross developable acre are allowed with a Use Permit. The CIH Overlay District will not replace the Planned Development zoning on the site and the commercial and office uses and standards codified for the Lakeview Center project will remain for the site. The proposed rezone will create flexibility on the parcel by supporting the creation of medium/high residential development, mixed-use development, or commercial development.

As discussed above in the Site History section, the other vacant Lakeview Center parcels were rezoned to the CIH Overlay District on April 26, 2022, as part of the Study. The subject parcel was not originally included in the Study due to a mapping oversight. Staff would like to add the CIH Overlay District on the parcel to correct the oversight and allow for residential development on all vacant parcels at Lakeview Center.

Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Office	Planned Development (PD 09-01)	Vacant
South	Open Space	Open Space	Antioch Municipal Reservoir
East	Neighborhood Community Commercial	Planned Development (PD 09-01)	Commercial Center
West	Medium Low Density Residential	Single Family Residential (R-6)	Single Family Homes

ENVIRONMENTAL ANALYSIS

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), the "Common Sense" Exemption. This exemption can be used when it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. This project merely rezones the subject parcel to allow a wider range of uses on the parcel. The rezone does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs on the project site, it will be subject to environmental review pursuant to CEQA, if applicable. Based on the above information, this rezone is exempt from CEQA under the "Common Sense" Exemption.

ATTACHMENT

- A. Resolution recommending City Council approve the rezone
 - a. Exhibit A: Ordinance to City Council

ATTACHMENT A
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE TO REZONE
PARCEL 5 OF LAKEVIEW CENTER TO INCLUDE THE COMMERCIAL INFILL HOUSING
(CIH) OVERLAY DISTRICT (Z-22-06)
(SEPARATE PAGE)

**PLANNING COMMISSION
RESOLUTION # 2022-xx**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE TO REZONE
PARCEL 5 OF LAKEVIEW CENTER TO INCLUDE THE COMMERCIAL INFILL HOUSING
(CIH) OVERLAY DISTRICT (Z-22-06)**

WHEREAS, the City of Antioch (City) is seeking approval for a rezone of Parcel 5 of Lakeview Center (APN: 072-510-005) from Planned Development District (PD 09-01) to include the Commercial Infill Housing (CIH) Overlay District;

WHEREAS, the project site consists of an approximately 2.25 acre parcel, known as Parcel 5 of Lakeview Center, located at Lone Tree Way and Golf Course Road (APN: 072-510-005);

WHEREAS, in consideration of the rezone, the granting of such rezone will not adversely affect the comprehensive General Plan.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15061(b)(3), the “Common Sense” Exemption, there is no possibility that this project will have a significant impact on the physical environment. The rezone does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs on the project site, it will be subject to environmental review pursuant to CEQA, if applicable;

WHEREAS, on September 23, 2022 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 for the public hearing held on October 5, 2022; and

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.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission does hereby make the following findings pursuant to Section 9-5.2802 (A) (1-4) “FINDINGS REQUIRED” of the Antioch Municipal Code for recommendation to the City Council for approval of the proposed zoning change:

1. That the proposed zone reclassification will allow uses more suitable for the site than the present classification.

Finding: The subject property is currently zoned Planned Development (PD 09-01), which allows for office uses at the site. The rezone to include the CIH Overlay District will allow for the development of residential and mixed-use projects on the site, while maintaining the ability to develop office uses. The site has not developed under the current designation and adding additional uses would provide greater development opportunities.

2. That uses permitted by the proposed zoning will not be detrimental to adjacent or surrounding properties.

Finding: The uses permitted by the proposed zone change will not be detrimental to adjacent or surrounding properties. The site is adjacent to a parcel which already contains the CIH Overlay District and this rezone will enact the same zoning on the subject parcel as the three adjacent parcels.

3. That evidence has been presented documenting land use changes in the area to warrant a change in zoning.

Finding: Since 2009, the site has been entitled for an office development. To date, the site has remained undeveloped. By adding the option to develop residential and mixed use projects at the site, the development opportunity will be increased at the site.

4. That the requested zoning change is in conformance with the General Plan.

Finding: The proposed zoning change to CIH Overlay District would be consistent with General Plan Section 4.4.8, which allows for certain vacant commercial sites meeting be eligible to be rezoned to the CIH Overlay District. The subject parcel meets the intent and requirements of Section 4.4.8.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend to the City Council **APPROVAL** of the draft Ordinance (Exhibit A) to rezone the approximately 2.25 acre parcel, known as Parcel 5 of Lakeview Center, located at Lone Tree Way and Golf Course Road (APN: 072-510-005) to include the CIH Overlay District.

* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 5th day of October 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FORREST EBBS
Secretary to the Planning Commission

**EXHIBIT A
DRAFT ORDINANCE
(SEPARATE PAGE)**

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO AN
ORDINANCE TO REZONE PARCEL 5 OF THE LAKEVIEW CENTER (APN: 072-510-
005) TO INCLUDE THE COMMERCIAL INFILL HOUSING (CIH) OVERLAY DISTRICT
(Z-22-06)**

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The City Council determined on _____, 2022 pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15061(b)(3), the “Common Sense” Exemption, there is no possibility that this project will have a significant impact on the physical environment. The rezone does not directly or indirectly authorize or approve any actual changes in the physical environment. When a specific development project occurs on the project site, it will be subject to environmental review pursuant to CEQA, if applicable.

SECTION 2:

At its regular meeting of October 5, 2022, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property from Planned Development District (PD 09-01) to include the Commercial Infill Housing (CIH) Overlay District.

SECTION 3:

The real property shown in Exhibit A, attached hereto, is hereby rezoned from Planned Development District (PD 09-01) to include the CIH Overlay District, and the zoning map is hereby amended accordingly.

SECTION 4:

The City Council finds that the that the proposed zone reclassification will allow uses more suitable for the site than the present classification; that the subject property is suitable to the use permitted in the proposed zone change; that said permitted uses are not detrimental to the public or surrounding properties; and that the proposed zone change is in conformance with Antioch General Plan Section 4.4.8.

Section 5

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage

and adoption in a newspaper of general circulation printed and published in the City of Antioch.

* * * * *

I HEREBY CERTIFY that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the _____ of _____, 2022, and passed and adopted at a regular meeting thereof, held on the _____ of _____, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lamar Thorpe, Mayor

ATTEST:

Elizabeth Householder, City Clerk

EXHIBIT A

MAP OF PROPERTY



APN: 072-510-005