

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

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

**November 1, 2023
City Council Chambers**

1. CALL TO ORDER

Chairperson Gutilla called the meeting to order at 6:32 P.M. on Wednesday, November 1, 2023, in City Council Chambers.

2. ROLL CALL

Present: Commissioners Hills, Lutz, Martin, Vice Chairperson Riley and Chairperson Gutilla

Absent: Commissioners Schneiderman and Motts

Staff: Outside Legal Counsel, Ruthann Ziegler
Acting Director of Community Development, Kevin Scudero
Acting Planning Manager, Zoe Merideth
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 October 18, 2023

On motion by Commissioner Martin, seconded by Commissioner Lutz the Planning Commission members present unanimously continued the Minutes of October 18, 2023. The motion carried the following vote:

AYES: Hills, Lutz, Martin, Riley, Gutilla

NOES: None

ABSTAIN: None

ABSENT: Schneiderman, Motts

7. PUBLIC HEARING

7-1. PD-23-01, UP2023-0006, DR2023-0012 / Laurel Ranch Townhomes | APN 053-060-055, 056, 057, and 063: - The applicant requests a Final Development Plan,

Use Permit, and Design Review approval for a 216-unit townhome project that spans 18.5 acres. The units would be accommodated within a series of 4-, 5-, and 6- plex buildings with one or two car private garages. The proposed project would include onsite amenities including parking, swimming pool, leasing center, community room, and landscaping.

Acting Planning Manager Merideth presented the staff report dated November 1, 2023, and memo to the Planning Commission dated October 31, 2023, recommending the Planning Commission: 1. Adopt the resolution approving the Addendum to the Environmental Impact Report (EIR) for the 2023-2031 Housing Element Update prior to acting on the other resolution for the project. 2. Adopt the resolution approving a Final Development Plan, Use Permit, and Design Review subject to conditions of approval (PD-23-01, UP2023-0006, DR2023-0013).

Charles McKeag, President of Bright Sky Residential, thanked staff for their input while reviewing their application and thanked the Planning Commission for their consideration of the project. He announced the design team was present this evening to answer any specific questions. He stated this would be a unique rental community, professionally managed and operated by them. He noted they were grateful for the opportunity to work in the City of Antioch.

Chairperson Gutilla opened and closed the public hearing with no members of the public requesting to speak.

In response to Commissioner Martin, Mr. McKeag confirmed that the units would be market rate rentals. He stated the leasing office would have normal business hours and noted that they were required to have an occupied managers unit within the community. He further noted there would be 4-5 full-time employees for leasing and site maintenance. He reported they typically retained a professional management company. He noted the units would start in the mid-2000s and provide an opportunity for residents who were preparing to become homeowners. He further noted the market was influx and would ultimately determine rental rates. He commented that if approved they expected to begin importing soil immediately and then begin site development upon the weather allowing them to do so in 2024.

In response to Vice Chairperson Riley, Ryan Decker, Architect / Vice President at Bassenian Lagoni Architects explained that the project was designed per code for the structural allowances. He noted the garage facades were very common and there were ways to mitigate any concerns related to seismic safety.

Mr. McKeag added that this was a common design throughout California and a lot of intention was paid to structural safety.

Acting Director of Community Development Scudero added that the project would go through a thorough building review process and was required to comply with the California building code.

Mr. McKeag stated they were in a 6% yield on cost and the project was a long-term asset to overturn those costs.

In response to Commissioner Lutz, Mr. McKeag explained press related to the rental market addressed large private equity institutions buying up individual homes and then renting them. He stated they were ground up developers, owners, operators and not just investors. He commented that they were committed to a long-term project. He confirmed that they could be sold as assets to other institutional investors.

Commissioner Lutz expressed concern that there was no affordable housing element involved in the project.

In response to Commissioner Lutz, Acting Planning Manager Merideth explained three of these sites were planned to be rezoned; however, Mr. McKeag came forward with a project that met the East Lone Tree Specific Plan standards, so they were not rezoned as part of the Housing Element. She clarified that state housing law had provisions about densities and property sizes that would accommodate affordable developers, so they had rezoned some properties to satisfy the state. She explained that a project located inside or outside the Housing Element could develop at market rate; however, the City would not get credit for affordable housing but they would get credit for building housing. She noted the City had to allow for the opportunity, which was done.

In response to Commissioner Lutz, Acting Planning Manager Merideth responded it would be permissible to build more high-density housing south of Laurel Road under the East Lone Tree Specific Plan. She added that those units were spread out through the entire area.

In response to Commissioner Lutz, Mr. McKeag clarified there would be four full-time staff and possibly an additional part-time employee. He noted the staff would be dedicated to this site. He explained their traffic demand management program.

In response to Commissioner Lutz, Acting Planning Manager Merideth explained the traffic analysis did not identify any adverse impacts from this development; therefore, there was no required mitigation.

In response to Chairperson Gutilla, Mr. McKeag stated the operational portion of the e-bike program needed to be developed prior to implementation. He noted they would be mindful of risk mitigation. He reported they had several projects in the development process.

Chairperson Gutilla suggested a clause in the lease agreement to allow tenants who provide ample notice the ability to break the lease with proof of a home purchase. Additionally, she encouraged the developer to explore other options to requiring first, last and a security deposit, through rental insurance programs.

Mr. McKeag stated typically if the unit can be re-leased there was an opportunity for tenants to negotiate out of lease agreements.

In response to Chairperson Gutilla, Acting Planning Manager Merideth explained net and gross density.

In response to Commissioner Hills, Mr. McKeag explained that typically e-bikes would have a GPS locator and there would be some reasonable restriction on their use.

Chairperson Gutilla closed the public hearing.

Commissioner Martin thanked staff for the memorandum clarifying the maximum density allowed. He stated he was pleased with the design of the project.

On motion by Commissioner Martin, seconded by Commissioner Hills the Planning Commission members present adopted the resolution adopting the Addendum to the Environmental Impact Report for the 2023-2031 Housing Element Update for Laurel Ranch Townhomes Project as Adequate for addressing the Environmental impacts of the Proposed Project. The motion carried the following vote:

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

On motion by Commissioner Martin, seconded by Vice Chairperson Riley the Planning Commission members present adopted the resolution approving a Final Development Plan, Use Permit, and Design Review for the Laurel Ranch Townhomes Project (PD-23-01, UP2023-0006, DR2023-0013). The motion carried the following vote:

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

8. NEW ITEM

- 8-1 Housing Legislation Update** On September 14th, the California Legislature wrapped up the first year of a two-year legislative session. October 14th was the last day Governor Newsom had to sign or veto bills passed by the Legislature. This year, the Governor signed several bills related to housing legislation. The Turner Center for Housing Innovation at U.C. Berkeley produced a round up of these bills. The Turner Center report is attached to this staff report for the Planning Commission's information.

Acting Planning Manager Merideth presented the staff report dated November 1, 2023. This is an informational item for the Commission and no action is required.

Chairperson Gutilla thanked staff for their guidance.

In response to Commissioner Martin, Acting Planning Manager Merideth explained that many of the laws that mention labor standards were not applicable to Antioch. She commented that

projects not covered under CEQA were aimed at infill housing and would still need to comply with other environmental laws.

Acting Director of Community Development Scudero added the trend with the state was to incentivize affordable housing and reduce barriers. He noted those barriers typically did not exist in Antioch.

Commissioner Martin stated he opposed AB 835 due to safety risks associated with single-exit, single stairway apartment houses in buildings exceeding three stories.

Acting Director of Community Development Scudero responded that this item was undertaking a study and noted that he believed the intent was to reduce barriers to production housing and streamlining projects.

Commissioner Lutz stated he appreciated the staff report.

Chairperson Gutilla stated she believed cutting safety measures in affordable housing was inappropriate.

Commissioner Riley stated he also opposed AB 835. He discussed the need for balancing quality with affordable housing projects and noted the City's building codes supported that effort.

Commissioner Martin agreed and stated he was pleased the City maintained standards.

Acting Director of Community Development Scudero commented that adoption of the Multifamily Objective Design Standards and Single Family and Missing Middle Residential Objective Design Standards had set standards for the community.

9. ORAL/Written COMMUNICATIONS

Acting Director of Community Development Scudero announced the November 15, 2023, Planning Commission meeting would be canceled, and the next meeting would be held on December 6, 2023. He stated that he was hopeful that the Council would appoint two new Commissioners prior to that meeting.

10. COMMITTEE REPORTS

Acting Director of Community Development Scudero commented that the Planning Commission would be selecting a member to serve on the TRANSPLAN Committee at a future meeting.

In response to Vice Chairperson Riley, Acting Director of Community Development Scudero stated he was not aware of any other outside committees with a Planning Commission representative; however, he would investigate the matter.

Commissioner Martin commented that Commissioner Motts had previously requested creating a Tree Committee.

Acting Director of Community Development Scudero explained that the creation of a city committee would be an action taken by the City Council.

11. NEXT MEETING:

Chairperson Gutilla reiterated that the November 15, 2023, Planning Commission meeting was canceled, and the next meeting would be December 6, 2023.

Acting Director of Community Development Scudero stated that he did not anticipate a December 20, 2023, or the January 3, 2024, Planning Commission meetings.

12. ADJOURNMENT

On motion by Vice Chairperson Riley, seconded by Commissioner Hills the Planning Commission members present unanimously adjourned the meeting at 7:37 P.M. The motion carried the following vote:

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

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk