

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**January 6, 2016
City Council Chambers**

Chair Motts called the meeting to order at 6:30 P.M. on Wednesday, January 6, 2016, in the City Council Chambers. He 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, January 13, 2016.

ROLL CALL

Present: Commissioners Parsons, Mason, Miller, Hinojosa
Vice Chair Zacharatos and Chair Motts

Staff: Interim City Attorney, Bill Galstan
Director of Community Development, Forrest Ebbs
Assistant City Engineer, Lynne Filson
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

- | | |
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| 1. Approval of Minutes: | A. October 21, 2015
B. November 4, 2015 |
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On motion by Commissioner Parsons, seconded by Vice Chair Zacharatos, the Planning Commission unanimously approved the minutes of October 21, 2015 and November 4, 2015, as presented. The motion carried the following vote:

AYES:	Parsons, Zacharatos, Mason, Miller, Hinojosa, Motts
NOES:	None
ABSTAIN:	None
ABSENT:	None

NEW PUBLIC HEARING

2. **UP-15-12 – Somerville Towne Center** – Kevin Le of Courtney + Le Architects, applicant, on behalf of Times Equities Inc., the property owner, requests a use permit and design review for the construction of two new buildings containing drive-throughs within the existing parking lot at the southeastern corner of the Somersville Towne Center shopping mall complex. The project site is located at 2500 Somerville at the intersection of Fairview Drive (APN 074-450-036).

Director of Community Development Ebbs presented the staff report dated December 14, 2015, recommending the Planning Commission approve a use permit and design review for the two drive-through buildings for fast food restaurants subject to the conditions of approval contained in the staff reports attached resolution.

Chair Motts opened the public hearing.

John Le, Courtney & Le Architects, explained the project would be adding square footage; however, parking was abundant at the shopping center. He noted three driveways would be closed and one would remain for access. He stated they would abide by the conditions of approval; however, he requested General Condition #2 be amended to provide an additional two (2) year term from the date of approval to allow additional time to negotiate leases, if needed.

In response to Chair Motts, John Le stated there had been interest from multiple retail tenants; however, they did not have signed leases at this time.

In response to Commissioner Parsons, Director of Community Development Ebbs stated that given the request from the applicant; staff's recommendation would be to amend General Condition #2 to indicate the approval expires four years from the date of approval with a provision for a one year extension.

Chair Motts closed the public hearing.

Commissioners Parsons thanked the applicant for bringing this project to Antioch.

Commissioner Hinojosa stated she liked the project and was excited to more businesses located in the area. She thanked the applicant for their consideration in designing the stop signs adjacent to building "B".

Chair Motts concurred with Commissioner Hinojosa noting the project would be a welcomed sight in the area.

RESOLUTION NO. 2016-01

On motion by Commissioner Hinojosa, seconded by Commissioner Parsons, the Planning Commission approved the use permit and design review for the two drive-through buildings for fast food restaurants subject to the conditions of approval contained in the staff reports attached resolution. With the following revision to General Condition #2.

#2 This approval expires four years from the date of approval (Expires January 6, 2020), unless the use has been established or a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.

The motion carried the following vote:

AYES: Parsons, Zacharatos, Mason, Miller, Hinojosa, Motts
NOES: None
ABSTAIN: None
ABSENT: None

3. PD-14-03 – Vineyards at Sand Creek Residential Subdivision – GBN Partners, LLC, requests approval of: an Environmental Impact Report; a General Plan Amendment (GP-14-01) from Business Park, Public/Quasi-Public, and Open Space/Senior Housing to Medium Low Density Residential District; a Master Development Plan, Final Development Plan and Planned Development Rezone (PD-14-03); a Resource Management Plan; a Vesting Tentative Map (Subdivision 9390); and a Development Agreement. The project consists of the development of a gated residential community on 141.6 total acres; including up to 650 single-family residential units, private streets, two parks, a segment of the Sand Creek Regional Trail, two stormwater detention basins, and landscaped and open space areas. The project site is bounded by a residential subdivision to the north, the future extension of Sand Creek to the south, Heidorn Ranch Road and City of Brentwood city limits to the east, and future Hillcrest Avenue extension and vacant residential land to the west (APNs 057-030-003 and 057-050-007).

Director of Community Development Ebbs presented the staff report dated January 6, 2016, recommending the Planning Commission consider the proposed Vineyards and Sand Creek Project and make a recommendation to the City Council. He explained the Planning Commission had been provided with a minor change to the conditions of approval relating to timing of the infrastructure improvements. Additionally, correspondences received, as late as this afternoon, were provided on the dais.

In response to Commissioner Hinojosa, Director of Community Development Ebbs explained staff had not made a written recommendation on the General Plan amendment as his recommendations were based on existing adopted policy and this project was inconsistent with the General Plan. He stated best service to the Planning Commission was to bring forward all existing policies and any changes would be deferred to them. He commented any recommendation by staff on the project would be personal and not based on official policy adopted by the City Council. Speaking to removing the Business Park designation for this property, he noted there would be opportunity through the General Plan Land Use Element update to reassign employment generating land uses elsewhere in the focus area. He further noted there were no other formal applications for projects in the Sand Creek focus area at this time. Additionally, he clarified any new policies coming forward as part of the General Plan Land Use Element update, would be discussed at the Planning Commission Study Session on January 20, 2016, and would conclude when Council adopted the update later this year. He noted the decision to hold a project to a standard yet to be developed was not feasible as it should be measured against today's General Plan.

In response to Commissioner Parsons, Director of Community Development Ebbs clarified the Planning Commission would be making a recommendation on policy to the City Council who would make the ultimate decision.

Chair Motts opened the public hearing.

Matt Beinke, GBN Partners LLC applicant from The Vineyards and Sand Creek, gave a history of the project and an overhead presentation which included the site plan and project constraints. He announced they were in the process of purchasing the corner property which they felt was necessary as it sits at the City limit boundary line and would set the tone for the area. He noted they would participate in the police services district and because it was a private community, the burden would not be borne by the City.

Phil VanderToolen, VanderToolen and Associates Landscape Architects, gave an overhead presentation of the landscape amenities including gated entries, pool area, park features, trail system and entry features. Also reviewed were the streetscapes and plant palette.

Mark Day, Dahlin Group Architecture and Planning, provided examples of architecture following the guidelines and standards written to insure a quality project would be brought forward. He discussed their intent to create California/outdoor rooms and stated the homes would be energy efficient and meet or exceed building standards.

Commissioner Hinojosa spoke in support of the covered patios/California room options.

In response to the Commission, Mark Day stated they believed they had sufficient lot coverage to allow for an additional accessory structure and noted his experience had

been the builders were providing the option and pre-plotting to accommodate for California rooms.

Matt Beinke, GBN Partners LLC applicant from The Vineyards and Sand Creek, clarified they developed the project after considering infrastructure needs, adjacent development of similar size as well as the mixed use high density development to the east in the City of Brentwood. In addition, he noted infrastructure improvements provided the first segments to Dozier-Libbey Medical High School and Kaiser Hospital. Speaking to the Sand Creek trail, he reported they worked with Save Mount Diablo to create the Sand Creek protective corridor that they would be designating. He thanked City staff for their time and efforts to assist them in addressing all of the issues.

In response to the Commission, Phil VanderToolen explained the property line would remain the same for homes with and without sidewalks. He noted parking would occur on the arterials.

In response to the Commission, Matt Beinke explained the gate house was designed to be manned or unmanned. He stated the Sand Creek Regional Trail exists in the location it will be permitted to be by the resource agencies.

Assistant City Engineer Filson added the intent was to retain the trail along Sand Creek and not adjacent to the roadway.

Matt Beinke added keeping the trail away from the roadway was their goal. He stated they do not anticipate building a single story product; however, through the guidelines they created a single story profile home. He noted the senior housing designation would not require any changes to the proposed lot size or setbacks. He further noted with the proposed tree coverage, the type of home would not be evident until directly in front of the home.

Jack Roddy, Brentwood resident, spoke in support of the project and the developers.

Kevin Fitzgerald, Antioch resident and Business owner, spoke in support of the Vineyards at Sand Creek. He noted the project would provide infrastructure and be a catalyst for planning in the area. Additionally, he noted the project would provide union jobs and fund police services. He gave a historical perspective of the Roddy Ranch project.

Cleve Palmer, Antioch resident, spoke in support of the project noting it would provide local transitional housing for Antioch residents.

Greg Souza, Antioch resident, spoke in opposition to any development inconsistent with the General Plan. He noted with current proposals in front of the Planning Commission, he believes FUA1 would exceed 4000 homes. He further noted the Sand Creek Specific Plan envisioned larger lots with an emphasis on businesses. He expressed

concern for the projects impacts on City services and schools. He urged the Planning Commission not to recommend approval to the City Council.

Commissioner Hinojosa clarified the Sand Creek focus area allowed for a maximum of 4000 units and that was based on whether or not that number was achievable given constraints.

Bob Lilley, representing the International Brotherhood of Electrical Workers (IBEW), spoke in favor of the project. He stated this project would provide infrastructure and be a catalyst for future development which would benefit the entire City. He noted there was a deviation from the General Plan; however, the General Plan made assumptions that had not come to pass. He advocated on behalf of his workers to have the opportunity to work on a good project that would enhance the community.

Arim Hodess, representing Plumbers Local #159, spoke in support of the Vineyards project. He concurred with comments from Bob Lilley. He stated this was the first project that had come forward as a fiscal benefit to the City and relocating the business park was necessary. He urged the Planning Commission to make a recommendation to the City Council to amend the General Plan and approve the project.

Wendy Aghily, Antioch resident, stated this property was the only portion of FUA1 designated for business. She noted she had met with Richland developers who indicated they would be bringing forward a destination retail place for their parcel which they confirmed to be a strip mall. She discussed the report she previously submitted as it pertained to Antioch demographics and local jobs. She noted the proposal before the Commission was in conflict with the General Plan as it pertained to minimum lot sizes. She further noted that with the overabundance of people in Antioch living below the poverty level, she feels homes of this size, in this area, would become rentals. She stated the Planning Commission was being asked to approve a development in hopes the General Plan would be changed, on land the developer does not own yet.

Juan Pablo Galvan, representing Save Mount Diablo, stated they looked forward to further participation in the holistic planning process for the Sand Creek focus area. With regards to this project, he reported they had a discussion with the applicant, toured the site and the proposed mitigation property. He stated they were encouraged that the applicant had guaranteed to permanently protect the entire length of the creek corridor and they would encourage that to be carried through the Sand Creek focus area. He noted they were pleased with the quality and location of the proposed mitigation property.

Josh Young, Antioch resident, spoke in support of the development noting it was a prime opportunity to take advantage of the economy. He noted projects such as this brought positive attention to Antioch as a place for families to live and were essential to the future growth of the City.

Terry Ramus, Antioch resident, provided written comments asking the City to give serious consideration to the following infrastructure and planning issues: planning area in FUA1 was happening in a piece meal fashion and the City had not planned ahead; the City needed to make sure connections to the bypass take place at Laurel Road and Sand Creek Road; infrastructure needed to be completed in a timely manner; the Business Park location should be considered and planned for; and he questioned what guaranteed the quality of development should the project be sold to another developer. Additionally, he suggested a provision be included for additional community infrastructure.

Mark Gabriel Avelos and Joshua Harvey, Antioch residents, presented written comment in support of the Vineyards at Sand Creek.

Lucia Albers and Alan Iannuccone, Brentwood residents, spoke in support of the project.

Donald Freitas, Antioch resident, stated the goal for FUA1 was to develop a dynamic community that included residential, commercial and retail components. He stated the Planning Commission had the opportunity to move the community forward by approving this project to change the perception of Antioch and provide the needed infrastructure for the community. He explained the concept was as development moved west properties would get larger. He urged the Planning Commission to make a recommendation to the City Council to approve the project.

Allen Payton, Antioch resident, stated an assessment should be included for homes in the Sand Creek area for the unfinished portion of Prewett Park. He noted the plan was as development moved south, larger homes would be built, on larger lots. He further noted there was property near Slatten Ranch, the BART station, East 18th Street and along the waterfront that could be utilized for employment generating development.

Commissioner Parsons read written comment from Tim Forrester representing the Antioch Unified School District who asked the Planning Commission to carefully consider the benefits of the project.

Chair Motts closed the public hearing; he then reopened the public hearing to allow for the applicant's rebuttal.

Rebuttal

Matt Beinke thanked the Planning Commission for the opportunity to present the project and requested the Planning Commission recommend approval to the City Council.

Chair Motts closed the public hearing. He declared a recess at 8:32 P.M. The meeting reconvened at 8:45 P.M. with all Planning Commissioners present.

Commissioner Parsons stated she liked the project and supported a gated community. She noted due to surrounding land use, a Business Park would not be feasible at this location; therefore, she would recommend the City Council amend the General Plan to allow the project to move forward.

In response to Commissioner Hinojosa, Director of Community Development Ebbs provided a general overview of the fiscal impact analysis study. He added there was vacant business park space in the current market and an opportunity in the General Plan Land Use Element to look at sites adjacent to the freeway.

A motion was made by Commissioner Mason, seconded by Commissioner Parsons to approve the resolutions recommending the City Council;

- 1) Certify the Environmental Impact Report***
- 2) Approve of the General Plan Amendment***
- 3) Approve the Development Agreement***
- 4) Approve an Ordinance to rezone to Planned Development District (PD-15-**)***
- 5) Approve the Vesting Tentative Map/Final Development Plan***

Discussion on the motion followed.

Commissioner Hinojosa complimented the consultant who prepared the Economic Study and stated based on information provided, she felt comfortable with the General Plan Amendment for the land use designation. Speaking to residential density, she stated the product before the Commission was an excellent example of how this type of housing could be done on smaller lots; therefore she was comfortable with lowering the square foot lot threshold. She noted she had reservations on what the minimum standard should be and she hoped that issue would be discussed during the Land Use Study Session. She further noted she would have preferred to see a single story housing product.

Commissioner Zacharatos stated this project would provide a gated community and complete utilities for the area. She noted it would also provide a housing product that would benefit the City.

Commissioner Miller stated he would not support deviating from the City's General Plan and voiced his support for keeping the business park designation for the property.

Chair Motts stated he understood Commissioner Miller's concerns and noted Business Park development could be placed in areas more feasible. He stated he believed the General Plan amendments were consistent with the studies indicating a change was warranted. He noted given the nature of how the project had come forward and given the quality of product being proposed, he supported the amendments to the General Plan.

Director of Community Development Ebbs suggested if the density issue was a concern for setting precedent, the Planning Commission could add a finding to the resolution that the approval was based on the consideration that the project was on the far east side adjacent to much higher density and on flat land.

Chair Motts supported staff's recommended finding and noted market changes were also a factor in his support of the General Plan amendments.

Commissioner Hinojosa acknowledged Commissioner Miller's position on this project. She noted she does not support projects coming forward with General Plan amendments; however, she had multiple conversations with Director of Community Development Ebbs who assured her as they moved through the Land Use Element update, that issue would be addressed. She stated she shared concerns that the process was not ideal and she had reservations for moving forward with a recommendation to the City Council in advance of the Specific Plan Study Session on January 20, 2016. She stated she had moved past that and felt it was time to move forward. She noted this project would install the infrastructure needed to facilitate development and lead to increased revenues generated by more residents in the community. Additionally, she believed the project fit into the community, followed the General Plan and Land Use standards, provided sufficient biological and environmental mitigation and worked collaborative with stakeholders to build consensus and pay their fair share toward costs to the City for services while committing to hire local labor. She stated she had respect for how the applicant had gone through this process and she was excited for the project to be coming forward; therefore, she noted she supported the project as presented.

In response to Chair Motts, Director of Community Development Ebbs stated a development impact fee and park in lieu fee were included in the conditions of approval and could be utilized for further improvements at Prewett Park.

Following the discussion the previous motion was amended as follows:

RESOLUTION NOS. 2016-02, 2016-03, 2016-04, 2016-05, 2016-06

On motion by Commissioner Mason, seconded by Commissioner Parsons, the Planning Commission approved the resolutions recommending the City Council;

- 1) Certify the Environmental Impact Report***
- 2) Approve of the General Plan Amendment***
- 3) Approve the Development Agreement***
- 4) Approve an Ordinance to rezone to Planned Development District (PD-15-**)***
- 5) Approve the Vesting Tentative Map/Final Development Plan and Resource Management Plan***

With the amended conditions of approval provided on the dais this evening and with the addition of a finding to the resolution addressing the General Plan Amendment as follows:

“Whereas, the subject property is basically flat and located adjacent to high density residential development in the City of Brentwood,”

The motion carried the following vote:

AYES: Parsons, Zacharatos, Mason, Hinojosa, Motts
NOES: Miller
ABSTAIN: None
ABSENT: None

ORAL COMMUNICATIONS

Director of Community Development Ebbs reminded the Planning Commission that a Sand Creek Focus Area public workshop would be held at 6:30 P.M. on January 20, 2015 at Prewett Park Community Center. He stated he would be sending out a report on the format of the Study Session to Commission members prior to the event. He noted it would be a Planning Commission meeting and the format would include various stations with ways for the public to provide input. He reported staff and Mayor Harper held the last of the interviews for the Planning Commission vacant seats today and Mayor Harper would be making a decision for his appointees at the January 26, 2016 City Council meeting.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Chair Motts reported on his attendance at the TRANSPLAN meeting on December 10, 2015.

ADJOURNMENT

Chair Motts adjourned the Planning Commission at 9:14 P.M. to the next regularly scheduled meeting to be held on January 20, 2016.

Respectfully Submitted,
Kitty Eiden