

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

**Regular Meeting
6:30 P.M.**

**February 21, 2024
City Council Chambers**

1. CALL TO ORDER

Chairperson Gutilla called the meeting to order at 6:30 P.M. on Wednesday, February 21, 2024, in Council Chambers.

2. ROLL CALL

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

Absent: Commissioner Hills

Staff: Outside Legal Counsel, Ruthann Ziegler
Acting Director of Community Development, Kevin Scudero
Acting Planning Manager, Zoe Merideth
Contract Planner, Kevin Valente
Contract Engineer, Kevin Van Katwyk
Minutes Clerk, Kitty Eiden

Acting Planning Manager Merideth introduced Nathan Tinclair, Associate Planner.

The Planning Commission welcomed Associate Planner Sinclair to the City.

3. PLEDGE OF ALLEGIANCE

Chairperson Gutilla led the Pledge of Allegiance.

4. PUBLIC COMMENT

Alexander Broom requested the Planning Commission agendaize consideration of installing traffic calming measures on Hillcrest Avenue and Davidson Drive at Deer Valley Road.

5. CONSENT CALENDAR

Commissioner Martin requested Consent Calendar Item 5-2 be removed from the Consent Calendar for separate consideration.

5-1. Planning Commission Meeting Minutes December 6, 2023

5-3. Creekside Vineyards Extension | GP-9-06, PD-19-02 | APN 057-050-024 Two-year extension request of the Creekside Vineyards at Sand Creek Vesting Tentative Subdivision Map 9501 and Design Review Approvals.

On motion by Commissioner Riley, seconded by Commissioner Lutz the Planning Commission members present unanimously approved Consent Calendar Items 5-1 and 5-3. The motion carried the following vote:

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

5-2. Planning Commission Meeting Minutes January 17, 2024

Commissioner Martin stated he had requested this item be considered separately because he was absent and would be abstaining from the vote.

Chairperson Gutilla stated she was also absent from the meeting and would be abstaining.

In response to Commissioner Riley, Outside Legal Counsel Ziegler clarified that five Commissioners were present this evening so if the Planning Commission approved the minutes by three votes, it would be a majority of the quorum which would be sufficient for this matter.

On motion by Commissioner Riley, seconded by Commissioner Lutz the Planning Commission approved Consent Calendar Item 5-2. The motion carried the following vote:

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

6. NEW PUBLIC HEARING

6-1. Laurel Ranch Car Wash | PDP22-01 | APN 053-060-064 The applicant requests Preliminary Development Plan (PDP) review of a new 2,800 square foot carwash with 18 vacuum stations and a 2,500 square foot convenience store. The proposed project includes 35 parking spaces, inclusive of the 18 vacuum stalls. Associated improvements including landscaping and stormwater control facilities are also proposed. The project is located at the southwest corner of Laurel Road and Country Hills Drive.

Acting Planning Manager Merideth presented the staff report dated February 21, 2024, recommending the Planning Commission provide the applicant with feedback regarding the proposal.

Julio Tinajero, Milestone Associates presented a history of the project and the revised site plan based on feedback received from the Planning Commission on their previous submittal.

Chairperson Gutilla opened the public comment period.

Laura Kindsvater advocated for the Planning Commission to mandate that the applicant increase the proportion of native plant species in their project to over 70%.

An unidentified speaker expressed concern about the project's egress during peak traffic hours. Additionally, this speaker expressed support for alternative commercial uses for the site.

Alexander Broom shared the sentiment expressed by the previous speaker regarding alternative commercial uses for the site.

Chairperson Gutilla closed the public comment period.

In response to Commissioner Martin, Acting Planning Manager Merideth provided clarification regarding the General Plan and East Lone Tree Specific Plan map designation for the site and specified that the stand-alone parking was situated behind the convenience store.

In response to Commissioner Martin, Contract Engineer Kevin Van Katwyk reviewed option layout 1 and 2 (staff report attachment D2 and D3).

Commissioner Martin voiced opposition to the project but expressed conditional support for specific aspects if the project were to be approved. These included:

- Elimination of the 360-degree turn to enter the carwash.
- Elimination of parking behind the building.
- Support for the current building design.
- Inclusion of a noise, light and traffic survey.
- Increasing the proportion of native plant species.
- Reduction in hours of operation to 5:00 A.M. – 10:00 P.M.

Commissioner Lutz echoed the sentiments expressed by Commissioner Martin and offered additional feedback for the project, which included:

- Elimination of the carwash.
- Revising the project into a convenience store with adequate parking.
- Concern regarding traffic in the area and the circulation plan.

Commissioner Jones requested the results of the site feasibility study and outreach to the neighboring community be provided if the project returned to the Commission.

Commissioner Riley stated he opposed the previous project submittal but acknowledged that while it may not be the most desirable use of the site, it could still provide convenience for residents in the area. He highlighted the unique characteristics of the parcel, noting its odd shape, and expressed a desire to see development take place on the site.

Chairperson Gutilla outlined several concerns and areas of support regarding the project:

Concerns:

- Smell of recycled water.
- Trash generated from customers.
- Noise impacts.
- Traffic impacts and circulation plan.
- Parking behind the building.
- Location of the trash receptacle.

Support:

- Reduction in hours of operation.
- Increasing native species in landscaping.
- Installing canopies over vacuum stations.
- Revising the project as electric vehicle (EV) charging stations and an indoor play structure for customers.

Chairperson Gutilla expressed her general opposition to the project while acknowledging the removal of the gas station. She thanked the applicant for this change and noted the unique nature of the parcel.

Commissioner Riley offered conditional support for aspects of the project, should it proceed:

- Removal of vacuum stations closest to residential lots.
- Relocating the trash receptacle behind the structure and potentially replacing it with parking spaces.
- Support for a variance for canopies over vacuum facilities contingent upon ensuring they would not obstruct line of sight for traffic.

Chairperson Gutilla closed the Commissioner comment period and thanked the applicant for bringing the project forward.

In response to Mr. Tinajero's requests for an opportunity to respond to comments, Chairperson Gutilla reopened the Commissioner comment period.

Mr. Tinajero expressed gratitude for the feedback provided. He reported that the applicant would be the owner/operator of the project and was locally based. He explained that the applicant purchased the property under the belief that it was zoned for commercial use; however, it was later discovered to be zoned residential. He noted this discrepancy created challenges for the project's development, especially considering the parcel's size and shape, which may not be suitable for residential development. He requested the Planning Commission consider the circumstances under which the property was purchased, and the challenges posed by the zoning discrepancy. He emphasized that commercial zoning across the street supported the feasibility of commercial development on the property. He highlighted the necessity for revenue-generating options to make the project economically viable. He provided an overview of the site circulation plan.

Chairperson Gutilla agreed that the site was inconsistent with residential development.

Acting Director of Community Development Scudero explained that the parcel was initially designated to serve as the stormwater retention area for the development across the street. He confirmed that preliminary meetings were held with the applicant under the assumption that the parcel was zoned for commercial use. He clarified that during these discussions, staff expressed reservations about the proposed gas station/carwash development, but the applicant chose to proceed. He suggested that the Planning Commission provide feedback on what type of development should occur on the site.

Commissioner Lutz stated he would prefer a large convenience store and hydrogen charging station occur on this site.

Commissioner Jones stated she would prefer an EV charging station with a convenience store.

Commissioner Riley stated he preferred a large convenience store or coffee shop.

Commissioner Martin stated he preferred a single use commercial development such as a large convenience store, deli or coffee shop.

Chairperson Gutilla stated she agreed with the previously suggested alternative uses for the parcel. Specifically, she supported the idea of developing a large convenience store with a deli or bagel shop, emphasizing the importance of ample parking, and limiting operating hours.

Chairperson Gutilla closed the Commission comment period.

6-2 Leung Properties | PDP23-02 | APN 057-041-013, 015, 016: The applicant requests a Preliminary Development Plan review of a proposal to construct a 435-unit residential development over a 160-acre vacant project site (APNs 057-041-013, 057-041-015, 057-041-016). The proposed project includes the development of 50 conventional single family detached units, 385 clustered single family detached residential units, and 159 row townhomes. The project also includes a recreation center, two neighborhood parks, and walking trails. Primary site access would be from Sand Creek Road.

Acting Director of Community Development Scudero introduced Contract Planner Valente who presented the staff report dated February 21, 2024, recommending the Planning Commission provide direction to the applicant for the Final Development Plan Submittal.

Kyle Masters, Richland Communities / The Ranch Phase 4, gave a brief overview of the project map.

Terry Gallaway / The Gallaway Group / The Ranch Phase 4, gave a PowerPoint presentation of their master plan, conceptual site plan, open space, technical site plan, architecture, and conceptual street scene.

Chairperson Gutilla opened the public comment period.

Juan Pablo Galvan Martinez, Senior Land Use Manager at Save Mount Diablo, reported they had engaged with the developer of The Ranch project, leading to a mutually satisfactory resolution regarding the buffer along Sand Creek and the dedication of open space. He expressed satisfaction that a similar proposal was being put forth for the project under consideration. He requested the City and Planning Commission consider tracking the cap on housing units for the Sand Creek Focus Area.

Laura Kindsvater advocated for the Planning Commission to mandate that the applicant enhance the proportion of keystone and native plant species to exceed 70% for the housing units and parks. She proposed restoration efforts in the natural areas along Sand Creek and expressed support for buildings facing the creek.

Alexander Broom spoke in support of the perimeter walkway and advocated for the inclusion of a greater variety of drought tolerant native plant species throughout the development. He stressed the importance of wildfire mitigation measures and expressed apprehension regarding evacuation routes from the area. He suggested the implementation of cool roofs. He inquired about the width of the trail and proposed the addition of other amenities to enhance the area.

An unidentified speaker raised concerns about the project's trajectory, noting that the applicant intended to secure entitlements before selling it to a builder. He also expressed concern regarding the elimination of estate housing and questioned the potential implications for the City's RHNA numbers. He highlighted the proposed density increase without consideration for affordable housing. He suggested the construction of a gated community with an Homeowners Association (HOA) and increased lot sizes.

Chairperson Gutilla closed the public comment period.

In response to Commissioner Jones, Mr. Gallaway reviewed the square footage allocated for each product type.

In response to the Commission, Acting Director of Community Development Scudero clarified that the term "single-family missing middle objective design standards" pertained to housing types rather than income levels. He also indicated that staff was not aware of any instances of flooding in the area under consideration.

Mr. Masters clarified that the project included detention measures for all runoff. He mentioned plans to construct a detention basin adjacent to existing basins, which would eventually integrate into the park and open space area surrounding the trail system. He highlighted the connectivity of the project to The Ranch and East Bay Regional Park's trail systems.

In response to Commissioner Lutz, Mr. Masters clarified that bridges for the project would be elevated above the 300-year flood protection level, emerging from abutments. He mentioned the possibility of exploring emergency vehicle access to the area as well. He affirmed their commitment to adhering to the City's regulations concerning landscaping and the incorporation of native species. Additionally, he expressed openness to consider the inclusion of an affordable housing component.

Commissioner Lutz expressed his support for incorporating an affordable housing component into the project.

Mr. Masters discussed the importance of offering a diverse range of housing options that catered to individuals from various backgrounds.

In response to Commissioner Lutz, Acting Director of Community Development Scudero clarified that a planned development zone permitted flexibility regarding setbacks.

In response to Commissioner Lutz, Mr. Gallaway elaborated on setbacks and circulation plans for the cluster home products. He commented on the water-saving benefits of native plants and mentioned plans to grade the perimeter edge of the open space to facilitate a smooth transition into the project. He requested feedback from the Planning Commission on all aspects of the project. He explained that they typically sold to homebuilders who understood buyer preferences. He clarified that they hadn't proposed apartment-type developments as they didn't perceive a suitable market for it in this location. He emphasized their approach to addressing housing affordability by increasing density to enhance the residual value of the land. Additionally, he mentioned their endeavor to provide housing options suitable for families with children.

Commissioner Lutz expressed concern that increasing density might not necessarily lead to a decrease in housing prices.

Mr. Gallaway mentioned that they were opting for two-story construction as a cost-effective building design approach.

Acting Director of Community Development Scudero reported that the housing element included consideration of an inclusionary housing ordinance, and staff had initiated that process. He further mentioned that these projects could potentially be subject to that ordinance.

Commissioner Riley voiced support for both the project's density and design. Additionally, he remarked that he wished the project were closer to a highway or transit station. He stated that the area was relatively secluded, emphasizing the importance of having nearby infrastructure for the benefit of residents.

In response to Commissioner Riley, Mr. Gallaway commented that they had secured additional parking on the streets by avoiding driveways that would interrupt parking spaces.

Mr. Masters added that there would be an HOA in place to manage parking along with other aspects of the project.

Commissioner Riley discussed the importance of providing mass transit access to the area.

Commissioner Martin questioned how this project would affect the cap on residential units for this area.

Acting Director of Community Development Scudero explained that when the General Plan was adopted in 2003, the Sand Creek Focus Area had a cap of 4000 units. He noted that every project developed since then had requested an increase in density, yet the cap had not been adjusted to accommodate those increases. He further stated his belief that the cap might not be compliant with state law. Therefore, when an entitlement application comes forward, they would need to consult legal counsel to determine if the cap was enforceable or if it needed to be amended.

Commissioner Martin commented he disliked the density; however, he understood that it made the project more affordable. He provided the following feedback:

- Concerns regarding General Plan amendments eliminating estate housing and the challenges this would pose in meeting the requirements of the housing element.
- Support for the staff's response to the identified engineering issues
- Support for adhering to the City's guidelines for setbacks to allow for the storage of refuge containers behind fences.
- Support for the proposed architecture.
- Increasing recreational amenities.
- Increasing native plant species.
- Enhanced fire resistance measures due to the presence of open space.
- Inclusion of a traffic study.

Chairperson Gutilla stated she supported the following:

- Incorporating a downstairs bedroom for two-story models.
- Support for cul-de-sacs, provided parking was available in the center.
- Advocacy for a variety of transition areas between the cul-de-sac communities and open space.
- Increasing bike-friendly options, pedestrian access, and vehicle parking at the community center.
- Ensuring a smooth transition for landscaping between the open space, trails, and development.
- Advocating for additional emergency vehicle access on Deer Valley Road.
- Supporting public access for transit opportunities.

Mr. Gallaway explained how each product type would be serviced by the garbage company.

Acting Director of Community Development Scudero stated the first question before the Planning Commission was if they supported the General Plan changes.

Chairperson Gutilla also suggested:

- Less density on the perimeter of the project to facilitate a smoother transition to open space.
- Support for the staff's response to the identified engineering issues.

In response to Commissioner Jones, Acting Director of Community Development Scudero explained that every development in the Sand Creek Focus Area had either increased density or reduced lot sizes from the current General Plan designations. He reiterated that they were in the initial stages of developing an inclusionary housing ordinance and when they selected the consultant, they would discuss timing and its impact on development applications deemed complete. He provided an overview of the City's current deed restricted affordable housing units.

Chairperson Gutilla closed the Commission comment period.

Chairperson Gutilla declared a recess at 9:29 P.M. The meeting reconvened at 9:38 P.M. with all Commissioners present, except for Commissioner Hills, who was previously reported as absent.

Acting Planning Manager Merideth announced that past practice was that the Commission end the public hearings at 9:30 P.M. She requested that they consider whether they wanted to proceed this evening with the remainder of the agenda. With consensus of the Commission, the Planning Commission agreed to continue with the final public hearing this evening.

6-3 Rancho Meadows PDP | PRE2023-0002 | APN 051-052-053, 051-082-010 The applicant requests a Preliminary Development Plan review of a proposal to construct 143 residential units on a 17.12-acre vacant project site (APNs 051-052-053-9, 051-082-010-3). The proposed project includes the development of 137 residential lots at approximately 2,600 square-feet (sf) and six residential lots at 4,200 sf. The project also includes one open space area near the project entry consisting of a children's play area, seating, picnic tables, a shade trellis, and play field. Site access would be provided by an off-site extension of Vineyard Drive across the existing PG&E easement.

Acting Director of Community Development Scudero introduced Contract Planner Valente who presented the staff report dated February 21, 2024, recommending the Planning Commission provide direction to the applicant for the Final Development Plan Submittal.

Kerri Watt, Civic Rancho Meadows Applicant / DeNova Homes, gave a PowerPoint presentation of the Ranch Meadows Project Preliminary Development Plan.

Trent Sanson, Civic Rancho Meadows / Yellow Roof Foundation / Executive VP of DeNova Homes, provided a brief overview of their 501c3 charitable foundation and outlined their proposal to include six renter-occupied low-income units with junior Accessory Dwelling Units (ADUs). He explained their request for a general plan amendment and rezone proposal. Additionally, he noted that the current light industrial office use did not appear compatible with adjacent residential zoning.

Kerry Watt commented that they would prioritize the use of as many pollinators and native species as possible. Additionally, she mentioned that the houses would adhere to the City's Objective Design Standards.

Chairperson Gutilla opened the public comment period.

Alexander Broom suggested expanding park space and native plant species in the project. He expressed concern for the potential inconsistency of the proposal with the City's Climate Action Resiliency Plan and suggested the proposal align with the current General Plan designation.

Laura Kindsvater requested the Planning Commission require the applicant to increase native plant species to more than 70% with an emphasis on locally native and keystone species. She provided resources to assist the developer in meeting this requirement.

An unidentified speaker voiced his support for the project, highlighting the developer's commitment to offering affordable housing. He mentioned the project's potential positive impacts. He suggested the developer view Santa Fe Avenue as a traditional right-of-way and prioritize transit and pedestrian connectivity in their planning efforts.

Chairperson Gutilla closed the public comment period.

Commissioner Jones spoke in support of converting office space for housing specifically if it comes with an affordability component. She noted that there was currently less demand for office space, making such a conversion a beneficial use of the property.

Commissioner Lutz voiced his support for the Yellow Roof Foundation, suggesting that it should serve as a model for other developers.

In response to Commissioner Lutz, Contract Planner Valente clarified that if the project were to proceed, it would undergo an environmental review process. He assured that any contamination present at the site would be addressed and remediated as part of the project development process.

Mr. Sanson explained that prior to acquiring the property, an environmental site assessment was conducted which revealed that the site had historically been used as a vineyard. He emphasized their commitment to collaborating with staff on a comprehensive review process through CEQA and their willingness to ensure compliance with environmental regulations.

Commissioner Lutz questioned the potential impact of reallocating land that was originally designated for job creation.

Acting Director of Community Development Scudero acknowledged that repurposing the land would result in the loss of sites designated for business park/light industrial; however, he emphasized that when viewed within the broader context of the eastern waterfront employment focus area, the property in question could be seen as transitional. He noted that the primary consideration for the Commission was whether they supported the proposed change in land use. He further noted that while the property could potentially be used for a lower intensity business park, it was uncertain if there was a market demand for such a development in that location. He noted that there were entitled business park uses that had not yet been developed in this area.

In response to Commissioner Lutz, Mr. Sanson explained that the Yellow Roof Foundation homes were clustered together for ease of maintenance and to facilitate a supportive community environment.

Commissioner Lutz requested that side yard setbacks and park space be increased while also advocating for a decrease in density. Additionally, he expressed concern about the lack of amenities in the area.

Commissioner Riley expressed concern about the insufficient park space, amenities, and third spaces in the area. He proposed extending the park space by eliminating homes on lots 35 and 36. He voiced support for rezoning the property, emphasizing its adjacency to an existing residential neighborhood and the decreasing need for business parks. He spoke favorably of the Yellow Roof Foundation and the project, suggesting that they could serve as a positive example for other developers.

Commissioner Martin expressed concern regarding the removal of grapevines on the property; however, he acknowledged the necessity for housing development, especially considering the areas limited suitability for industrial use due to factors such as accessibility challenges and the presence of high-tension power lines. He also highlighted the property's unique shape and its adjacency to other residential areas. He encouraged the developer to disclose the presence of high-tension power lines, emphasizing the importance of transparency regarding potential interference they could cause. He voiced support for the affordable housing component proposed by the Yellow Roof Foundation. He requested the widening of alley E and L to accommodate sidewalks on both sides of the street.

Mr. Sanson clarified that the alleys were designed to serve as vehicular pass-through access to garages. He expressed willingness to explore potential modifications to the plan.

Commissioner Martin requested sideyard setbacks be increased to a minimum of 5 yards and spoke in support of the suggestion to increase park space by removing lots 35 and 36. He expressed a preference for a 20-foot front yard setback; however, he indicated a willingness to support increasing open space if this item remained unchanged.

In response to Commissioner Martin, Mr. Sanson stated they would be fronting costs associated with extending Vineyard Drive. He stated their intention was for everything north of the PG&E parcel to be privately owned and maintained through a future HOA; however, they were in discussions with PG&E to acquire an easement right-of-way or fee simple for the portion of the road extending through their parcel. He noted they would engage with city staff to determine the logistics and maintenance boundaries between public right-of-way and private ownership.

Commissioner Martin recommended the installation of a sound wall or other sound protection measures along the north side of the development, particularly along the railroad tracks.

Mr. Sanson stated that they would be conducting an acoustic study which would provide recommendations for the installation of a sound wall and sound attenuation measures.

Commissioner Martin supported the engineering requirements outlined in the staff report and the Objective Design Standards. He encouraged the developer to consider incorporating native and keystone species into their landscape plan.

Mr. Sanson affirmed that the development team was willing to accommodate the requests regarding native and keystone species wherever possible.

Chairperson Gutilla expressed concern about the potential presence of toxins on the site from pesticides used in old growth vineyards. She cautioned developers against exploiting disadvantaged individuals by placing them in environmentally compromised areas. She noted that the combination of small lots, narrow streets, and a lack of sidewalks could contribute to miniaturizing the neighborhood; therefore, she agreed with the engineering recommendations for sidewalks on both sides of the street. She suggested that the architecture of the Yellow Roof homes match the architecture of the remainder of the development.

In response to Chairperson Gutilla, Mr. Sanson clarified that the intent of the ADU program was for each unit to be separate. He explained that they were in the process of developing the floor plan for the Yellow Roof program, but each unit would be built independently and have a one car garage with its own point of entry.

Chairperson Gutilla requested side yards for both Yellow Roof units be a minimum of 5-feet. Additionally, she stated that while there may be concerns regarding the jobs/housing imbalance, she considered this specific parcel to be an appropriate site for residential development. She suggested that if all the homes in the adjacent neighborhood to the west were single-story, she would prefer the homes on that side of the development to also be single-story.

Mr. Sanson responded that they would investigate that issue and commented that many of the lots in question were located far away from the property line.

Chairperson Gutilla expressed her support for the use of native plant species and the Yellow Roof Foundation proposal. She suggested the developer consider whether the turnaround area was large enough to accommodate people who might accidentally enter the project.

Commissioner Riley expressed his preference for sidewalks on both sides of the streets; however, he felt that the alleyways could be an exception to this preference.

Chairperson Gutilla stated she supported the suggestion for increasing park space by expanding the park into lots 35 and 36.

In response to Commissioner Jones, Mr. Sanson clarified that both the single-family home and the ADU would serve as affordable housing units, resulting in a total of 12 affordable housing units within the development.

Chairperson Gutilla closed the Commission comment period. She thanked the applicant for presenting their project and wished them luck moving forward.

7. REGULAR ITEM

7-1. TRANSPLAN Committee Discussion

Consensus of the Planning Commission agreed to table Regular Item #7-1.

On motion by Commissioner Riley, seconded by Commissioner Jones the Planning Commission members present unanimously tabled Regular Item 7-1. The motion carried the following vote:

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

8. ORAL/WRITTEN COMMUNICATIONS

Acting Director of Community Development Scudero reported that the City Council had added a discussion on the City's native landscaping to their 90-day future agenda item list.

9. COMMITTEE REPORTS - None

10. NEXT MEETING: March 20, 2024 / March 6, 2024, meeting is canceled.

Chairperson Gutilla announced the March 6, 2024, Planning Commission meeting was canceled and the next meeting would be held on March 20, 2024.

11. ADJOURNMENT

On motion by Commissioner Martin, seconded by Commissioner Riley, the Planning Commission members present unanimously adjourned the meeting at 10:51 P.M. The motion carried the following vote:

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

Kitty Eiden

KITTY EIDEN, Minutes Clerk