

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

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

**November 20, 2024
City Council Chambers**

1. CALL TO ORDER

Chairperson Riley called the meeting to order at 6:30 P.M. on Wednesday, November 20, 2024, in Council Chambers.

2. ROLL CALL

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

Absent: Commissioner Hills

Staff: City Attorney, Thomas Lloyd Smith
Assistant City Attorney, Brittany Brace
Acting Director of Community Development, Kevin Scudero
Planning Manager, Zoe Merideth
Contract Planner, Cindy Gnos
Contract Engineer, Kevin Van Katwyk
Minutes Clerk, Kitty Eiden

3. PLEDGE OF ALLEGIANCE

Chairperson Riley led the Pledge of Allegiance.

4. PUBLIC COMMENT – None

5. CONSENT CALENDAR

- 5-1. DR2023-0010 | Wild Horse Extension | Eastern End of Wild Horse Rd.** - The applicant is seeking a five-year extension of a previously approved Vesting Tentative Subdivision Map (VTSM 357-302-20) for condominium purposes, Final Development Plan, and Design Review standards for a 126 multifamily unit residential community and associated improvements on an 11.72-acre project site, known as The Wild Horse Multifamily project.

On motion by Commissioner Martin, seconded by Commissioner Jones the Planning Commission members present unanimously approved Consent Calendar Item 5-1. The motion carried the following vote:

AYES: Jones, Lutz, Martin, Webber, Riley

NOES: None

ABSTAIN: None

ABSENT: Hills

6. CONTINUED PUBLIC HEARING

- 6-1. GP-19-04, MDP-19-01 | Albers Ranch | East of Deer Valley Rd** - The project applicant, Lucia Albers, is seeking approval of the Albers Ranch Project, consisting of 294 single-family units, future development of an assisted living facility, and neighborhood commercial uses and 49.1 acres of open space. Project Location: East of Deer Valley Road/Deer Hill Lane intersection / APNs 057-042-006, 057-050-021

Acting Director of Community Development Scudero introduced Contract Planner Gnos who presented the staff report dated November 20, 2024, recommending the Planning Commission 1) Adopt the resolution recommending City Council certification of the Albers Ranch Project EIR, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program. 2) Adopt the resolution recommending City Council approval of a General Plan Amendment to amend the City of Antioch General Plan (GP-19-04). 3) Adopt the resolution recommending City Council approval of an ordinance rezoning the property to HPD and adopting the Master Development Plan (MDP-19-01). 4) Approve the resolution recommending City Council approval of a Vesting Tentative Subdivision Map and a Resource Management Plan

Joel Keller representing Albers Ranch, thanked the Commission and staff. On behalf of the applicant, he requested modifications to conditions of approval J-5 and J-6, noting the sewer and roadway for the Aviano project lacked a nexus to their project so they believe there should be no obligation to participate in the improvement agreements. Additionally, he noted conditions Q-1 and Q-3 required the construction of emergency vehicle access and they disagreed that curb and gutter were necessary elements of the EVA Road. He proposed an alternative with variable slopes to carry water away from the roadway. He requested the Planning Commission adopt the resolutions subject to the modification of conditions J5, J6, Q1 and Q3.

Lucia Albers, Applicant, provided the Planning Commission with written comments and read it into the record. Her comments included a history of her project and her appeal for several conditions of approval.

Chairperson Riley opened the public comment period.

Eric Haynes, Business Representative with Sheet Metal Workers Local 104, requested the Planning Commission support the Albers Ranch project.

Ray Devlin representing Colliers, stated he was assisting the applicant in the sale of the property to a home builder. He discussed the park amenities planned for the hillsides and requested the City allow for a park in lieu fee credit for that work.

Laura Kindsvater, Antioch resident, stated this property would benefit from having more than 70% native plants with the majority being keystone species to support pollinators and other wildlife.

Debbie Toth representing Choice in Aging/Bedford Center, spoke in support of the project particularly the assisted living facility noting it would help prevent homelessness for the aging population in Antioch. She urged the Planning Commission to support the project.

Chairperson Riley closed the public comment period.

In response to Commissioner Martin, Contract Planner Gnos identified the neighborhood commercial and assisted living parcel.

Commissioner Martin commented that current market demand indicated the need for this type of product, and it would assist the City in meeting their RHNA numbers.

In response to Commissioner Martin, Contract Planner Gnos stated the development would be private; however, gates were not proposed at this time. She explained when the Aviano project was approved the City required that they dedicate an irrevocable offer of dedication allowing access to the Alber's property because they wanted a secondary access option. She noted the road traveled up through parcel "Y" along the Contra Costa County Flood Control to Sand Creek, and the sewer connection could also be in the area, which was why they had reimbursement agreements. She noted there was an irrevocable offer of dedication so if the subdivision could not come to an agreement with Creekside, they still had options for secondary access and sewer connection.

Commissioner Martin stated he did not support a project of this size having only one access and expressed concern the west access was only for emergency vehicles.

Contract Planner Gnos explained that the curb and gutter were required on the EVA road because that was shown on the tentative map.

Contract Engineer, Kevin Van Katwyk, speaking to the EVA road, explained that Acting Director of Public Works/City Engineer Buenting wanted to keep the curb and gutter on the downhill side and a vertical curb on the uphill side. He confirmed the road would be built to City standards.

In response to Commissioner Martin, Acting Director of Community Development Scudero clarified that the Planning Commission would determine compliance with the state water efficient landscape ordinance when the builder came back with their detailed landscape plan. He noted condition H-5 encouraged the use of local and native plant species. He noted Council provided direction to staff to advance a native plant ordinance; however, at this time there was no requirement for a certain percentage of native plant species.

In response to Commissioner Webber, Ms. Alber's confirmed they had a project labor agreement with the union.

In response to Commissioner Jones, Acting Director of Community Development Scudero confirmed that the Assisted Living project had not been separated out; however, the applicant had not submitted a specific site plan or development plan for that parcel. He explained that the

development standards and the environmental review had been established for the site so when that project is brought forward it would go through the use permit design review process.

In response to Commissioner Jones, Ms. Albers stated that they estimated approximately 100 individuals would be housed at the assisted living facility. She commented that flood control had blocked access to the road going to the Aviano project. She noted they shared the cost of the utilities and road with the Creekside developers.

In response to Commissioner Jones, Acting Director of Community Development Scudero explained that legal counsel had reviewed the developer's objections to conditions of approval J-5 and J-6, and determined that the conditions needed to remain.

In response to Commissioner Jones, Ms. Albers stated they were requesting a waiver of park fees since they had acres of open space plus trails that would be maintained through Covenants, Conditions and Restrictions (CCRs) and they also had an onsite park for residents.

In response to Commissioner Lutz, Contract Planner Gnos stated there had been no changes in state law that would impact the Resource Management Plan. She emphasized that the mitigation measures outlined in the Environmental Impact Report (EIR) were strong and would be implemented proficiently. Acting Director of Community Development Scudero explained if the City determined that the applicant did not benefit from the reimbursement agreements, they would not incur costs. He added that reimbursement agreements were legal agreements that needed to remain. He explained that there were many factors that led to the delay in bringing this project forward and reminded the Commission to focus on the entitlement before them.

In response to Commissioner Lutz, Ms. Albers stated that since the project was secluded, they determined a private gated entry was not necessary and for marketability they removed the age restriction.

Acting Director of Community Development Scudero added the environmental analysis done for this entitlement was for a non-age restricted community.

Ms. Albers gave a history of their efforts to advance their project through the development process. She thanked City staff and her team who helped bring this project before the Planning Commission this evening.

Assistant City Attorney Brace reminded the Commission if there was going to be additional testimony, the public hearing needed to be reopened.

In response to Commissioner Jones, Mr. Keller stated market conditions would determine when the project in its totality goes forward; however, it was the applicant's intent to develop the property, as soon as possible.

Chairperson Riley commented that the City charged park fees for all developments and they were community based to support all City parks.

In response to Chairperson Riley, Contract Engineer Kevin Van Katwyk added that the EVA road was too steep for a fully developed roadway. Acting Director of Community Development Scudero added that it was also not envisioned for pedestrian and bicycle access.

Jason Vogan, Project Engineer, stated they had analyzed different alternatives for the project, and determined that they did not want to encourage access to Deer Valley Road prior to improvements because it would be unsafe. He noted that the traffic impact analysis for the project analyzed traffic going to Hillcrest Ave. and found it to be adequate for City standards.

Chairperson Riley stated it was unfortunate that there was not another access point to the project; however, if the EVA road remained unrestricted, it could be used in the event of a wildfire in the area.

Commissioner Jones stated she liked the project, especially the assisted living facility. She stated she hoped it would get built as soon as possible. She stated she did not support the applicant's objections to the conditions of approval.

Commissioner Martin congratulated the applicant for bringing their project forward for consideration.

On motion by Commissioner Martin, seconded by Commissioner Jones the Planning Commission members present unanimously adopted the resolution of the Planning Commission of the City of Antioch recommending the City Council certify the environmental impact report for the Albers Ranch Project (SCH#2021200264) as adequate for addressing the environmental impacts of the proposed project and adopt California Environmental Quality Act Findings of Fact, Statement of Overriding considerations, and a mitigation monitoring and reporting program. The motion carried the following vote:

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

On motion by Commissioner Martin, seconded by Commissioner Jones the Planning Commission members present unanimously adopted the resolution of the Planning Commission of the City of Antioch recommending the City Council approval of a General Plan Map and Text Amendment amending the land Use Designation for the Albers Ranch Project from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential/Open Space and Commercial/Open Space and amendments to the General Plan text to the Sand Creek Focus area of the General Plan to add the Albers Ranch Sub Area to the Sand Creek Focus Area. The motion carried the following vote:

AYES: Jones, Lutz, Martin, Webber, Riley
NOES: None
ABSTAIN: None

ABSENT: Hills

On motion by Commissioner Martin, seconded by Commissioner Lutz the Planning Commission members present unanimously adopted the resolution of the Planning Commission of the City of Antioch recommending City Council approval of an Ordinance to rezone to Hillside Planned Development for the Albers Ranch Project. The motion carried the following vote:

AYES: Jones, Lutz, Martin, Webber, Riley

NOES: None

ABSTAIN: None

ABSENT: Hills

On motion by Commissioner Martin, seconded by Commissioner Jones the Planning Commission members present unanimously adopted the resolution of the Planning Commission of the City of Antioch recommending City Council adoption of the Vesting Tentative Subdivision Map, Master Development Plan (MDP-19-01), and Resource Management Plan for the Albers Ranch Project. The motion carried the following vote:

AYES: Jones, Lutz, Martin, Webber, Riley

NOES: None

ABSTAIN: None

ABSENT: Hills

7. NEW PUBLIC HEARING

- 7-1 LA2024-0005 | State Density Bonus Law Ordinance Update | Citywide** - The City of Antioch is proposing to repeal and replace Title 9, Chapter 5, Article 35 of the Antioch Municipal Code, Density Bonus Program. The zoning text amendments will ensure compliance with State law, outline application and approval procedures, and include development standards for affordable units constructed under the ordinance.

Acting Planning Manager Merideth presented the Memorandum to the Planning Commission dated November 20, 2024, recommending the Planning Commission continue this item to the regularly scheduled Planning Commission meeting of December 4, 2024.

Chairperson Riley opened and closed the public comment period with no members of the public requesting to speak.

On motion by Commissioner Martin, seconded by Commissioner Jones the Planning Commission members present unanimously continued LA2024-0005 | State Density Bonus Law Ordinance Update | Citywide to December 4, 2024. The motion carried the following vote:

AYES: Jones, Lutz, Martin, Webber, Riley

NOES: None
ABSTAIN: None
ABSENT: Hills

8. ORAL/WRITTEN COMMUNICATIONS - None

9. COMMITTEE REPORTS

Commissioner Jones reported on her attendance at the TRANSPLAN Committee meeting and announced additional information was available on the TRANSPLAN website. She encouraged everyone to participate in the Study and Survey. She announced there would be a public meeting at 6:30 P.M. on December 3, 2024, at Los Medanos College.

10. NEXT MEETING: December 4, 2024

Chairperson Riley announced the next Planning Commission meeting would be held on December 4, 2024.

11. ADJOURNMENT

On motion by Commissioner Martin, seconded by Commissioner Jones, the Planning Commission members present unanimously adjourned the meeting at 8:09 P.M. The motion carried the following vote:

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

Kitty Eiden
KITTY EIDEN, Minutes Clerk