

**STAFF REPORT TO THE ZONING ADMINISTRATOR
FOR CONSIDERATION AT THE MEETING OF OCTOBER 12, 2023**

Prepared by: Zoe Merideth, Acting Planning Manager

Approved by: Kevin Scudero, Acting Community Development Director

Date: October 12, 2023

Subject: Prestige Banquet Hall (UP2023-0002)

RECOMMENDATION

It is recommended that the Zoning Administrator **APPROVE** a use permit allowing public assembly, alcohol sales, and live entertainment for Prestige Banquet Hall at 2656 Somersville Road, subject to the conditions contained in the attached resolution.

REQUEST

Royan Joshan requests approval of a use permit to operate a banquet room for special events and live entertainment. The subject property is located within the Somersville Towne Center at 2656 Somersville Road (APN 067-251-011).

ENVIRONMENTAL

This project is Categorical Exempt from the provisions of CEQA, pursuant to Section 15301 – Existing Facilities. This section of CEQA exempts projects that:

- Consist of the operation of existing public or private structures.
- Involve negligible or no expansion of an existing use beyond that existing at the time of the lead agency determination.

ANALYSIS

Issue #1: Project Overview

The applicant proposes to operate a banquet hall for events such as conferences, weddings, birthday celebrations, funeral receptions, and other events. The space is a former restaurant and has a full kitchen, which the banquet hall staff will use to prepare meals. The total tenant space is 7,400 square feet and the event space is 5,700 square feet. The banquet hall could also provide live entertainment or DJs. The proposed hours of operation are 10am to 2am, seven days a week. The applicant proposes hosting events for up to 300 people. The banquet room will have 2-7 security guards and 10-20 kitchen/service employees depending on the event.

The applicant's project description is provided as Attachment "B".

The General Plan designation of the property site is Western Antioch Commercial Focus Area with a Regional Commercial designation, and the site is zoned Regional Commercial (C-3). Public assembly uses are permitted in C-3 with approval of a use permit.

Issue #2: Parking and Occupancy

There are no parking requirements specifically for banquet facilities with live entertainment in the Zoning Ordinance; but there are parking requirements for religious assembly, which is similar in parking demand to a banquet hall. Religious assembly is required to provide one parking space for every 50 square feet of floor area used for assembly purposes. The applicant proposes to use 5,700 square feet of the space for assembly, therefore, 114 parking spaces would be required for the proposed project using this standard. The California Building Code maximum occupancy for assembly with non-fixed tables and chairs is 1 occupant per 15 square feet. That would equal a maximum occupancy for the 5,700 square assembly area of 380 people. It is important to note that the maximum occupancy of the building could be different depending on other requirements of the Fire Department and the Building Code. The applicant will have to abide by the maximum occupancy determined by the Fire Department and Building Code.

The tenant space is in the Somersville Towne Center, which has ample parking surrounding three sides of the tenant space. Smart and Final is located near the tenant space and is open until 10:00 pm. Even with this potential overlap of event attendees and grocery shoppers, the ample parking at Somersville Towne Center will not create a parking conflict.

Issue #3: Noise, Security, and Alcohol

The main issues surrounding live entertainment use permit requests are typically impacts to adjacent uses and public safety. The banquet hall is located at the western side of the Somersville Towne Center, a commercial development. The building is located at the end of the mall complex, which is setback from Fairview Drive and Somerville Road and is surrounded by parking lots. On the western side of Fairview Drive, apartment complexes are located approximately 200 feet away from the proposed banquet hall site. Given the commercial nature of the area, staff does not believe the residences will be negatively impacted by the use. Nevertheless, staff has included conditions in the attached resolution requiring all live entertainment to be conducted within the building at a volume that is not audible outside of the premises and that all the windows and doors are to remain closed during the live entertainment. With proper measures in place, any potential noise and vibration impacts to the residential properties should be minimized.

In order to minimize any potential impacts to public safety, staff has included a condition in the attached resolution requiring that the applicant contract directly with a security company and have at least two uniformed security guards present during any events. The attached resolution includes a condition to provide a copy of the security contract to

the Community Development Department for review and approval prior to issuance of building permits for the banquet room.

The applicant indicates that the banquet hall will obtain a beer and wine license and will not serve hard liquor, nor will they allow guests to obtain one day permits for hard liquor. The requirements of AMC §9-5.3831 require at least 500 feet of separation between the banquet hall use and another on-sale or off-sale alcohol use with the exception of retail markets having a minimum of 10,000 square feet which devote no more than 5% of such floor area to the sale of alcoholic beverages. The banquet hall is not located within 500 feet of any alcohol establishment that would meet these requirements. Therefore, alcohol may be served at the banquet hall. The applicant has stated they intend to be licensed as a restaurant by Alcoholic Beverage Control. The attached resolution includes a condition of approval limiting alcohol to beer and wine only. The applicant is proposing to operate the banquet hall until 2:00 am. In order to ensure all guests are finished with their drinks prior to this time, a condition of approval has been added that requires alcohol service to stop at 1:00 am.

ATTACHMENTS

- A. Resolution
- B. Applicant's Project Description
- C. Floor Plan
- D. Site Plan

ATTACHMENT "A"

CITY OF ANTIOCH ZONING ADMINISTRATOR RESOLUTION NO. 2023-**

RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR APPROVING A USE PERMIT (UP2023-0002) FOR PUBLIC ASSEMBLY AND LIVE ENTERTAINMENT FOR PRESTIGE BANQUET HALL LOCATED AT 2656 SOMERSVILLE ROAD

WHEREAS, Royan Joshan requests approval of a use permit to operate a banquet room for special events and live entertainment. The subject property is located within the Somersville Towne Center at 2656 Somersville Road (APN 067-251-011).

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301; and

WHEREAS, the Zoning Administrator duly gave notice of public hearing as required by law; and

WHEREAS, the Zoning Administrator on October 12, 2023, duly held a public hearing and received and considered evidence, both oral and documentary; and

WHEREAS, the Zoning Administrator does determine:

1. The granting of such Use Permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The proposed live entertainment consists of live bands and DJs. Amplified live entertainment will be permitted within the building only; no live entertainment, amplified or non-amplified, will be permitted outdoors or in parking lot areas. Security guards will be required on site for events in the evenings and at night. Based upon the conditions imposed, the proposed use will not create adverse impacts to the surrounding businesses and residents.

2. The use applied at the location indicated is properly one for which a Use Permit is authorized.

The site is zoned Neighborhood Community Commercial (C-3). The City of Antioch Municipal Code allows public assembly with the approval of a use permit in the Regional Commercial District.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

The proposed public assembly will take place in an existing commercial building and will not require any alterations to the site. Based on the conditions imposed, the project site provides sufficient off-street parking.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The project site is currently developed and is located on Somersville Road and Fairview Drive, which are adequate in width and pavement type to carry the traffic generated by the proposed use.

5. The granting of such Use Permit will not adversely affect the comprehensive General Plan.

The use will not adversely affect the comprehensive General Plan because the project is consistent with the General Plan designation for the site of Regional Commercial and is in an existing retail center.

NOW THEREFORE BE IT RESOLVED, the Zoning Administrator of the City of Antioch does hereby **APPROVE**, a use permit to operate a banquet room for special events and live entertainment. The subject property is located within the Somersville Towne Center at 2656 Somersville Road (APN 067-251-011), subject to the following conditions.

A. GENERAL CONDITIONS

1. The project shall comply with the Antioch Municipal Code. All construction shall conform to the requirements of the California Building Code and City of Antioch standards.
2. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
3. The project shall be implemented as indicated on the application form and accompanying materials provided to the City of Antioch and in compliance with the Antioch Municipal Code, or as amended by the Zoning Administrator.
4. No building permit will be issued unless the plan conforms to the project description and materials as approved by the Zoning Administrator and the standards of the City.

5. This approval expires two years from the date of approval (expires October 12, 2025), unless operations have commenced 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.
6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
7. This approval supersedes previous approvals that have been granted for this site.

B. AGENCY REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met.
2. All requirements of the Contra Costa Environmental Health Division (CCEHD) shall be met.

C. FEES

1. The applicant shall pay all fees as required by the City Council.
2. The developer shall pay all required fees at the time of building permit issuance.

D. PROPERTY MAINTENANCE

1. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
2. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
3. No signs shall be installed on this site without prior City approval.

E. USE REQUIREMENTS

1. This use permit applies to public assembly, including ancillary live entertainment, conducted at Prestige Banquet Hall at 2656 Somersville Road as indicated on the application form and accompanying materials provided to the City of Antioch. Approved live entertainment activities include live bands and a live DJ ancillary to other events occurring at the banquet hall.
2. Only beer and wine may be served at the site. Beer and wine shall be served in conjunction with an event that serves food. Hard liquor shall not be permitted at any time.

3. Beer and wine service shall cease at 1:00 am.
4. All events shall end by 2:00 am.
5. Music and all other noise shall be kept within the 80-decibel limit and at the property line cannot exceed 75 decibels as required by the City of Antioch Municipal Code. Audible music should not be heard outside the premises.
6. All doors and windows shall remain closed to minimize the noise impacts during the entertainment.
7. All activities shall be conducted entirely inside the building. Loitering shall be prohibited. Conspicuously placed "No loitering, No open containers and No drinking" signs shall be posted on site.
8. No less than two uniformed security guards who are employed by a Private Patrol Operator (Security Company) who is currently licensed with the California Department of Consumer Affairs shall be provided from 5:00 p.m. until 2:00 a.m. during any public assembly and live entertainment events. A copy of the contract with the Security Company shall be provided to the Community Development Director for review and approval prior to issuance of building permits and commencement of public assembly live entertainment at Imperial Banquet Room. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
9. The name of the Security Company, proof of liability insurance including a copy of all exceptions, their State license number and the guard registration numbers for the employed guards shall be provided to the Community Development Department. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
10. The applicant shall be subject to a Planning Commission hearing, per Section 9-5.2707.1 of the City of Antioch Municipal Code, if the Antioch Police Department must respond to this property as a result of complaints received due to incidents related to public assembly and live entertainment or any other police response issues related to the operation of public assembly and live entertainment at 2656 Somersville Road. If the Planning Commission determines that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare, it can result in revocation of the use permit or imposition of a fine.

11. If the Antioch Police Department must respond to this property as a result of incidents related to the public assembly or live entertainment and they determine that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare they may immediately shut down the event and/or impose a fine.
12. At no time shall the posted occupancy limit be exceeded.
13. No "Adult Entertainment" (as defined in Antioch Municipal Code section 9-5.203) shall be permitted on site. This is to include, but not limited to, "go-go" dancers, exotic dancers, strippers, lingerie shows, etc.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Zoning Administrator of the City of Antioch at a regular meeting thereof held on the 12th day of October, 2023.

KEVIN SCUDERO
ZONING ADMINISTRATOR

ATTACHMENT "B"

Prestige Banquet Hall & Catering Inc.
DBA, Crystal Hall
2656 Summerville Rd
Antioch CA 94509

Aug 7, 2023

Dear Licensing Committee,

I am writing to submit a proposal on behalf of Prestige Banquet Hall & Catering Inc., doing business as Crystal Hall, for obtaining a license from the City of Antioch. Our goal is to enhance the community by providing a premium banquet hall and catering services for various events and celebrations. By granting us this license, we aim to bring more business opportunities, create employment, and contribute to the cultural vibrancy of Antioch.

Business Overview:

Prestige Banquet Hall & Catering Inc., operating as Crystal Hall, is a premier banquet hall facility located at 2656 Summersville Rd., Antioch. We specialize in hosting a wide range of events, including business meetings, conferences, weddings, birthday celebrations, funeral lunches or dinner receptions, and other family occasions. Our banquet hall can comfortably accommodate up to 300 guests.

Cuisine:

We pride ourselves in offering a diverse menu that caters to various culinary preferences. Our menu includes American, Italian, Mediterranean, Mexican, Middle Eastern (Afghan, Iranian), and South Asian cuisines. We understand the importance of catering to the diverse tastes of our clientele and strive to provide an exceptional dining experience for all.

Employment and Security:

By operating Crystal Hall, we aim to create employment opportunities for the local community. Our team will consist of 2-7 well-trained security guards, depending on the number of guests, and 10-20 dedicated employees for kitchen and service. Additionally, our facility has ample parking space, with over 300 designated parking spots allocated specifically for our banquet hall.

Hours of Operation:

We propose operating Crystal Hall from 10:00 am to 2:00 am, seven days a week, in accordance with our booking schedule. By accommodating late-night receptions, we aim to honor and respect the customs and traditions that make each wedding unique and special. This flexible schedule allows us to cater to the diverse needs and preferences of our clients culture's while adhering to local regulations and ensuring the smooth execution of events.

Family-Oriented Approach:

At Crystal Hall, we understand the significance of maintaining a family-friendly atmosphere. To uphold this commitment, we do not serve hard liquor. Our parties and events are designed to be inclusive, focusing on family-oriented celebrations and gatherings. By doing so, we aim to

contribute positively to the social fabric of Antioch and provide a safe and enjoyable environment for all attendees.

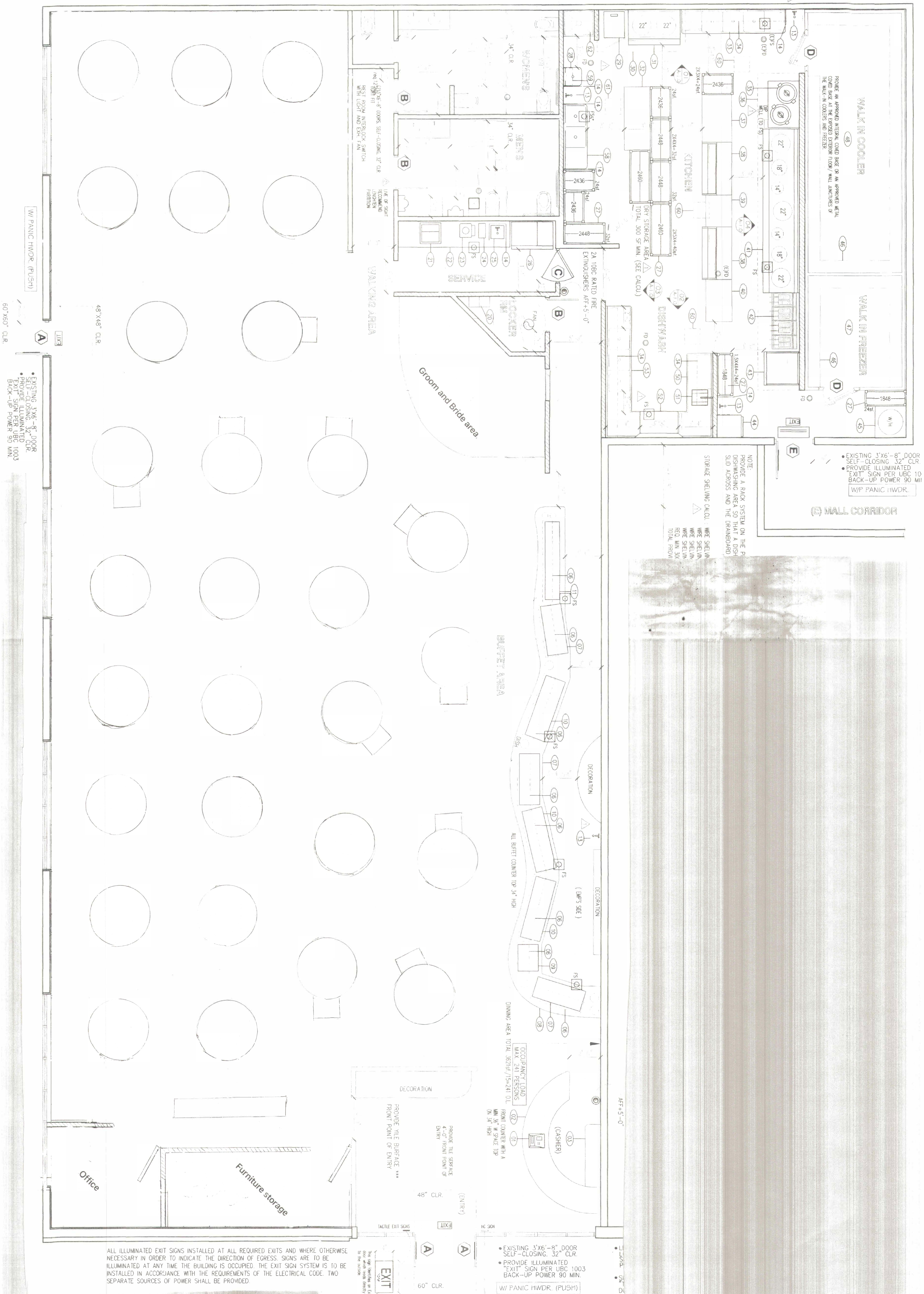
Benefits to the Community:

Granting us the license to operate Crystal Hall will bring numerous benefits to the community of Antioch. These include:

1. Economic Growth: Our establishment will attract more business to the area, contributing to the local economy through increased foot traffic, job creation, and support of local suppliers.
2. Employment Opportunities: By hiring local talent, we will provide job opportunities to individuals in the community, reducing unemployment rates and contributing to the overall well-being of residents.
3. Cultural Enrichment: Crystal Hall will serve as a venue for diverse cultural celebrations, fostering community engagement and promoting unity among different ethnic groups.
4. Enhanced Event Facilities: By offering a state-of-the-art banquet hall and catering services, we will elevate the quality of events held in Antioch, attracting both local and out-of-town guests.

Best Regards

Royan Joshan and Rebecca Satti



WALK IN COOLER
 PROVIDE AN APPROVED METAL COOLING BASE OR AN APPROVED METAL COOLING BASE FROM FLOOR/WALL JUNCTIONS OF THE WALK IN COOLERS AND FREEZER.

WALK IN FREEZER
 PROVIDE AN APPROVED METAL COOLING BASE OR AN APPROVED METAL COOLING BASE FROM FLOOR/WALL JUNCTIONS OF THE WALK IN COOLERS AND FREEZER.

- EXISTING 3'x6'-8" DOOR SELF-CLOSING 32" CLR.
- PROVIDE ILLUMINATED "EXIT" SIGN PER UBC 1003 BACK-UP POWER 90 MIN.
- W/P PANIC HWDR.

(E) MALL CORRIDOR

NOTE:
 PROVIDE A RACK SYSTEM ON THE PLATE DISHWASHING AREA SO THAT A DISHWASHING AREA AND THE DRAINBOARD STORAGE SHELVING CALCULATED.

- WIRE SHELVING
- WIRE SHELVING
- WIRE SHELVING
- REQ. MIN. 30"
- TOTAL PROVIDED

OCCUPANCY LOAD
 MAX 241 PERSONS
 FRONT COUNTER WITH A MIN 36" W SPACE TOP ON 34" HIGH

PROVIDE THE SERVICE 4'-0" FROM POINT OF ENTRY
 PROVIDE VILE SURFACE *** FRONT POINT OF ENTRY

ALL ILLUMINATED EXIT SIGNS INSTALLED AT ALL REQUIRED EXITS AND WHERE OTHERWISE NECESSARY IN ORDER TO INDICATE THE DIRECTION OF EGRESS. SIGNS ARE TO BE ILLUMINATED AT ANY TIME THE BUILDING IS OCCUPIED. THE EXIT SIGN SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ELECTRICAL CODE. TWO SEPARATE SOURCES OF POWER SHALL BE PROVIDED.

W/P PANIC HWDR (PUSH)

- EXISTING 3'x6'-8" DOOR SELF-CLOSING 32" CLR.
- PROVIDE ILLUMINATED "EXIT" SIGN PER UBC 1003 BACK-UP POWER 90 MIN.

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- W/P PANIC HWDR (PUSH)

ATTACHMENT "D"

EXHIBIT B

DEPICTION OF THE SHOPPING CENTER SITE PLAN

