

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**May 4, 2016  
City Council Chambers**

Vice Chair Zacharatos called the meeting to order at 6:30 P.M. on Wednesday, May 4, 2016 in the City Council Chambers. She 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, May 11, 2016.

**ROLL CALL**

Present: Commissioners Parsons, Husary, Mason, and Vice Chair Zacharatos  
Absent: Commissioner Hinojosa and Chair Motts  
Staff: Director of Community Development, Forrest Ebbs  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes: April 20, 2016

*On motion by Commissioner Parsons, seconded by Commissioner Mason, the Planning Commission approved the minutes of April 20, 2016, as presented. The motion carried the following vote:*

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

**NEW PUBLIC HEARING**

2. **UP-15-13, AR-15-13, V-15-05 – ARCO AM/PM Gas Station/Convenience Store** – PM Design Group, applicant, on behalf of Jagdish Kumar Bhalla, property owner, requests Planning Commission approval of a use permit, design review, and a variance for the demolition of the existing gas station and construction of a new gas station with a 3,769 square-foot convenience store.

The variance request would allow the sale of alcoholic beverages within 500' of another alcohol sales outlet, which is ordinarily prohibited by Municipal Code. The project is located at 2610 Contra Loma Boulevard (APN 076-191-038-9).

Director of Community Development Ebbs presented the staff report dated April 27, 2016 recommending the Planning Commission approve UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution.

In response to Commissioner Mason, Director of Community Development Ebbs stated a pole sign would be visible from east bound Highway 4; however, the canopy sign would not.

Vice Chair Zacharatos opened the public hearing.

Ron Jacobs, PM Design Group, representing Jack Bhalla, stated the rebuild of this station would maximize the site and be an enhancement to the area. He discussed the importance of replacing the pole sign as it would allow them to advertise the business to Highway 4. He noted that when Caltrans removed the original sign; it was with the understanding that they would be able to replace it, after the improvements were completed. He stated if the pole sign was not allowed, they would like to bring back a revised sign program.

In response to Commissioner Mason, Mr. Jacobs clarified if they were to revise the signage program, they would add illuminated ARCO letters to the canopy and increase building signage.

In response to Commissioner Parsons, Mr. Jacobs stated the canopy would not be visible from the freeway.

Jody Knight, representing Reuban, Junius & Rose, LLP, stated Jagdish Bahlia would be a good neighbor and strictly enforce the conditions of approval. She noted this business was isolated and not conducive to loitering. She further noted this project would increase employment, upgrade the site, and provide a benefit to the community.

In response to Commissioner Mason, Director of Community Development Ebbs explained highway signage was coordinated through Caltrans.

Commissioner Parsons added no signs were currently planned indicating this off ramp provided services.

Vice Chair Zacharatos closed the public hearing.

Commissioner Parsons spoke in support of the variance for alcohol sales noting this area was unique with no conflicting businesses. Additionally, she noted the signage

should be allowed as it was an established business that previously had a pole sign on their property.

Commissioner Mason stated he felt it was a good project; however, he had reservations for the pole sign as it may set a precedent. He noted the fact there was a pole sign at the business in the past could be justification.

Commissioner Zacharatos spoke in support of allowing the pole sign and the variance for alcohol sales.

Commissioner Husary voiced her support for the pole sign; however, suggested alcohol sales be limited.

Director of Community Development Ebbs stated if the Planning Commission was compelled to support the pole sign, in order to avoid a precedent, language could be added to the finding indicating that this was a unique circumstance as there was a sign on the property that was taken down and there was generally consistency with the General Plan looking at the overall sum of the project. He stated that the Planning Commission could also limit the hours of alcohol sales.

In response to Commissioner Parsons, the applicant indicated he would abide by decisions made by the Planning Commission this evening.

#### **RESOLUTION NO. 2016-08**

***On motion by Commissioner Parsons, seconded by Commissioner Husary, the Planning Commission members present unanimously approved UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution. With the following revisions:***

- A) Adding a finding that the pole sign shall be allowed as it is a replacement for the previous pole sign located at the business.***
- B) Liquor sales shall be allowed from 6:00 A.M. – 12:00 A.M.***

***The motion carried the following vote:***

<b>AYES:</b>	<b><i>Parsons, Husary, Zacharatos, Mason</i></b>
<b>NOES:</b>	<b><i>None</i></b>
<b>ABSTAIN:</b>	<b><i>None</i></b>
<b>ABSENT:</b>	<b><i>Hinojosa, Motts</i></b>

#### **ORAL COMMUNICATIONS**

Director of Community Development Ebbs reminded the Planning Commission that a General Plan Land Use Element Update would be on the May 18, 2016 agenda.

Vice Chair Zacharatos announced she would not be available for the May 18, 2016 Planning Commission meeting.

Jagdish Bahlia thanked the Planning Commission and staff for allowing him to rebuild his ARCO station and noted it would be the gateway to Antioch.

Vice Chair Zacharatos thanked Mr. Bahlia for his interest in Antioch.

Pastor Henry Kelly, representing Grace Temple Church of God in Christ, reported he had not received a notice regarding this meeting or the variances. He expressed concern for the close proximity of the ARCO station to other businesses selling liquor in the area. He stated they had been attempting to clean up the area; however, it was a challenge with the illegal activity occurring.

Commissioner Parsons responded that a new business opening in the area would create more activity and deter criminal activity.

Director of Community Development Ebbs stated he would be available to discuss this matter with Pastor Kelly after the meeting and reiterated that the business would only be selling beer and wine.

Commissioner Mason added that the business was prohibited from selling single serve beer and wine-derived products.

Pastor Kelly stated he was also concerned with unsafe traffic conditions and the fact that on-street parking had been eliminated in the area.

### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

None.

### **ADJOURNMENT**

***Vice Chair Zacharatos adjourned the Planning Commission at 7:08 P.M. to the next regularly scheduled meeting to be held on May 18, 2016.***

Respectfully Submitted,  
Kitty Eiden