

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

**Regular Meeting
7:30 p.m.**

**May 21, 2008
City Council Chambers**

Chairman Azevedo called the meeting to order at 7:35 p.m. on Wednesday, May 21, 2008, in the City Council Chambers.

Chairman Azevedo 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 28, 2008.

ROLL CALL

Present: Commissioners Westerman, Johnson, Trail, Travers, Vice
Chairman Brandt and Chairman Azevedo
Absent: Commissioner Delgadillo
Staff: Deputy Director Community Development Wehrmeister
Community Development Technician Stahl
Director of Capital Improvements Harrington
Assistant City Attorney Hawkins
Minutes Clerk Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Presentation to Bob Martin

Chairperson Azevedo recognized former Planning Commissioner Bob Martin for his service on the Planning Commission and various subcommittees. On behalf of the Planning Commission, Mr. Martin was presented with a ~~M~~Martin Way+street sign.

Mr. Martin thanked the City Councils and Mayors who appointed him, City staff for training him and fellow Planning Commissioners who he served with on the dais. Additionally, he thanked the citizens of Antioch for their input and opinions on planning for the City.

CONSENT CALENDAR

1. Approval of Minutes: April 2, 2008

On motion by Commissioner Travers, and seconded by Commissioner Brandt, the Planning Commission approved the Minutes of April 2, 2008, as written.

AYES: ***Azevedo, Brandt, Westerman, Johnson, Trail and Travers***
ABSENT: ***Delgadillo***

END OF CONSENT CALENDAR

NEW ITEM

- 2. PW-150-08 - 2008-2013 Capital Improvement Program Consistency with the Antioch General Plan** - It is recommended that the Planning Commission determine that the 2008-2013 Capital Improvement Program is consistent with the Antioch General Plan.

Director of Capital Improvements Harrington presented the staff report dated May 12, 2008 recommending the Planning Commission determine that the 2008-2013 Capital Improvement Program is consistent with the Antioch General Plan.

The Planning Commission members present indicated staff had not provided them with the Capital Improvement Program (CIP) document with the exception of Commissioner Brandt, who indicated she received it from Director of Community Development Brandt. Director of Capital Improvements Harrington apologized for the oversight noting copies of the CIP would be sent out to all Planning Commissioners and any input could be sent to staff prior to it being adopted by the City Council.

Director of Capital Improvements Harrington gave a brief overhead presentation of the draft Capital Improvement Program outlining the following:

- 2008 . 2013 Projected Capital Expenditures
- 2008 . 2013 Projected Funding Sources
- New projects added to 2008-2013
- Key projects completed 2007-2008
- Current Projects in Design / Construction

In response to Commissioner Brandt, Director of Capital Improvements Harrington stated he would provide the following information:

- Clarification to the actual location of the traffic signal on Slatten Ranch Road.
- Clarification with regards to Hillcrest Avenue AD-26 Public Art - requirements for the location.
- Determine if there is an opportunity to extend the left turn pocket on Country Hills turning into Carmen Dragon Elementary School.

Commissioner Trail, requested staff to consider if a signal is feasible at Cornerstone Christian School on 18th Street.

On motion by Commissioner Brandt, seconded by Commissioner Westerman, the Planning Commission members present unanimously determined that the 2008-2013 Capital Improvement Program is consistent with the Antioch General Plan.

NEW PUBLIC HEARING

- 3. UP-08-03 - Chad Marquardt on behalf of Street Titans, LLC requests approval of a use permit for live entertainment at Mutiny, m.f.b. The site is located at 422 West Second Street (APN 066-052-002).**

Community Development Technician Stahl presented the staff report dated May 16, 2008, recommending the Planning Commission approve UP-08-03, subject to the conditions in the staff report, attached resolution and the modifications in a memorandum presented this evening and dated May 21, 2008.

Chairperson Azevedo opened the Public Hearing.

Chad Marquardt stated he is in agreement with the conditions of approval for their project, with the exception of the restrictions for hours of live entertainment. He requested the Planning Commission amend the hours for live entertainment as follows: Monday - Thursday 5:00 . 12:00 a.m.. Additionally, he requested they be allowed to extend their hours for live entertainment on holidays until 1:00 a.m.

Deputy Director of Community Development Wehrmeister stated the staff report addresses holidays by requiring a one day permit. She requested the Planning Commission take a recess to allow staff to discuss the request for amended days and hours.

Mr. Marquardt clarified they are currently closed Monday and Tuesday; however, in the future they may be opening on those days.

Chairperson Azevedo declared a recess at 8:28 p.m. The meeting reconvened at 8:34 p.m. with all Commissioners present with the exception of Commissioner Delgadillo who was absent.

Community Development Technician Stahl reported staff would support adding Monday and Tuesday to the live entertainment schedule; however, in terms of hours, staff is more comfortable amending the hours as follows Monday . Wednesday, 5:00 p.m. . 10:00 p.m., Thursday 5:00 p.m. . 12:00 a.m. and with Friday . Sunday remaining as proposed. With the changes as stated above, staff also recommends the use permit be reviewed in 60 days.

Mr. Marquardt stated if allowed, they would agreed to a condition that only acoustic music be allowed on Wednesday nights until 12:00 a.m.

In response to Chairperson Azevedo, Mr. Marquardt stated with the exception of the condition regarding the hours for live entertainment as previously discussed, he is in agreement with the conditions of approval.

Chairperson Azevedo closed the Public Hearing.

Following discussion, the Planning Commission members present agreed this business provides an opportunity to attract residents and create interest in downtown Antioch; therefore, it is reasonable to extend the hours for live acoustic entertainment for Monday . Thursday until 12:00 a.m. with a 60 day review of the use permit.

Commissioner Brandt encouraged Mr. Marquardt to provide a venue for music students who need an opportunity to play in a recital atmosphere.

Captain Cantando representing the Antioch Police Department (APD), reported they have been pleased with the working relationship this businesses has with the APD and he feels confident they will adhere to the conditions of approval.

RESOLUTION NO. 2008/12

On motion by Commissioner Travers, seconded by Commissioner Brandt, the Planning Commission members present unanimously approved UP-08-03 with amended standard condition #3, amended project specific condition #6 and the addition of project specific condition #19 as worded in the memorandum presented this evening dated May 21, 2008, and project specific condition #7 and #18 amended as follows:

- #7 The hours of operation shall be limited to between 7:00 A.M. and 2:00 A.M. daily. Live entertainment and/or amplified music may occur pursuant to the following schedule and shall not occur on any other day or time not listed below:**
- Mondays and Tuesdays from 5:00 p.m. to 10:00 p.m.**
 - Wednesdays from 5:00 p.m. to 12:00 a.m. (acoustic music only)**
 - Thursdays from 5:00 p.m. to 12:00 a.m.**
 - Fridays and Saturdays from 5:00 p.m. to 1:00 a.m.**
 - Sundays from 2:00 p.m. to 8:00 p.m.**
- #18 The Planning Commission shall review the operation of the restaurant for compliance with the conditions of approval sixty (60) days and six (6) months from the date of this approval and in response to any complaints thereafter.**

ORAL COMMUNICATIONS

None

WRITTEN COMMUNICATIONS

Chairperson Azevedo spoke to the information that was provided to the Commission.

COMMITTEE REPORTS

Commissioner Westerman reported that the Design Guideline Subcommittee has not met since the last Planning Commission meeting.

Chairperson Azevedo reported that Transplan did not meet in May.

ADJOURNMENT

Chairman Azevedo adjourned the Planning Commission at 9:10 p.m. to the next regularly scheduled meeting to be held on June 4, 2008.

Respectfully Submitted,

Kitty Eiden