

**CITY OF ANTIOCH  
PLANNING COMMISSION MINUTES**

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

**September 5, 2012  
City Council Chambers**

**CALL TO ORDER**

Chairman Baatrup called the meeting to order at 6:30 p.m. on Wednesday, September 5, 2012, in the City Council Chambers. He 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 decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, September 13, 2012.

**ROLL CALL**

Present: Commissioners Azevedo, Westerman, Sanderson and Chairman Baatrup  
Absent: Commissioners Langford, Motts and Vice Chair Bouslog  
Staff: Senior Planner, Mindy Gentry  
Minutes Clerk, Cheryl Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

David Kundert, resident of Norton Street, spoke to say that the home next to them at 2201 Norton Street has a detached garage with a room over it which the landlord has started to convert into a second home. He said that the property is zoned R-6, that this is a cul-de-sac, that the landlord has no permits and that there are noise and parking issues, although this has stopped after he came and spoke with the building department. He said that he is now looking for help and for direction.

Chairman Baatrup stated that staff has heard the comments and that the speaker should continue to follow through.

Senior Planner Gentry asked the speaker to leave his contact information.

**CONSENT CALENDAR**

- 1. Approval of Minutes: August 15, 2012**

***Commissioner Azevedo requested a change on page 4, paragraph 2 changing the word "access" to "excess" to read "Commissioner Azevedo asked staff if ABAG comes up with a number and we have excess, can we go back and modify what we are doing this time to which CDD Wehrmeister said that she believes we can."***

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***On motion by Commissioner Azevedo, and seconded by Commissioner Sanderson, the Planning Commission approved the Minutes of August 15, 2012, as corrected.***

***AYES: Baatrup, Azevedo and Sanderson***  
***NOES: None***  
***ABSTAIN: Westerman***  
***ABSENT: Bouslog, Langford and Motts***

**END OF CONSENT CALENDAR**

**NEW PUBLIC HEARINGS**

2. **UP-12-04** – Trillium Consulting on behalf of AT&T requests the approval of a use permit and design review for additional equipment on an existing telecommunications facility on a water tower, which includes the replacement of two faux antennas with two panel antennas, the addition of one new panel antenna, the addition of six remote radio units (RRUs), and the addition of three surge suppressors which is to be supported by additional equipment within the enclosure. The project site is located at 2300 Wilbur Avenue (**APN: 051-100-021**).

SP Gentry provided a summary of the staff report dated August 30, 2012.

Commissioner Azevedo confirmed with staff that to her knowledge, all wires are non-conductive and have no electricity.

Commissioner Westerman asked staff if the water tower was still in use to which SP Gentry said that she was not sure and would have to double check but perhaps applicant could provide the information.

**OPENED PUBLIC HEARING**

The applicant being unavailable and there being no one available to speak on this matter, the hearing was closed.

**CLOSED PUBLIC HEARING**

Commissioner Azevedo asked staff if the applicant had made contact to say that they wouldn't be available. SP Gentry said that she had not heard anything.

Applicant arrived and Chairman Baatrup reopened the public hearing.

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**REOPENED PUBLIC HEARING**

The applicant, Jake Wooten with Trillium Consulting spoke to say that they are requesting a simple upgrade modification to the facility, taking down two antennas and replacing and adding one new antenna with associated equipment.

Commissioner Azevedo confirmed with the applicant that he had read and agreed with all standard and specific conditions and asked if the water tower was still being used to which applicant said that he was not sure but that he did not think so. Commissioner Azevedo expressed his concern with the wires and the chance for electric shock to which applicant responded that these are power cables that run into an equipment shelter, that the fibers and electrical all run in a conduit and that risk is very minimal if any at all.

Chairman Baatrup asked the applicant the reason for this upgrade and if it is due to the range of coverage for this facility to which the applicant said that although the existing service is the same, that this is an upgrade in the area that will provide faster internet and downloading to user cell phones and to cover the coverage gap in the area.

**RECLOSED PUBLIC HEARING**

**RESOLUTION NO. 2012-10**

***On motion by Commissioner Azevedo and seconded by Commissioner Sanderson, the Planning Commission approved UP-12-04, subject to all conditions.***

***AYES: Baatrup, Azevedo, Westerman and Sanderson***  
***NOES: None***  
***ABSTAIN: None***  
***ABSENT: Bouslog, Langford and Motts***

- 3. UP-12-05** – Colby Protsman of Flying Dutchman Studio requests a use permit for a tattoo studio to be located at 608 West Second Street (**APN: 066-071-003**).

SP Gentry provided a summary of the staff report dated August 30, 2012.

Commissioner Azevedo asked staff if she was aware of any issues associated with this business to which SP Gentry responded that nothing has been brought to her attention.

Chairman Baatrup said that in 2009 the approval contained several project specific conditions that are not included in this proposal and that language of what the signage is supposed to say is left off of the bottom of Page 3.

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SP Gentry said that it appeared that page 4 was missing from the staff report. Chairman Baatrup said that the Commission will take a minute to catch up and confirmed with staff that the conditions reiterate the approvals from 2009.

Commissioner Azevedo pointed out that Specific Condition 22 from the 2009 approval was left out "The owner/applicant shall submit three (3) complete sets of plans and specifications of the subject property, including any built-in fire protection systems to the Fire District for review and approval prior to any improvements to insure compliance with minimum requirements related to fire and life safety subject to the approval of the Contra Costa County Fire Protection District" to which SP Gentry said that the Fire District responded with no comments and that this is a different space.

Chairman Baatrup pointed out that there was also a specific condition in the 2009 approval requiring a six month review to which SP Gentry stated that given applicant has conducted this business since 2009, she did not feel that a six month review was appropriate.

Commissioner Sanderson pointed out that the ban on certain piercings which was contained in the 2009 approval was not in the current proposal to which SP Gentry stated that the owner has decided not to continue piercing as part of their business.

A quick recess was taken to allow applicant to review the missing page of conditions.

### **OPENED PUBLIC HEARING**

Applicant, Colby Protsman, said that their biggest intent was to move the business to a property which will allow them to expand, that they started with three artists and now have six, that they need to add sinks to comply with new laws with the Health Code and that the new property has a better lay out.

Chairman Baatrup confirmed with applicant that they agree with all conditions including those left out which were shared with the applicant and that this use permit does not permit piercing any more.

### **CLOSED PUBLIC HEARING**

Commissioner Westerman said that this proposal is straight forward, that applicant is just moving their shop from one location to another and adding employees, and that he has no problems with this project.

Commissioner Azevedo said that in 2009 he was on the Commission when this project was approved with pretty strict conditions. He said that it was nice to hear that applicant has followed those rules. He thanked applicant for staying in this community and said that he will be voting in favor of this application.

Chairman Baatrup congratulated applicant on their success.

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**RESOLUTION NO. 2012-11**

***On motion by Commissioner Sanderson and seconded by Commissioner Westerman, the Planning Commission approved UP-12-05, subject to all conditions.***

***AYES: Baatrup, Azevedo, Westerman and Sanderson***  
***NOES: None***  
***ABSTAIN: None***  
***ABSENT: Bouslog, Langford and Motts***

**ORAL COMMUNICATIONS**

None.

**WRITTEN COMMUNICATIONS**

None.

**COMMITTEE REPORTS**

None.

**ADJOURNMENT**

Chairman Baatrup adjourned the Planning Commission at 7:05 p.m.

Respectfully Submitted,  
Cheryl Hammers