

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

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

**October 6, 2010
City Council Chambers**

CALL TO ORDER

Chairman Johnson called the meeting to order at 6:32 p.m. on Wednesday, October 6, 2010, 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, October 14, 2010.

ROLL CALL

Present: Commissioners Johnson, Westerman, Langford, Baatrup, Manuel
Absent: Travers and Azevedo
Staff: Associate Planner, Mindy Gentry
Contract Planner, Sara Welch
City Attorney, Lynn Tracy Nerland
Minutes Clerk Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes None

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

2. **AR-10-03, V-10-04 – Auto Zone** requests design review approval and parking and setback variances for a new store at 2009 Somersville Road (**APN 076-431-004-1**).

Staff recommended that this item be continued to October 20, 2010.

On motion by Commissioner Westerman, seconded by Commissioner Manuel, the Planning Commission members present unanimously continued AR-10-03, V-10-04 to October 20, 2010.

3. UP-10-02 – Dulce Ayala requests approval of a use permit for an indoor soccer facility at 210 I Street **(APN 066-092-005-9)**.

Sara Welch, Contract Planner, provided a summary of the staff report dated September 30, 2010.

OPENED PUBLIC HEARING

Juan Carlos speaking for applicant, Dulce Ayala, stated that they had no questions.

Chairman Johnson confirmed with Mr. Carlos that they had read all of the conditions.

Commissioner Langford asked Mr. Carlos where the benches would be placed to which he stated that they would be placed on the side against the wall by the main entrance. Commissioner Langford then asked if they had spoken with the Building Department to which Mr. Carlos stated that they had not but that they were coming to the Planning Commission first.

Speaker, Jody Mattison, said that she lives across the street from the project and had some questions. She stated that the drawing of the building was not clear and that presently the back portion was auto repair and there was a parking lot which opened in front of her house. She stated her concern was how the parking lot would be used. She went on to say that her other concern was the hours of operation being from 4:00 p.m. to 10:00 p.m. and if there was a possibility of that running late in the night and patrons parking on the street.

Chairman Johnson asked if there was a fence in between to which Ms. Mattison stated that the parking lot has a gate but that she was just concerned about the traffic in the area.

Mr. Carlos stated that the shop behind the building is not a part of this project and has nothing to do with it.

Chairman Johnson clarified with Mr. Carlos that patrons would be encouraged to use the overflow parking lot.

CLOSED PUBLIC HEARING

Chairman Johnson questioned staff about the previous uses for this property to which Contract Planner Welch stated that this property has been vacant for some time and Associate Planner Gentry stated that the previous uses were auto related.

Chairman Johnson then clarified with staff that the floor appeared to be concrete. Mr. Johnson then asked staff about hours of operation working with the zoning in that area to which Associate Planner Gentry stated that there is nothing in the Code relating to hours of operation.

Commissioner Langford stated that because the building has not been seismically upgraded that he had concerns about people being safe during an athletic event. He said that he was also concerned that this building was small and that parking in that area late at night may be a problem for residents.

Chairman Johnson discussed with Commissioner Langford the possibility of the Building Department not allowing operations if the structure was not safe and the possibility of the building needing to be upgraded. Associate Planner Gentry stated that a Certificate of Occupancy would be required from the Building Department.

Chairman Johnson reopened the public hearing to ask more questions of applicant.

REOPEN PUBLIC HEARING

Chairman Johnson asked applicant if closing at 10:00 p.m. seven days a week, even on Sunday, was necessary to make the operations work to which applicant said that it depended how busy they get. He then asked Mr. Carlos if he felt that parking would be an issue and that 25 participants seemed a little low. Mr. Carlos stated that at that time of day the area is generally empty and if parking became a problem, they would find ways to fix that. He also stated that the floor was in fact concrete inside the building.

Chairman Johnson asked if the facility was used primarily for practice to which applicant stated that although it would be mainly for practice, there may be some competition. Mr. Carlos also said that the building is a good size for this use and that there would probably be two teams at a time mostly training.

CLOSED PUBLIC HEARING

Commissioner Baatrup stated that to follow up on the concerns of Ms. Mattison he asked staff to provide information regarding consequences if the facility operated early in the morning or past 10:00 at night. Associate Planner Gentry stated that the conditions of approval can be expanded, that most follow up is complaint driven and that this item can be returned back to the Planning Commission if necessary.

City Attorney Nerland stated that if there is a violation of the conditions, then it should be brought to the attention of staff and then staff could choose to bring back to the Planning Commission to modify or revoke. She went on to say that if the Planning Commission was concerned about the 10:00 hour, that they could make the applicant responsible for letting patrons know that they need to leave at 10:00 p.m. and not loiter around after events.

Commissioner Langford stated concerns about signage and that any signage would have to be approved as is stated in the standard conditions.

Chairman Johnson stated that he can support the project given that it is mainly a practice facility which alleviates his concerns about the parking situation given that practices generally don't have as many spectators as competitions. He went on to say

that he would like to see a condition related to patrons leaving by 10:15 being added to the motion.

RESOLUTION NO. 2010-29

On Motion by Commissioner Baatrup and seconded by Commissioner Manuel, the Planning Commission members present unanimously approved UP-10-02, subject to amending Specific Condition 21 to state:

- **The hours of operation shall be 4:00 p.m. to 10:00 p.m. seven days a week and applicant will notify patrons on a regular basis that the facility closes at 10:00 p.m. and that loitering beyond 10:00 p.m. will not be permitted.**

AYES: *Langford, Johnson, Westerman, Baatrup, and Manuel*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Azevedo and Travers*

ORAL COMMUNICATIONS

City Attorney Nerland stated that the Housing Element and the Design Ordinance are both scheduled for City Council next Tuesday night. She also stated that the Walmart expansion was approved by the City Council.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chairman Johnson adjourned the Planning Commission at 6:55 p.m. to the next regularly scheduled meeting on October 20, 2010.

Respectfully Submitted,
Cheryl Hammers