

**STAFF REPORT TO THE ZONING ADMINISTRATOR
FOR CONSIDERATION AT THE MEETING OF MAY 27, 2021**

Prepared by: Jose Cortez, Associate Planner

Approved by: Forrest Ebbs, Community Development Director

Date: May 27, 2021

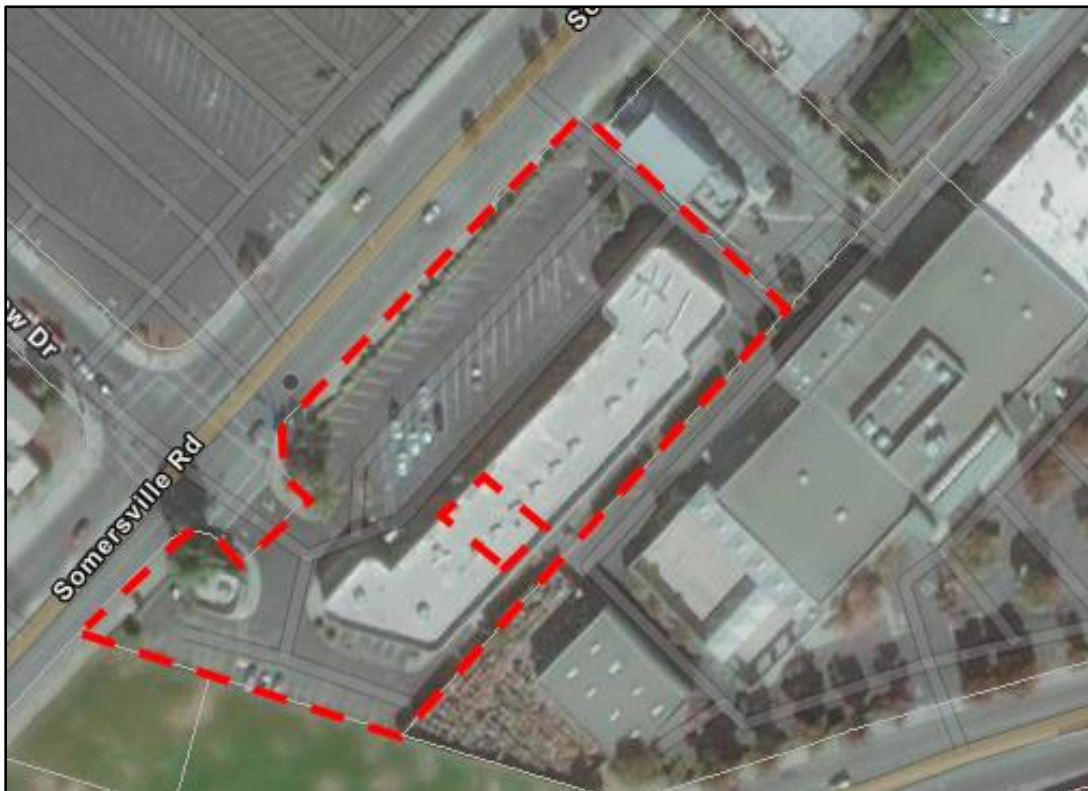
Subject: Golden Visionary Tattoo (UP-21-04)

RECOMMENDATION

It is recommended that the Zoning Administrator **APPROVE** a use permit to operate an appointment-based body art (tattoo) studio subject to the conditions contained in the attached resolution.

REQUEST

The applicant, Nicholas Gobbell, requests approval of a use permit to operate an appointment-based body art (tattoo) studio. The subject property is located at 2657 Somersville Road (APN 076-432-025).



ENVIRONMENTAL

This project has been deemed Categorical Exempt from CEQA under Article 19, Section 15301, Existing Facilities, Class 1 because the project involves no expansion of use.

ANALYSIS

Issue #1: Project Overview

The applicant proposes to operate an appointment-based body art (tattoo) studio at 2657 Somersville Road. The tattoo studio would be appointment based and operate Tuesday thru Saturday from 10:00 AM to 7:00 PM. The proposed project does not propose exterior renovations but does include interior improvements. The applicant proposes to operate the tattoo studio with two (2) employees who are also the two owners of the studio. The applicant states that there will only be two employees for the commencement of operations but intends to hire additional employees in the future. The applicant's project description is provided as Attachment "B".

Issue #2: General Plan, Zoning Consistency and Land Use

The General Plan designation of the property site is Western Antioch Commercial Focus Area - Regional Commercial. The site is zoned Service/Regional Commercial District (C-3), which is intended to provide for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores. A tattoo studio requires the approval of a use permit in the Service/Regional Commercial District (C-3).

The surrounding land uses and zoning designations are as noted below:

North:	Commercial / Service/Regional Commercial District (C-3)
South:	Commercial / Service/Regional Commercial District (C-3)
East:	Commercial / Service/Regional Commercial District (C-3)
West:	Commercial / Service/Regional Commercial District (C-3)

Issue #3: Site Plan & Parking

The site is approximately 2.02 acres in size and is developed with a multi-tenant commercial building, and parking lot. The site is currently accessed via two driveways along Somersville Road that can be used to both enter and exit the site. Further development of the site is not required in order to accommodate the proposed tattoo studio.

The proposed tattoo studio is located within a developed commercial center, the site is developed with 95 parking spaces allotted to the various shops and commercial business' on site. The applicant states that a maximum of five (5) spaces will be utilized by the business. Antioch Municipal Code § 9-5.1703.1 requires personal services to have two (2) spaces per chair, alternatively it requires artist studios to provide 1 space per 1,000 square feet. The proposed tattoo studio will be located within a 1027 square foot suite

within the center. The proposed use will not be more intensive than the uses allowed in the C-3 zoning district.

Issue #4: Use Permit

The City of Antioch Municipal Code requires a Use Permit for tattoo studios; therefore, the applicant is requesting a Use Permit approval for Golden Visionary Tattoo. Use Permits are required for land uses that may be suitable only in specific locations or require special consideration in their design, operation, or layout to ensure compatibility with surrounding uses.

The C-3 Zoning District provides for a wide range of commercial and personal service uses. The proposed use complies with the underlying zoning and goals in that it adds a commercial and personal service type use within the district.

ATTACHMENTS

- A: Resolution
- B: Project Description
- C: Elevations
- D: CCCFD Comment Letter

ATTACHMENT A

Resolution

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2021-****

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR
APPROVING A USE PERMIT (UP-21-04) FOR A BODY ART (TATTOO) STUDIO AT
2657 SOMERSVILLE ROAD**

WHEREAS, Nicholas Gobbell requests approval of a use permit for a body art (tattoo) studio, located at 2657 Somersville Road (APN 076-432-025);

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant 15301, Existing Facilities, Class 1;

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

WHEREAS, the Zoning Administrator on May 27, 2021, duly held a public hearing and received and considered evidence, both oral and documentary;

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 body art (tattoo) studio will not be detrimental to the surrounding property or improvements. 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 Service/Regional Commercial District (C-3). The City of Antioch Municipal Code allows tattoo studios with the approval of a use permit in the Service/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 body art (tattoo) studio will take place in an existing commercial building that has been a variety of commercial, retail and, personal services located within. The proposed tattoo studio is located within an existing commercial site with a developed parking lot that provides sufficient parking for the existing uses and the proposed tattoo studio.

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, which is 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 located in an existing commercial building.

NOW, THEREFORE, BE IT RESOLVED, the Zoning Administrator of the City of Antioch does hereby **APPROVE** UP-21-04, for a body art (tattoo) studio at 2657 Somersville Road (APN 076-432-025), 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 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 May 27, 2023), unless 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 FEES

1. The applicant shall pay all fees as required by the City Council.

C. AGENCY REQUIREMENTS

1. All requirements of the Contra Costa Fire District shall be met.

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. PROJECT SPECIFIC CONDITIONS

1. This use permit approval applies to the body art (tattoo) studio at 2657 Somersville Road as depicted on the project plans submitted to the City of Antioch on April 1, 2021.

* * * * *

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 27th day of May 2021.

FORREST EBBS
ZONING ADMINISTRATOR

ATTACHMENT B

Project Description

BUSINESS DESCRIPTION

Golden visionary tattoo would be a 1027 sq ft body art facility located at 2657 Somersville in the Somersville Plaza. The facility would be solely a high end appointment based tattoo parlor that focuses on art and tattooing. We would not be offering any other body modifications such as piercing, laser removal, and so on.

Parking for this facility would be located in the 95 stall parking lot the facility is located in. Out of which we project only using about 5 stalls at most at a single time.

The projected date for remodeling to start would be the 25th of march. As we do not have much to do being located in a former hair salon the work being done would be purely to bring the building up to county health code requirements. Scheduled opening is hoping to be completed by June 2021 or as soon as all permitting can be obtained due to pandemic.

Such work as installing a 48" tall demising wall to separate the lobby and procedure areas from each other, fiberglass reinforced panels across the procedure area, replacement of standard t bar acoustic ceiling tiles with new vinyl coated non porous/washable ceiling tiles.

The purpose of this project is to create a sterile environment to have body art done in a the upmost professional setting by artists who have been in the industry and are experienced in their craft.

The facility will have two employees as of right now which are both owners as well , Myself (Nicholas Gobbell) and my business partner (Carl Shackelford) we do hope to hire more employees in the future when things return back to normal. Currently we plan on staying an appointment based business with the covid pandemic still going on. Our hours of operation would be 10am-7pm Tuesday- Saturday and closed on Sunday and Monday.

ATTACHMENT C

Elevations

Fairview Rd

← to Buchanan Rd

Somersville Road

to Highway 4 →

Monument Sign

2669



- U Utility Closet
- T Trash Enclosure

DEMISED PREMISES
2657 Somersville Road
Antioch, CA 94509
± 1,027 Square Feet

Somersville Plaza

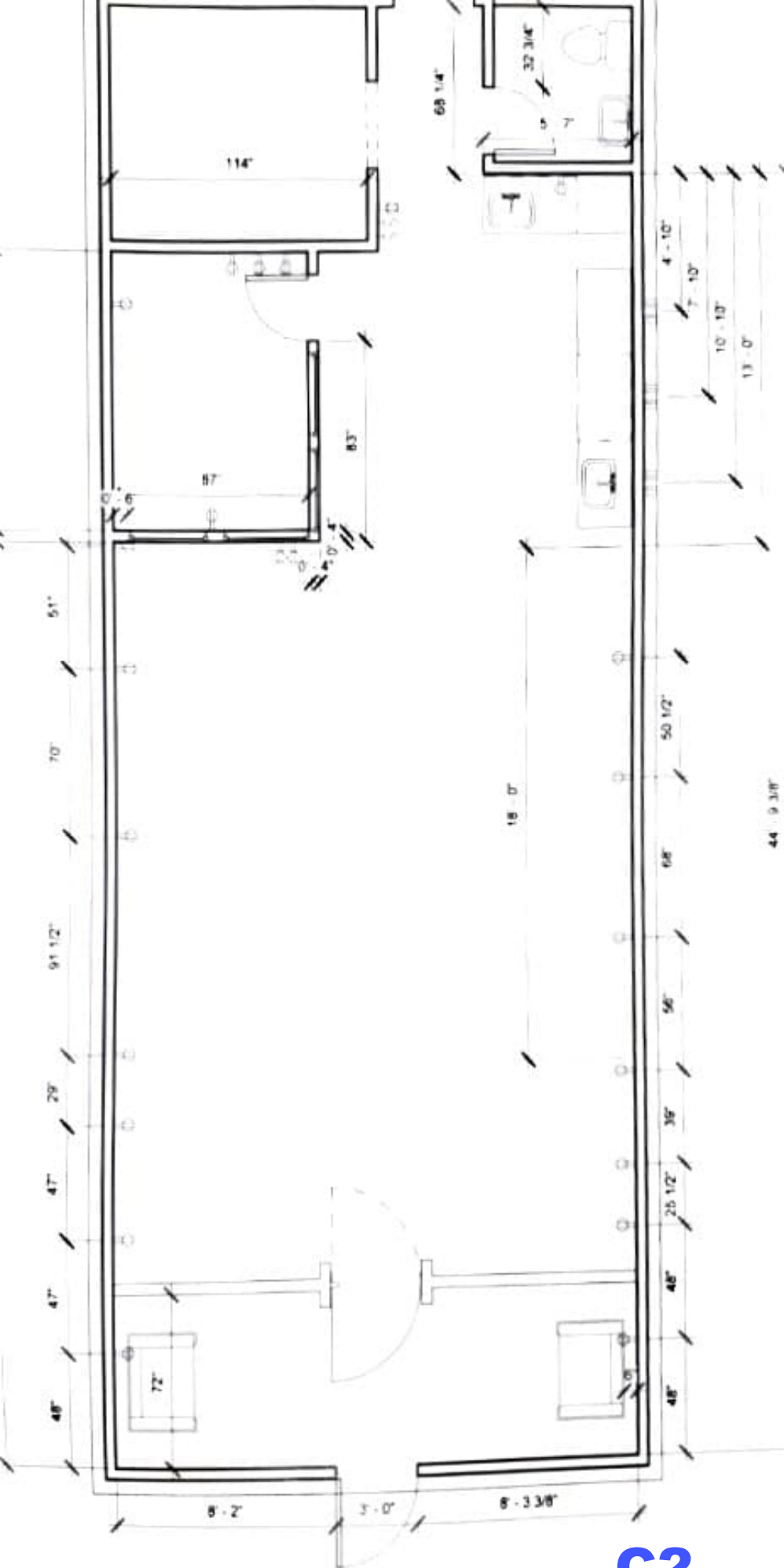
2635-2669 Somersville Road
Antioch, California 94509

- 2635 Games of Antioch
- 2643 Somersville Pet Supplies
- 2651 3,657 Square Feet
- 2653 Wayne's Barber Shop
- 2655 Farmers Insurance
- 2657 1,027 Square Feet
- 2659 Forum Nail Salon
- 2665 4,053 Square Feet
- 2669 1,000 Square Feet

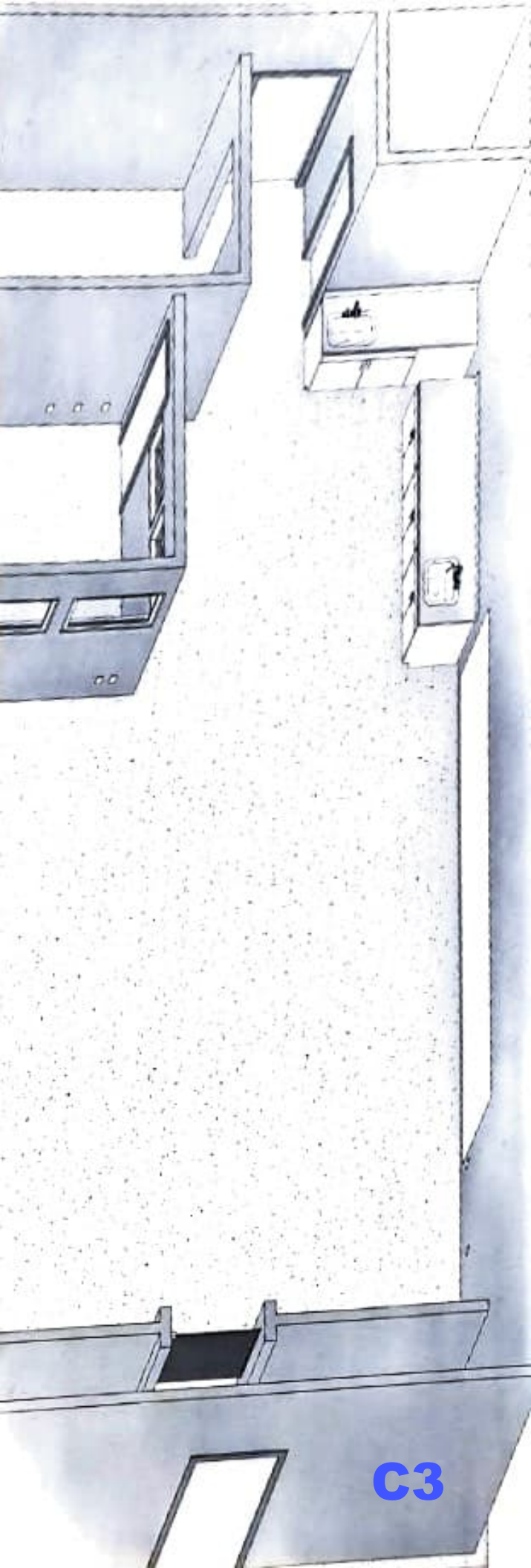


333 W. El Camino Real, Suite 240
Sunnyvale, CA 94087-1969
Phone (408) 331-2300
Fax (408) 331-2301

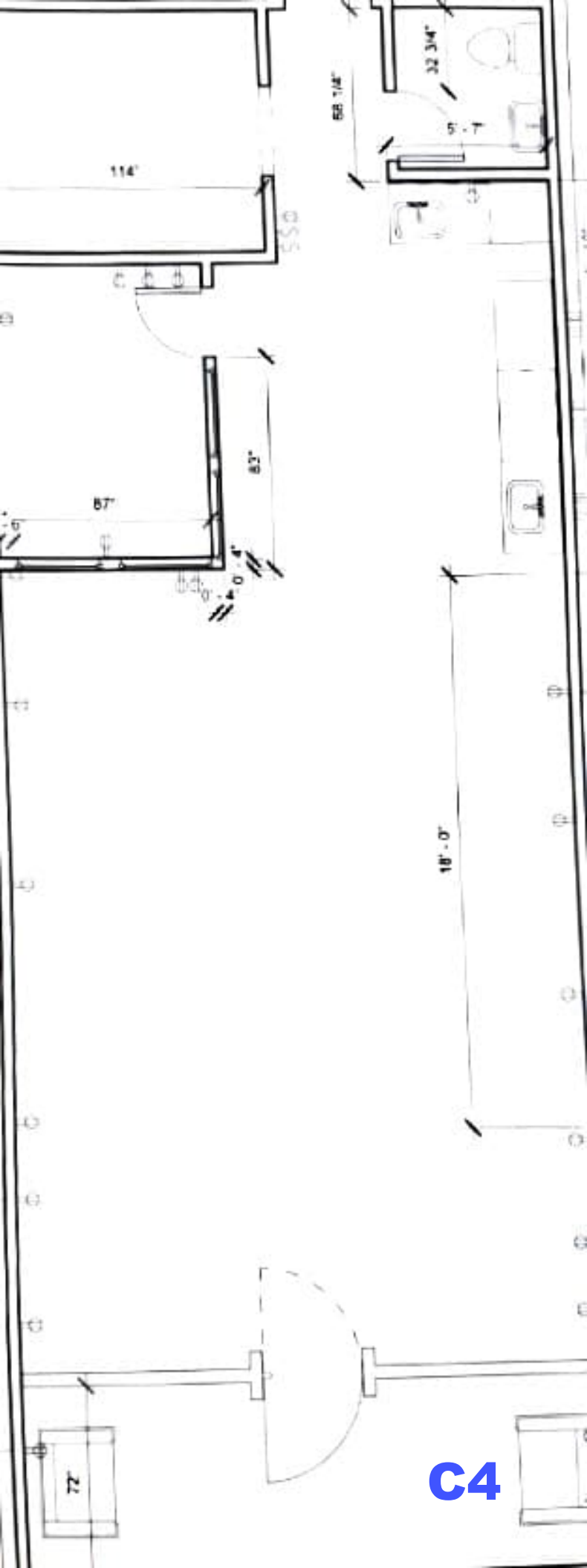
Site plan not to scale and subject to change without notice



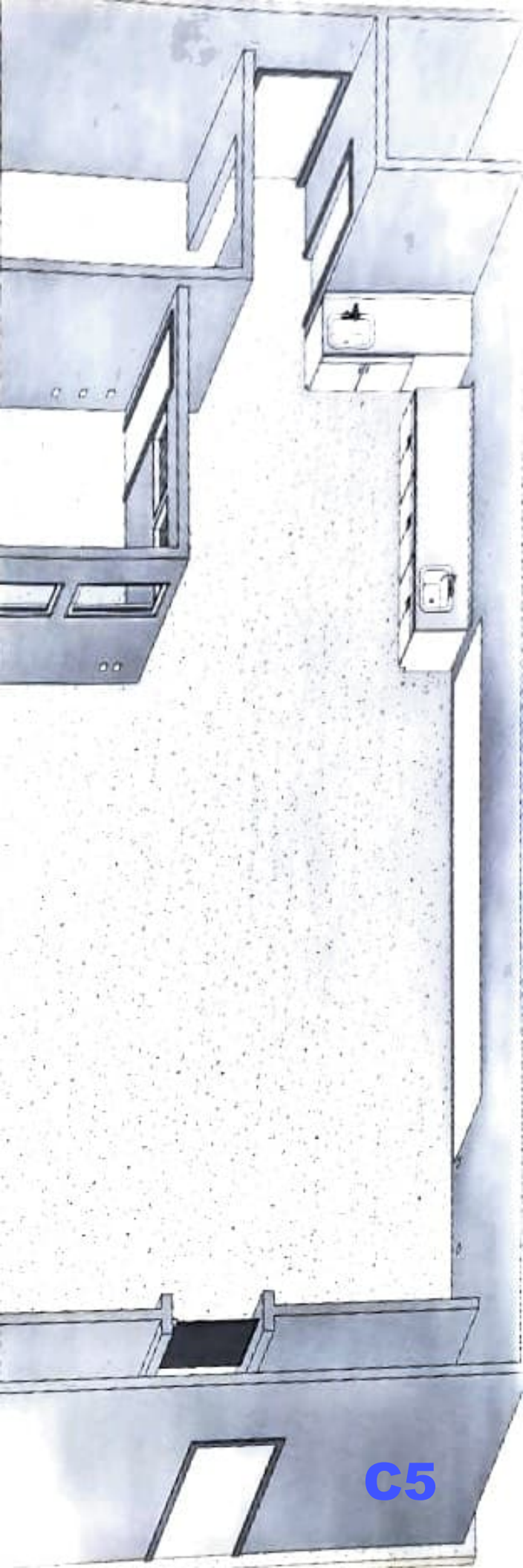
C2



C3



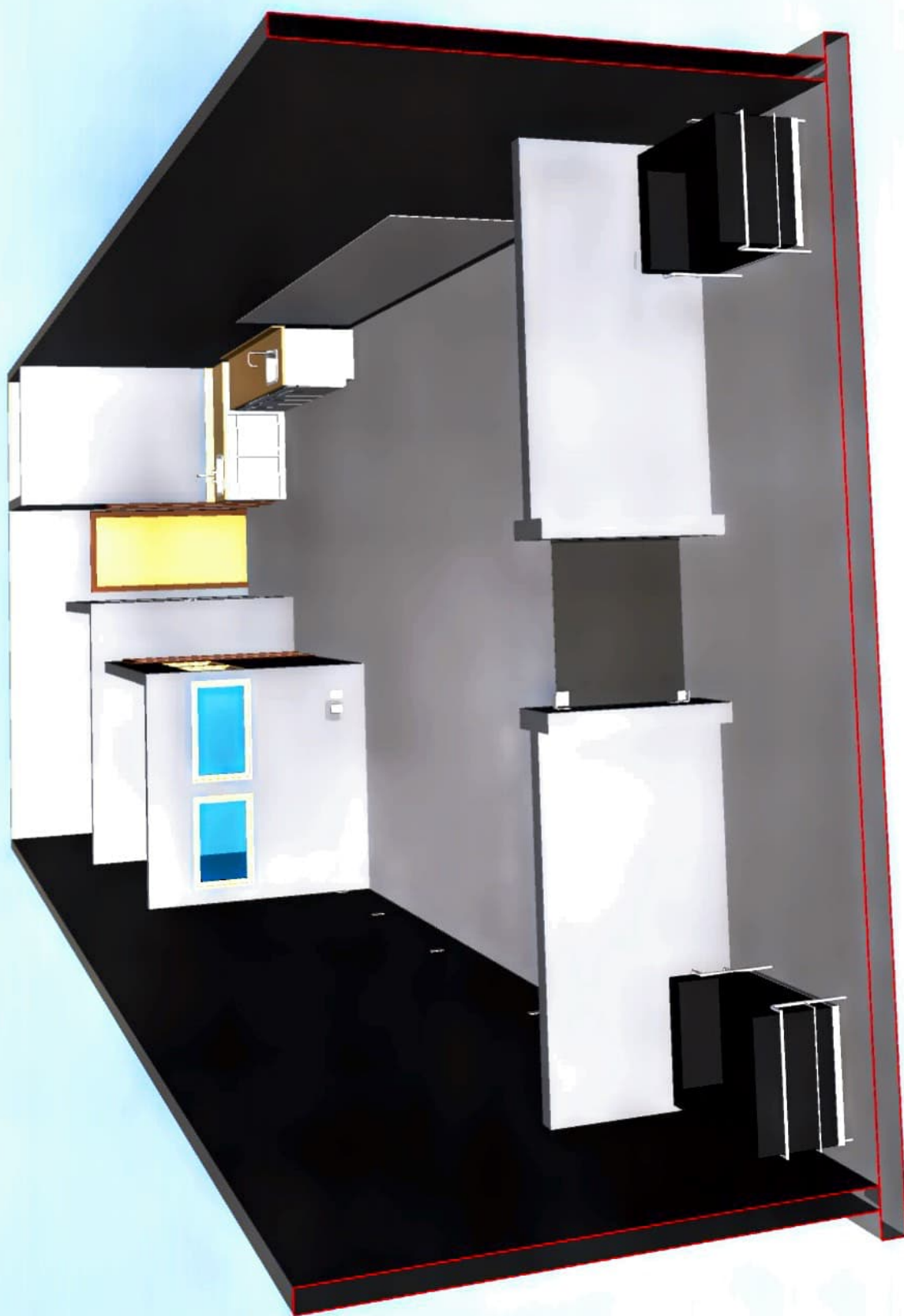
C4

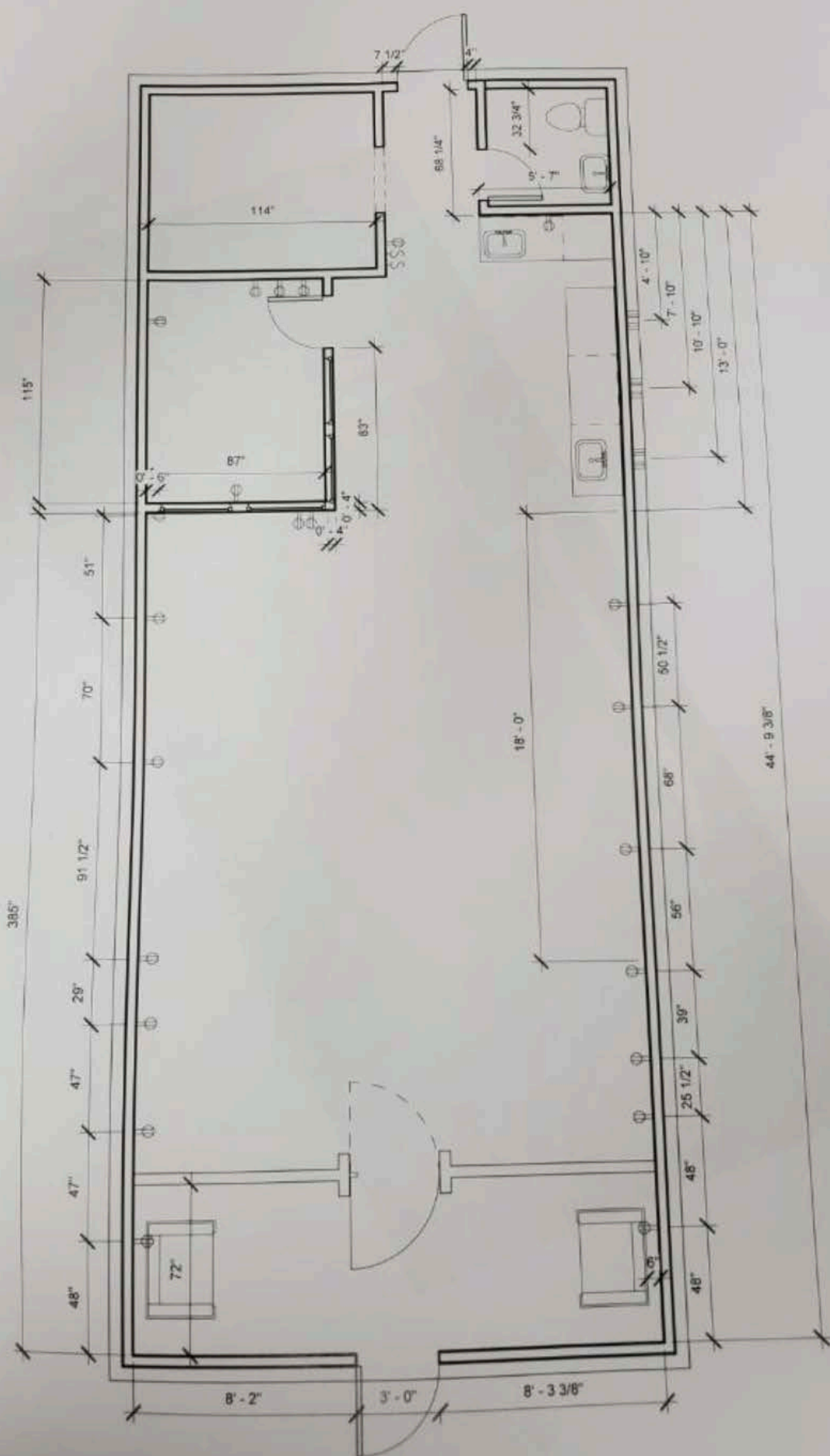


C5



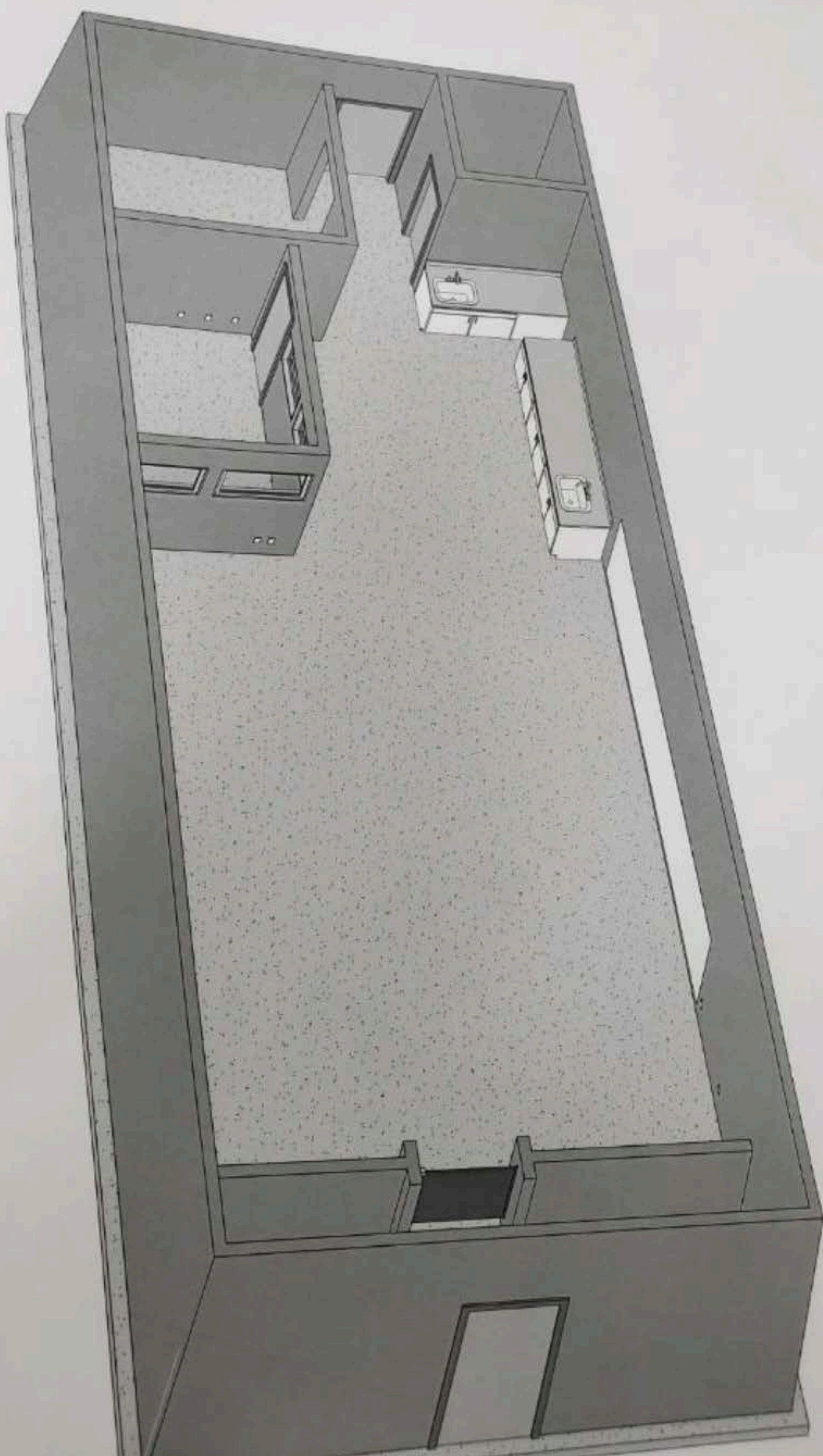
C6







Customer Service
For more information, please contact your local office or visit our website at www.3ds.com.

























ATTACHMENT D

Contra Costa County Fire Protection District Letter

Contra Costa County



Fire Protection District

May 4, 2021

Mr. Cortez
City of Antioch
Community Development
PO Box 5007
Antioch, CA 94531-5007

Subject: Tattoo Parlor
2657 Somersville Rd. Antioch
File # UP-21-04
CCCFPD Project No.: P-2021-02783

Dear Mr. Cortez:

We have reviewed the land use compliance review application to establish tattoo facility in an existing building at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), and Local and County Ordinances and adopted standards:

1. The owner/contractor shall submit a minimum of two (2) complete sets of plans and specifications of the subject project to the Fire District for review and approval **prior to** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (107) CBC
2. Submit plans to Contra Costa County Fire Protection District at the address below.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd Schiess", is written over a horizontal line.

Todd Schiess
Fire Inspector I

File#: 2657 SOMERSVILLE RD-PLN-P-2021-02783

RECEIVED
APR 23 2021

CONTRA COSTA FIRE DISTRICT



PROJECT REFERRAL – REQUEST FOR REVIEW

The City of Antioch Planning Division is requesting your review
of the project information and plans referenced below.

Please provide feedback on availability of services, potential design or code conflicts,
requirements for additional permits, and draft conditions of project approval.

DATE OF REQUEST: 4/23/2021

SUBMIT COMMENTS TO: Jose Cortez (925-779-6118 or Jcortez@antiochca.gov)

COMMENTS DUE BY: **** FRIDAY MAY 14, 2021 ****

PROJECT NAME: GOLDEN VISIONARY TATTOO

Project No: UP-21-04

Application Type: Use Permit

Project Address: 2657 Somersville Rd, Antioch 94509

APN 076-432-025

Project Description:

Conditional Use Permit to open and operate an appointment-based body art facility in Somersville Plaza.

Applicant Name: Nicholas Gobbell

Mailing Address: same as project address

Phone: 925-384-9417

E-mail: goldenvisionarytattoo@gmail.com

The following documents are included in this transmittal:

- ☒ Plans and related information for the
project are **attached to the email request**
(and available online):
[URL and/or insered hyperlink]

☐ Other: [Document Name(s), Types(s)]

☐ Other: [Document Name(s), Types(s)]

FOR CITY STAFF ONLY

☐

Due Date as above -- Please submit your comments or draft conditions of approval to the planner by
dates listed above

☐

Due Date TBD -- Planning staff will follow up with you to request a meeting for project discussion and
to develop the schedule for comments and draft conditions

☐

Additional information will be routed to you (via email and/or hard copy)

ROUTED TO

☒ (CCFPD) Contra Costa Fire

☐ Other: [Agency Name]

☐ Other: [Agency Name]

☐ City Engineer / Dev Services

☐ Other: [Agency Name]

☐ Other: [Agency Name]

☐ Police Dept

☐ Other: [Agency Name]

☐ Other: [Agency Name]

Phone: (925) 779-7035

Fax: (925) 779-7034

Antiochca.gov

COMMUNITY DEVELOPMENT DEPARTMENT



200 H Street

Antioch, CA. 94509

AntiochIsOpportunity.com

P2021-02783 PLD2

BUSINESS DESCRIPTION

Golden visionary tattoo would be a 1027 sq ft body art facility located at 2657 Somersville in the Somersville Plaza. The facility would be solely a high end appointment based tattoo parlor that focuses on art and tattooing. We would not be offering any other body modifications such as piercing, laser removal, and so on.

Parking for this facility would be located in the 95 stall parking lot the facility is located in. Out of which we project only using about 5 stalls at most at a single time.

The projected date for remodeling to start would be the 25th of march. As we do not have much to do being located in a former hair salon the work being done would be purely to bring the building up to county health code requirements. Scheduled opening is hoping to be completed by June 2021 or as soon as all permitting can be obtained due to pandemic.

Such work as installing a 48" tall demising wall to separate the lobby and procedure areas from each other, fiberglass reinforced panels across the procedure area, replacement of standard t bar acoustic ceiling tiles with new vinyl coated non porous/washable ceiling tiles.

The purpose of this project is to create a sterile environment to have body art done in a the upmost professional setting by artists who have been in the industry and are experienced in their craft.

The facility will have two employees as of right now which are both owners as well , Myself (Nicholas Gobbell) and my business partner (Carl Shackelford) we do hope to hire more employees in the future when things return back to normal. Currently we plan on staying an appointment based business with the covid pandemic still going on. Our hours of operation would be 10am-7pm Tuesday- Saturday and closed on Sunday and Monday.