

AGENDA

CITY OF ANTIOCH ZONING ADMINISTRATOR

**THURSDAY, JULY 13, 2017
3:00 P.M.**

REGULAR MEETING

**CITY HALL SECOND FLOOR CONFERENCE ROOM
200 "H" STREET**

APPEAL

All items that can be appealed under Section 9-5.2705 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 PM on **THURSDAY, JULY 20, 2017**.

PUBLIC COMMENTS

NEW PUBLIC HEARING

1. **V-16-03, AR-17-03 – Jack In The Box Remodel** – Jack In The Box requests approval of a variance and design review to remodel the exterior of their building and enclose their existing patio into additional dining space located in the required front setback. The subject property is located at 2505 A Street. **(APN's 068-142-022)**.

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Zoning Administrator. For almost every agenda item, materials have been prepared by the City staff for the Zoning Administrator's consideration. These materials include staff reports which explain in detail the item before the Zoning Administrator and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 200 H Street, Antioch, California, 94509, between the hours

of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee). Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**STAFF REPORT TO THE CITY OF ANTIOCH ZONING ADMINISTRATOR
FOR CONSIDERATION AT THE MEETING OF JULY 13, 2017**

Prepared by: Kevin Scudero, Associate Planner
Reviewed by: Alexis Morris, Planning Manager
Date: July 7, 2017
Subject: V-17-01, AR-17-03 Jack In The Box Remodel

RECOMMENDATION

It is recommended that the Zoning Administrator **APPROVE** a variance and design review application allowing the exterior remodel and the conversion of the existing dining patio into interior dining space at the existing Jack In The Box restaurant, located at 2505 A Street, subject to the conditions contained in the attached resolution.

REQUEST

Jack In The Box requests approval of a variance and design review application to remodel the exterior of their existing building and to convert their outdoor dining area located in the required front yard setback into interior dining space. The subject property is located at 2505 A Street (APN 068-142-222) (V-17-01, AR-17-03).

ENVIRONMENTAL

This project has been deemed Categorically Exempt from CEQA under Article 19, Section 15301, Existing Facilities, Class 1.

ANALYSIS

Issue #1: Project Overview:

Jack In The Box completed an interior tenant improvement to their site in early 2010 as well as some exterior improvements that included painting the building, bringing the front patio up to ADA standards and updating the landscaping on site. This exterior remodel project is a continuation of the same project and an effort to update the look of the aging building. The project proposes to add an additional 462 square feet to the dining room on the north side of the building. This area will occupy a portion of the existing outdoor patio area that is currently being under-utilized. The proposed building addition will encroach into the required front yard setback and therefore requires a variance. In addition to the dining room expansion, the applicant is also proposing a complete remodel of the existing façade. The proposed project will not change the overall site circulation, landscaping or parking lot areas. The applicant's project description is included as Attachment B.

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

North:	Chevron Gas Station / Neighborhood Community Commercial District(C-2)
South:	State Route 4
East:	Multi-Family Housing / Medium Density Residential District (R-20)
West:	Church / Single Family Residential District (R-6)

The use of the subject site is consistent with the C-2 Neighborhood Community Commercial Zoning District and the General Plan Commercial/Office designation.

Issue #2: Architecture, Design, Site Plan

The proposed building design has a contemporary, clean feel that will enhance the overall look of the site. The existing shingled mansard roof will be removed and a parapet wall will be installed around the entire building. The height of the parapet wall will vary to give the building additional dimension, as well as providing screening of the existing rooftop equipment.

The existing overhang around the building will be wrapped in aluminum to give the building a clean new feel while new LED lights will be added to the building façade. The proposed building colors are a mix of red, grays and blacks and the existing slumpstone exterior wall will be covered with stucco.

Signage

The proposed building signage shows three “Jack In The Box” logo signs. The signs are located on the north, east, and west elevations. Section 9-5.512 of the Antioch Municipal Code only allows signage to be placed on the sides of the building that have street frontage. Therefore, staff has conditioned that the sign on the east elevation be removed.

Trash Enclosure and Masonry Wall

The project is not proposing any changes to the existing trash enclosure. Staff has conditioned that the existing slumpstone trash enclosure be covered with stucco and painted “Repose Gray” to match the building and the black metal gate shall remain as is. Staff has also conditioned that the existing masonry wall on the east property line be painted “Repose Gray” to match the building.

Lighting

The project is proposing new LED lights on the façade; however, the lighting details that were submitted were not compatible with the overall design of the building. Staff has conditioned that more substantial decorative lighting be installed. The review and approval of the exterior building lighting will be done with the building permit submittal.

Parking Lot

The project is not proposing any changes to the parking lot area; however, upon inspection staff observed that the parking lot striping was faded and in need of re-striping. Staff has conditioned that the entire parking lot be slurry sealed and re-striped to City of Antioch standards.

Issue #3: Variance Request

The applicant is requesting a variance from the required front yard setback specified in the Antioch Municipal Code. Section 9-5.601 of the Antioch Municipal Code requires non-residential uses in the C-2 zoning district fronting a local street to have a twenty foot setback with twenty foot landscaping. The building currently meets the setback requirement of twenty feet; however, there is an outdoor dining patio located in the required twenty foot front yard landscape setback. The variance would allow the applicant to extend their interior dining room out approximately twelve feet while retaining approximately eight feet of patio space between the building and front property line.

To approve a variance, four findings must be made (Antioch Municipal Code Section 9-5.2703). If an application can meet all four of the findings, then the variance can be granted. Conversely, if any one of the findings cannot be made, the variance should be denied.

The four findings and their applicability to the variance request for an encroachment into the required front yard setback are as follows:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.**

The existing facility was originally approved with a dining patio in the required front yard setback. The patio was never fully utilized and it also creates safety issues due to people congregating there after business hours. The existing dining room is undersized based on store volume and extending it out into the front patio area will better utilize the potential dining space while limiting the area where people can congregate after hours.

- 2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.**

The proposed addition will not adversely affect the property because it will create a safer environment. The abandoned patio area has become a place where people congregate after business hours. This problem will be reduced with the addition of the interior dining room into the patio space.

3. **That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.**

As the building is currently constructed, there is nowhere else on the property to add additional interior dining space. The property was already approved with outdoor dining space in the front yard setback and the strict application of the zoning provisions would deprive the property from enclosing a portion of the space that would be better utilized by customers. This property is located in an older area where several other properties in the vicinity do not meet the current required front yard setback.

4. **That the granting of such variance will not adversely affect the comprehensive General Plan.**

The applicant's request would not adversely affect the comprehensive General Plan.

ATTACHMENTS

- A: Site Plan
- B: Project Description
- C: Elevations

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2017-****

WHEREAS, the Zoning Administrator for the City of Antioch did receive a request for approval of a variance and design review application from Jack In The Box to remodel the exterior of their existing building and to convert their outdoor dining area into interior dining space in the required front yard setback. The project site is located at 2505 A Street (APN 068-142-222) (V-17-01, AR-17-03).

WHEREAS, this project has been deemed Categorically Exempt from CEQA under Article 19, Section 15301, Existing Facilities, Class 1; and,

WHEREAS, notice of public hearing was given as required by law; and,

WHEREAS, the Zoning Administrator on July 13, 2017, duly held a public hearing, received and considered evidence, both oral and documentary; and,

WHEREAS, as conditioned, the Zoning Administrator can make the following required findings for approval of a variance for an expansion of the dining area into the required front yard setback:

1. **That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.**

The existing facility was originally approved with a dining patio in the required front yard setback. The patio was never fully utilized and it also creates safety issues due to people congregating there after business hours. The existing dining room is undersized based on store volume and extending it out into the front patio area will better utilize the potential dining space while limiting the area where people can congregate after hours.

2. **That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.**

The proposed addition will not adversely affect the property because it will create a safer environment. The abandoned patio area has become a place where people congregate after business hours. This problem will be reduced with the addition of the interior dining room into the patio space.

3. **That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.**

As the building is currently constructed, there is nowhere else on the property to add additional interior dining space. The property was already approved with outdoor dining space in the front yard setback and the strict application of the zoning provisions would deprive the property from enclosing a portion of the space that would be better utilized by customers. This property is located in an older area where several other properties in the vicinity do not meet the current required front yard setback.

4. **That the granting of such variance will not adversely affect the comprehensive General Plan.**

The applicant's request would not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED that the Zoning Administrator of the City of Antioch does hereby **APPROVE** the request for variance and design review approval to remodel the exterior of the existing building and the conversion of the outdoor dining area into interior dining space in the required front yard setback at the existing Jack In The Box restaurant located at 2505 A Street (APN 068-142-222) **V-17-01, AR-17-03**, 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 July 13, 2019), 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.
8. The general contractor shall install and maintain the erosion and sedimentation devices around the work premises per NPDES law

B. AGENCY REQUIREMENTS

1. The applicant 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 to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal.

C. FEES

1. The applicant shall pay all fees as required by the City Council.
2. The developer shall pay all required fees at the time of building permit issuance.

D. USE REQUIREMENTS

1. This variance and design review approval applies to the exterior remodel and 462 square foot building addition at Jack In The Box Restaurant at 2505 A Street as depicted on the project plans submitted to the City of Antioch on April 4, 2017 and the updated elevations submitted to the City of Antioch on June 30, 2017.
2. The proposed "Jack In The Box" sign on the east elevation shall be removed.

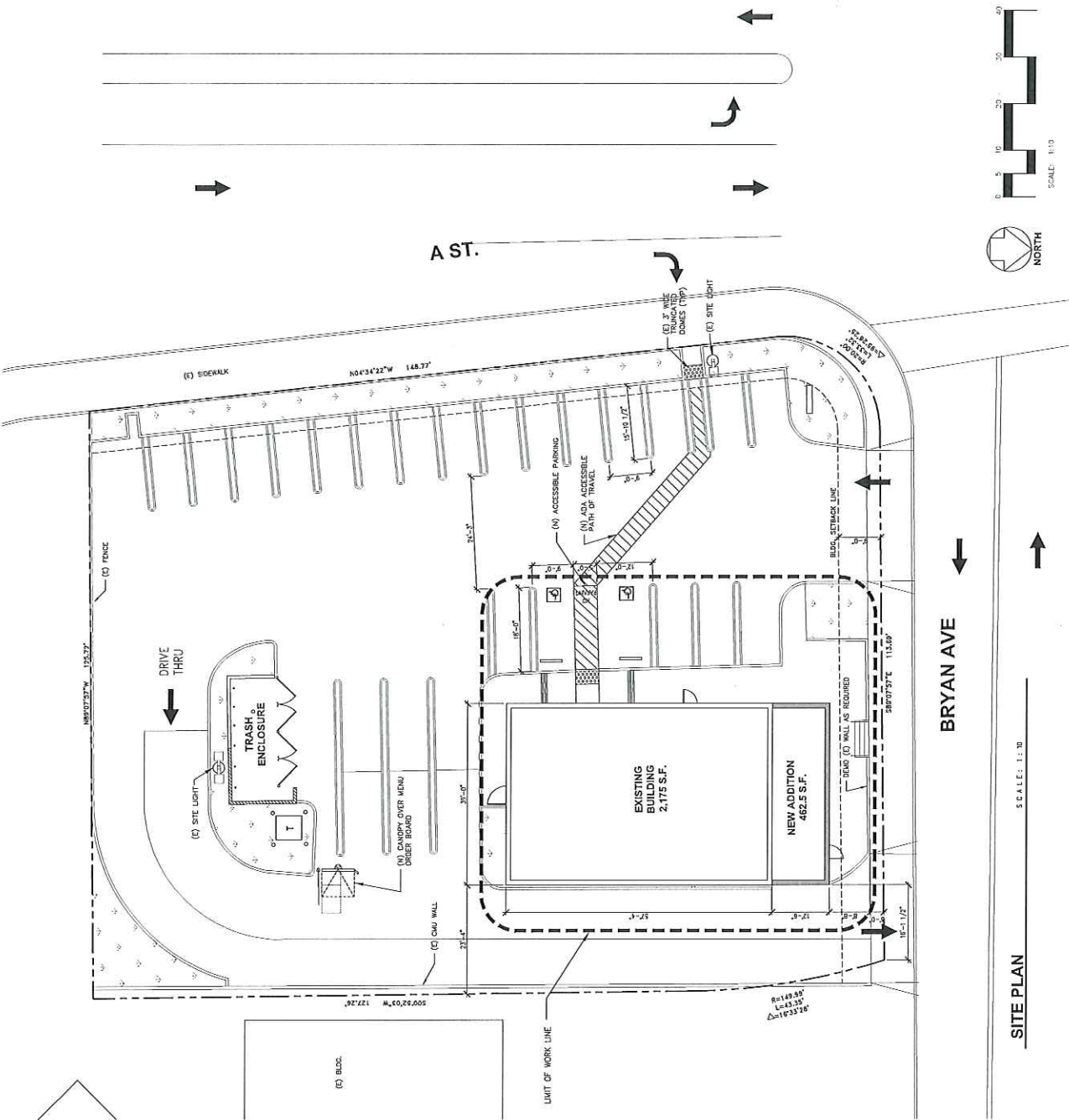
3. The existing trash enclosure shall be covered with stucco and painted "Repose Gray" to match the building. The fence privacy slats around the trash enclosure shall also be painted "Repose Gray" to match the building. The black metal gate shall remain as is.
4. The masonry wall on the east property line shall be painted "Repose Gray" to match the building.
5. The exterior wall lighting shall be more substantial and decorative. New lighting details shall be submitted with the building permit plans and are subject to Planning staff approval prior to issuance of building permits for the project.
6. The parking lot shall be slurry sealed and re-stripped to the satisfaction of the City Engineer. Parking spaces shall be double-striped per AMC § 9-5.1719.
7. The parapet walls shall be constructed as depicted in the updated exhibit submitted to the Planning Division on June 30, 2017 and included in the elevations as Attachment C.
8. The rear of all parapets shall be finished in same colors and materials as the exterior of building.
9. Any cracked or broken sidewalks shall be replaced as required by the City Engineer.
10. All rooftop mechanical equipment shall be screened from the public right-of-way and the residential properties to the west of the subject property. A line of sight study shall be submitted with the building permit submittal confirming the equipment is screened.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Zoning Administrator of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Zoning Administrator held on the 13th day of July 2017.

Forrest Ebbs
Zoning Administrator

ATTACHMENT “A”



JACK IN THE BOX #	0000
BUILDING ADDRESS:	2300 A. ST. ANTHONY, CA #4509
LEGAL JURISDICTION:	CITY OF ANTIOCH
PLANNING ZONE:	COMMERCIAL AREA
ASSESSOR'S PARCEL NO.	068-242-002
MUNICIPAL CODE:	2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA PLUMBING CODE 2013 CALIFORNIA ELECTRICAL CODE
EXISTING BUILDING AREA:	8,478 S.F. (EXISTING)
NEW BUILDING AREA:	= 429.5 S.F. (NEW)
F.A.B. #	= 429.5 S.F. (TOTAL)
PROPOSED LOT COVERAGE:	11.85%
LANDSCAPING:	217.94 S.F. (0.15% OF LOT AREA)
BUILDING HEIGHT:	1 STORY, 22'-2"
TOTAL SITE AREA:	= 22,229 S.F. OR 0.311 ACRES
EXISTING SEATING:	35 SEATS
PROPOSED SEATING:	40 SEATS
OCCUPANCY:	A-2 - RESTAURANT
TYPE OF CONSTRUCTION:	V-B
PARKING REQUIREMENTS:	1 PER 75 S.F. = 34 SPACES (2801.5/75 = 35.48)
EXISTING:	28 TOTAL PARKING SPACES
	(20 SPACES, 2 ADA ACCESSIBLE PARKING SPACES)
PROPOSED:	20 SPACES
HOUSE OF OPERATION:	6:30AM-2:00AM FOR DINING AREA 21 HOUR FOR BAR/CLUB



ATTACHMENT “B”

February 27, 2017

RECEIVED

FEB 28 2017

Kevin Scudero
City of Antioch Planning
200 H Street
Antioch, CA 95677

**CITY OF ANTIOCH
COMMUNITY DEVELOPMENT**

RE: Jack in the Box; 2505 A Street - Project Description

Dear Mr. Scudero:

Jack in the Box completed an interior tenant improvement project at this site in early 2010. The exterior remodel is a continuation of the same project and an effort to update the look of the aging building. The new look has a contemporary clean feel that will enhance the experience of the patrons and the appearance of the overall neighborhood. As part of the 2010 project the building was painted, the front patio was brought up to ADA code and the landscaping was updated. The 2017 façade project had been submitted to build on the previous enhancements already completed at this site.

The project proposes adding an additional 462 square feet to the Dining Room on the North side of the building. This area will occupy a portion of the existing outdoor patio area which is not utilized. This addition will encroach into the required building setback along Bryan Ave. which will require a Variance for approval. We are also proposing to remove the existing mansard roofing and install a parapet wall around the entire building. The new parapet will be built to a height to screen the existing rooftop equipment. The height will vary to give the building additional dimension. The overhangs will be wrapped in aluminum to give the building a clean new feel. New updated LED lights will also add to the appeal of the new elevations. To complete the updated look we are proposing to cover the existing slumpstone with stucco. New ADA accessible parking stalls and path of travel from the public right-of-way will also be installed.

The propose façade project will not change the overall site circulation, landscaping or parking lot areas. We believe the proposed project will tie the entire Jack in the Box re-image project together with the work that was previously done at this site.

Thank you,

ATTACHMENT “C”



EXTERIOR FINISH SCHEDULE USE CHECKED BOX ONLY

☐ MATERIAL/FINISH COLOR
☐ ANTI-GRAFFITI COATING: DUGGON CPUS47 CRAFTITI BARRIER
☐ ANTI-GRAFFITI COATING: DUGGON CPUS47 CRAFTITI BARRIER
☐ ANTI-GRAFFITI COATING: DUGGON CPUS47 CRAFTITI BARRIER

- MATERIAL/FINISH:**
- 01 EXTERIOR COUANT PLASTER- SAND FLAT FINISH (SEE SPECIFICATIONS)
- ☐ INTERIOR COLOR
- ☐ SHERWIN WILLIAMS SUPERPLASTIC 100% ACRYLIC ELASTOMERIC COATING
- ☐ EXTERIOR INSULATION FINISHING SYSTEM (EIFS)
- ☒ EXTERIOR COUANT PLASTER- SAND FLAT FINISH (SEE SPECIFICATIONS)
- ☐ N LITE OF EXTERIOR COUANT PLASTER
- 02 AWING/CANOPY & SUPPORT (BY SIGN CONTRACTOR)
- ☐ NOT USED
- 03 (E) ALUMINUM STOREFRONT SYSTEM
- ☒ 1" CLEAR INSULATED GLASS
- ☐ 1" CLEAR INSULATED GLASS
- ☐ W/ SOLARBAN 80 COATING
- 04 (E) ALUMINUM STOREFRONT SYSTEM
- ☒ 1" CLEAR INSULATED GLASS
- ☐ 1" CLEAR INSULATED GLASS
- ☐ W/ SOLARBAN 80 COATING
- 05 NOT USED
- 06 INSTANTLY ILLUMINATED SIGNAGE (O.D.I.L. NOT A PART OF THIS PERMIT)
- 07 NEW FINISHES: METAL, TISSUE
- 08 NOT USED
- 09 NOT USED
- 10 1/2" INSULATED ADDRESS LETTERS (AS REQUIRED PER LOCAL JURISDICTION)
- 11 MAIN ELECTRICAL SERVICE
- 12 NOT USED
- 13 HOLLOW METAL DOORS AND FRAMES, MISCELLANEOUS TRIM
- 14 HOLLOW METAL DOORS AND FRAMES, MISCELLANEOUS TRIM
- 15 (E) BRICK VENEER SLUMPSTONE
- 16 NOT USED
- 17 HOLLOW METAL DOORS AND FRAMES, MISCELLANEOUS TRIM
- 18 WALL MOUNTED LIGHT FIXTURE
- 19 WALL MOUNTED LIGHT FIXTURE
- 20 NOT USED
- 21 DISPLAY POSTER PANEL AND SURROUND
- 22 DISPLAY POSTER PANEL AND SURROUND
- 23 ENTRANCE DISPLAY HOURS PANEL
- 24 DRIVE-THRU WINDOW TREATMENT AND DISCOUNT PANEL
- 25 FEATURE WINDOW POP UP W/ ALUMINUM BINKAL METAL PANELS & ILLUMINATED LIGHT BOX

REVISIONS

DATE: _____

BY: _____

DESCRIPTION: _____

DATE: _____

BY: _____

DESCRIPTION: _____

DATE: _____

BY: _____

DESCRIPTION: _____

GENERAL NOTES:

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ANTOCH DEVELOPMENT CODE.

2. ALL PLASTER ACCESSORIES, FLASHINGS ETC. SHALL BE PAINTED TO MATCH ADJACENT SURFACES.

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23. ALL PLASTER ACCESSORIES, FLASHINGS ETC. SHALL BE PAINTED TO MATCH ADJACENT SURFACES.

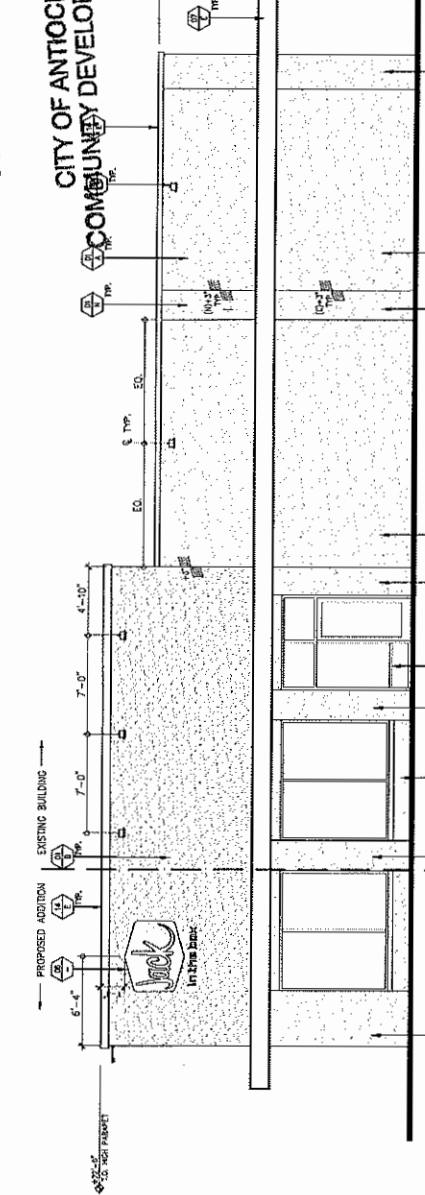
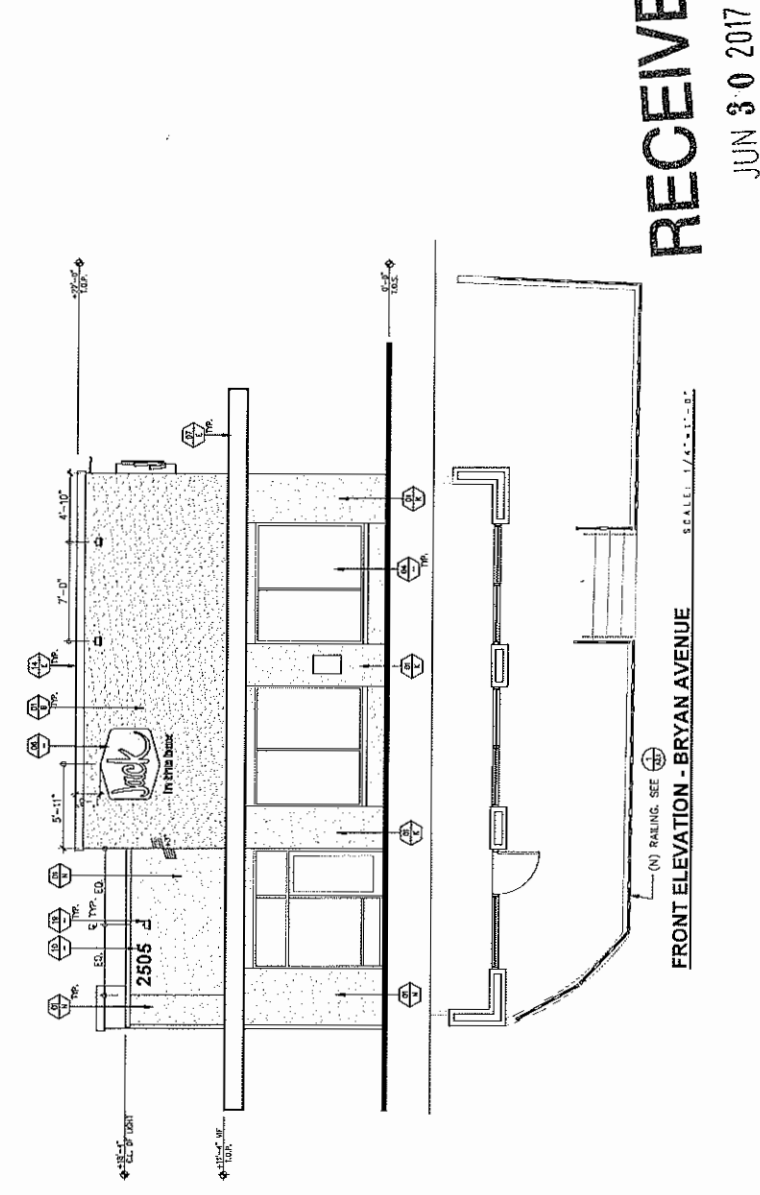
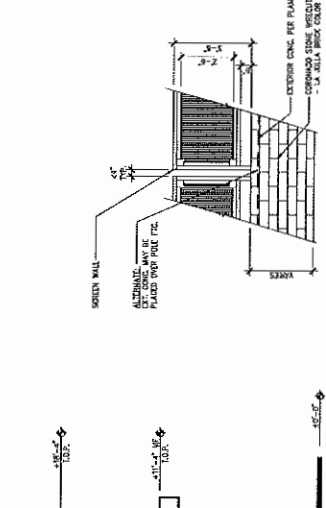
24. ALL PLASTER ACCESSORIES, FLASHINGS ETC. SHALL BE PAINTED TO MATCH ADJACENT SURFACES.

25. ALL PLASTER ACCESSORIES, FLASHINGS ETC. SHALL BE PAINTED TO MATCH ADJACENT SURFACES.

EXTERIOR SCREEN WALL

1/4" = 1'-0"

1. EXTERIOR SCREEN WALL



RECEIVED

JUN 30 2017

CITY OF ANTOCH

COMMUNITY DEVELOPMENT

FRONT ELEVATION - BRYAN AVENUE

RIGHT ELEVATION - A STREET

SCALE: 1/4" = 1'-0"

C1



in the box
 5330 BARDEN AVENUE
 SAN DIEGO, CA 92123
 © 2007 Jack in the Box Inc.

DATES	
RELEASE	
PAL UPDATES	
SUBMITAL DATE	
1:	
2:	
3:	
BB:	
CONSTRUCTION	
REVISIONS	
△	
△	
△	
△	
△	
△	





PM DESIGN
 ARCHITECTURAL
 SERVICES GROUP
 4015 SAN MARINO
 SUITE 100
 ROCHSTER, CA 94567
 PH: 925.255.1234
 FAX: 925.255.1235
 WWW.PMDSIGN.COM

SITE INFORMATION	
AK TYPE:	M/S
AB #:	500
ADDRESS:	
	2505 A STREET
	ANTIOCH, CA 94509
DRAWN BY:	
PROJECT #:	11-0103-0
SCALE:	3/16" = 1'-0"

PROPOSED
 EXTERIOR
 ELEVATIONS
A2.3

