

**PLANNING COMMISSION  
RESOLUTION # 2022-12**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING APPROVAL OF A FINAL DEVELOPMENT PLAN, USE PERMIT, AND  
DESIGN REVIEW FOR THE UNITED PACIFIC GAS STATION PROJECT**

**WHEREAS**, the City of Antioch received an application from Embree Asset Group for approval of an Initial Study / Mitigated Negative Declaration, General Plan Amendment, Planned Development Rezone, Final Development Plan, Use Permit, and Design Review for the development of a gas station, convenience store, car wash and associated site improvements at 5200 Lone Tree Way (GP-21-01, PD-21-01, UP-21-02, AR-21-03) (APNs 056-270-059);

**WHEREAS**, the City prepared an Initial Study and Mitigated Negative Declaration (IS/MND), to evaluate the potential environmental impacts of the Project in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines");

**WHEREAS**, on May 4, 2022, the Planning Commission recommended to the City Council adoption of the IS/MND and MMRP;

**WHEREAS**, on May 4, 2022 the Planning Commission recommended to the City Council approval of a General Plan Land Use Map Amendment (GP-21-01) re-designating the site identified by Assessor's Parcel Number 056-270-059 from Commercial Office to Convenience Commercial;

**WHEREAS**, on May 4, 2022 the Planning Commission recommended to the City Council approval of a Rezone to Planned Development (PD-21-01);

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on April 15, 2022 for the Planning Commission public hearing held on May 4, 2022;

**WHEREAS**, on May 4, 2022, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary and documentary; and

**WHEREAS**, the Planning Commission considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission makes the following findings for approval of a Final Development Plan:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability because the project has been designed to accommodate all uses on the existing site. The uses proposed will not be detrimental to present or potential surrounding uses but instead will have a beneficial effect which could not be achieved under the current General Plan Land Use designation or zoning for the project site. The project has been designed and conditioned to not have any detrimental effects on the surrounding land uses and will provide a convenient shopping and fueling location for the nearby residents.

2. The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development because the project will be constructing all the required streets and utilities to serve the project. The project will be required to pay for all improvements to the site as well as its fair share of impacts to all public services. The project has been reviewed and no significant impacts on utilities or services has been identified.
3. The commercial components of the project are justified economically at the location proposed.
4. There are no residential components of the project.
5. There are no industrial components of the project.
6. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted. The proposed final development plan is substantially in conformance with the zoning requirements for Convenience Commercial developments and the Planned Development District standards established for the project site.
7. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development because the proposed development is fronting a major thoroughfare with all surrounding uses currently zoned and development. The project has been designed and conditioned to be compatible with the surrounding uses.
8. The Project and the PD District conform to the General Plan of the City because the amendment to the General Plan to change the designation to Convenience Commercial allows the development to occur.

**BE IT FURTHER RESOLVED** that the Planning Commission does hereby make the following findings for approval of the requested Use Permit:

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 because the project has been designed to comply with the City of Antioch Municipal Code requirements.
2. The use applied at the location indicated is properly one for which a use permit is authorized because the City of Antioch Zoning Ordinance requires a use permit for all Planned Development District (PD) applications.
3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood. The site plan complies with the Planned Development standards established for the project's Planned Development District.

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 located at the intersection of Lone Tree Way and Vista Grande Drive. Both streets are adequate in width and pavement type to carry the traffic generated by the proposed use.
5. That the granting of such use permit will not adversely affect the comprehensive General Plan because the proposed use is consistent with the General Plan designation of Convenience Commercial.
6. The Conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Antioch does hereby recommend APPROVAL of a Final Development Plan, Use Permit, and Design Review for the development of a gas station, convenience store, car wash and associated site improvements at 5200 Lone Tree Way (GP-21-01, PD-21-01, UP-21-02, AR-21-03) (APNs 056-270-059); subject to the following conditions in Exhibit A.

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**I HEREBY CERTIFY** that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 4th day of May 2022 by following vote:

**AYES:** Hills, Martin, Riley, Schneiderman

**NOES:** Gutilla, Lutz

**ABSTAIN:**

**ABSENT:** Motts

  
 Forrest Ebbs (Jul 18, 2022 13:25 PDT)

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**Forrest Ebbs**  
**Secretary to the Planning Commission**

**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	<b>General Conditions</b>				
1.	<b>Project Approval.</b> This Final Development Plan, Use Permit and Design Review approval is for 5200 Lone Tree Way (APN 056-270-059), as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received April 30, 2021, as presented to the City Council on July 26, 2022 ("Approval Date."). For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	<b>Project Approval Expiration.</b> This Final Development Plan, Use Permit and Design approval expires on July 26, 2024 (two years from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Zoning Administrator for a period up to an additional one (1) year, provided that, at least ten (10) days before expiration an application for renewal of the approval is filed with the Community Development Department. The Zoning Administrator may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval. No more than two (2) one (1) year extensions may be granted.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

	<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>3. <b>City Fees.</b> The applicant shall pay any and all City and other related <del>fees</del> applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant.</p> <p><i>Discretionary or ministerial permits/approvals will not be considered if the developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i></p>	City of Antioch	On-Going	Community Development Department	
<p>4. <b>Pass-Through Fees.</b> The developer shall pay all pass-through fees. Fees include but are not limited to:            East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.            Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.            Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).            Contra Costa County Flood Control District Drainage Area fee.            School Impact Fees.            Delta Diablo Sanitation Sewer Fees.            Contra Costa Water District Fees.</p>	City of Antioch	On-Going	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

6.	<p><b>Requirement for Building Permit.</b> Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.</p>	City of Antioch	On-Going	Building Department	
7.	<p><b>Modifications to Approved Plans.</b> The project shall be constructed as approved and with any additional changes required pursuant to the Zoning Administrator or Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission or Zoning Administrator approval through the discretionary review process.</p>	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
8.	<b>Mitigation Monitoring and Reporting Program.</b> The developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program for the United Pacific Gas Station Project	City of Antioch	On-Going	Planning Department	
9.	<b>Compliance Matrix.</b> With the submittal of all grading plans, improvement plans, and building permit plans, the applicant shall submit to the Community Development Department a Conditions and Mitigation Measures Compliance Matrix that lists: each Condition of Approval and Mitigation Measure, the City division responsible for review, and how the applicant meets the Condition of Approval or Mitigation Measure. The applicant shall update the compliance matrix and provide it with each submittal.	City of Antioch	On-Going	Community Development Department	
10.	<b>Hold Harmless Agreement/Indemnification.</b> The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

<b>Public Works Standards</b>					
11.	<b>City Standards.</b> All proposed improvements shall be constructed to City standards or as otherwise approved by the City Engineer in writing.	City of Antioch	On-Going	Public Works Department	
12.	<b>Utility Construction.</b> Public utilities shall be constructed to their ultimate size and configuration with the road construction in which they are to be located.	City of Antioch	On-Going	Public Works Department	
14.	<b>Utility Undergrounding.</b> All existing and proposed utilities shall be undergrounded (e.g., transformers and PMH boxes) and subsurface pursuant to Section 7-3 "Underground Utility Districts" of the Antioch Municipal Code.	City of Antioch	On-Going	Public Works Department	
14.	<b>Utility Mapping.</b> Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all in and above ground assets. This includes all Water Distribution Utility features, Collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer shall also include GPS coordinates of metal subdivision entryway signs, street signs, light poles, and irrigation controllers. These GPS coordinates must be taken on a survey-grade sub-meter GPS data receiver/collector and provided in GIS shapefile format using the NAVD 88 (with conversion information).	City of Antioch	Prior to Acceptance of Public Utilities	Public Works Department	
15.	<b>Sewer.</b> All sewage shall flow by gravity to the intersecting street sewer main.	City of Antioch	On-Going	Public Works Department	
16.	<b>Storm Drain Design/Construction.</b> The developer shall design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage	City of Antioch	At the Time of Building Permit Submittal	Public Works Department	



**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>facility or natural watercourse, without diversion of the watershed.</p> <p>a. All public utilities, including storm drainpipes and ditches, shall be installed in streets avoiding between lot locations. All proposed drainage facilities, including open ditches, shall be constructed of Portland Concrete Cement or as approved by the City Engineer.</p> <p>b. Storm drain system shall flow to the Detention Basins shown within the study and on the tentative map with no diversion out of existing watershed(s).</p> <p>c. The detention basin and associated improvements shall be constructed and operational prior to issuance of first residential building permit.</p> <p>d. Detention basins shall be designed to the satisfaction of the City Engineer with an emergency spillway to provide controlled overflow relief for large storm events. An Operations and Maintenance Manual (for each basin) shall be submitted for basins prior to the issuance of the first building permit.</p>				
17.	<p><b>Water Pressure.</b> The developer shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements for additional water flow conditions.</p>	City of Antioch	On-Going	Public Works Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

18.	<b>Requirement for Looped System.</b> Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, developer shall be responsible for installing any water mains off site to create a looped system at no cost to the City.	City of Antioch	On-Going	Public Works Department	
19.	<b>Hydrology Analysis.</b> The developer shall submit hydrology and hydraulic analyses as part of the storm water control plan. The analysis shall demonstrate adequacy of the in-tract drainage system and downstream drainage system. The analysis shall be reviewed and approved by Contra Costa County Flood Control.	City of Antioch	Prior to the Recordation of the First Final Map	Public Works Department	
20.	<b>Retaining Walls</b>  1. <b>Public Right of Way.</b> Retaining walls shall not be constructed in City right-of-way or other City maintained parcels unless otherwise approved by the City Engineer.  2. <b>Materials.</b> All retaining walls shall be of concrete masonry unit construction.  3. <b>Height.</b> All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.	City of Antioch	On-Going	Public Works Department	
<b>Conservation/NPDES</b>					
21.	<b>C.3 Compliance.</b> Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project are subject to C.3 requirements.	State of California	On-Going	Public Works Department	
22.	<b>NPDES.</b> The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). (Note: Per State Regulations, NPDES	Federal Government	At the Time of Building Permit Submittal	Public Works	

**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>Requirements are those in affect at the time of the Final Discretionary Approval.)</p> <p>Under NPDES regulations, the project is subject to provision C.3: "New development and redevelopment regulations for storm water treatment."</p> <ul style="list-style-type: none"> <li>a. <b>Requirements.</b> Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls so that post-project runoff does not exceed estimated pre-project runoff.</li> <li>b. <b>Storm Water Control Plan.</b> C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrate plan compliance. The SWCP shall be submitted concurrently with site improvement plans.</li> <li>c. <b>Operation and Maintenance Plan.</b> For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&amp;M) shall be submitted to the Building Department at the time of permit submittal.</li> <li>d. <b>CCRs.</b> Both the approved SWCP and O&amp;M plans shall be included in the project CC&amp;Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs. Already stated in COAs below, 5.c and 5.h.w.</li> </ul>				
23.	<p><b>NPDES Plan Submittal Requirements.</b> The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:</p> <ul style="list-style-type: none"> <li>a. <b>Application.</b> Prior to issuance of permits for building, site improvements, or landscaping, the developer shall submit a</li> </ul>	Federal Government	At the Time of Building Permit Submittal	Public Works	

**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>permit application consistent with the developer's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.</p> <p>b. <b>Certified Professional.</b> The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).</p> <p>c. <b>Final Operation &amp; Maintenance Plan.</b> Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&amp;M plan shall incorporate City comments on the draft O&amp;M plan and any revisions resulting from changes made during construction. The O&amp;M plan shall be incorporated into the CC&amp;Rs for the Project.</p>				
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**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>d. <b>Long Term Management.</b> Prior to building permit final and issuance of a Certificate of Occupancy, the developer shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.</p> <p>e. <b>Design Details.</b></p> <p>i. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.</p> <p>ii. Install on all catch basins “No Dumping, Drains to River” decal buttons.</p> <p>f. <b>Hydrology Calculations.</b> Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.</p> <p>g. <b>Regional Water Quality Control.</b> Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.</p> <p>h. <b>SWPP.</b> Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site</p>				
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**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.</p> <p>i. <b>BMP.</b> Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.</p> <p>j. <b>Erosion Control.</b> Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The developer shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.</p> <p>k. <b>On-Going Maintenance.</b></p> <p>i. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.</p> <p>ii. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be</p>				
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**EXHIBIT A: CONDITIONS OF APPROVAL**

	<p>collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.</p> <p>iii. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.</p> <p>iv. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.</p> <p><i>Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed Vesting Tentative Map may be required in order to comply with C.3 regulations.</i></p>				
	<b>Fire Standards</b>				
24.	The applicant shall comply with the conditions provided by the Contra Costa County Fire Protection District in the letter dated June 30, 2021.	Contra Costa Fire Protection District	TBD	Contra Costa Fire Protection District	
	<b>Building Permit Submittal</b>				
25.	<b>Requirement for Phasing Plan.</b> The project shall be built continuously in one phase. If the project will become a phased	City of Antioch	At the time of Building Permit Submittal	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

	project, then the developer shall provide a phasing plan to the Community Development Department.				
26.	<b>Final Landscape Plans.</b> The applicant shall submit final landscape plans that identify specific plant materials to be used, including all shrubs and groundcover, providing both common and botanical names, sizes and quantities at the time of building permit submittal. The project shall emphasize local and native species of plants in the final landscape plans.	City of Antioch	At the time of Building Permit Submittal	Building Department	
27.	<b>Water Efficient Landscape Ordinance.</b> Landscaping for the project shall be designed to comply with the applicable requirements of City of Antioch Ordinance No. 2162-C-S The State Model Water Efficient Landscape Ordinance (MWELo). The applicant shall demonstrate compliance with the applicable requirements of the MWELo in the landscape and irrigation plans submitted to the City.	City of Antioch	At the time of Building Permit Submittal	Community Development Department	
28.	<b>Common Area Landscaping.</b> Landscaping on all slopes, medians, C.3 basins and open space areas shall be approved by the City Engineer and shall be installed at the applicant's expense.	City of Antioch	At the time of Building Permit Submittal	Public Works Department	



**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<b>Grading Improvements</b>				
29.	<b>Requirement for Grading Permit.</b> A grading permit shall be required prior to commencement of any grading operations. The permit shall be obtained through the City's Building Department subject to review and approval by the City Engineer. The submitted plans shall incorporate any modifications required by the Conditions of Approval.	City of Antioch	At the time of Building Permit Submittal	Public Works	
30.	<b>Soils.</b> Prior to the approval of the grading plan(s), the City Engineer shall determine if a soils or structural engineer, are required to review the building permit plan set submitted for this project. If deemed necessary by the City Engineer, field inspections by such professionals will be required to verify compliance with the approved plans. Costs for these consulting services shall be incurred by the developer.	City of Antioch	At the time of Building Permit Submittal	Public Works	

**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<b>At the Time of Building Permit Issuance</b>				
31.	<b>Sewer System Requirements.</b> The sewer system for the subject site shall comply with current building codes City of Antioch Municipal Code and to the satisfaction of the City Engineer prior to issuance of building permit.	City of Antioch	At the time of Building Permit Issuance	Building Department	
32.	<b>Demolition Permit.</b> Site demolition shall not occur until construction permits are issued for the development project. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD).	City of Antioch	At the time of Building Permit Issuance	Community Development Department	
33.	<b>Encroachment Permit.</b> The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.	City of Antioch	At the time of Building Permit Issuance	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<b>At the Time of Construction</b>				
34.	<b>Collection of Construction Debris.</b> Gather all construction debris on a regular basis and place them in a Waste Management dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
35.	<b>Construction Hours.</b> Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the City Manager or his designee. <i>Construction activity in the public right of way shall only occur during the hours of 9:00 AM – 3:00 PM (Per Planning Commission Action 5/24/22)</i>	City of Antioch	On-Going	Building Department/ Public Works Department	
36.	<b>Demolition, Debris, Recycling.</b> The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.	City of Antioch	On-Going	Building Department/ Public Works Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

		<u>Regulation Source</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
37.	<b>Erosion Control Measures.</b> The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.	City of Antioch	On-Going	Building Department/ Public Works Department	
38.	<b>Dust Control.</b> Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the air quality control board.	City of Antioch	On-Going	Building Department/ Public Works Department	
39.	<b>Debris Removal.</b> The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.	City of Antioch	On-Going	Building Department/ Public Works Department	
	<b>Prior to Issuance of Occupancy Permit</b>				
40.	<b>Planning Inspection.</b> Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection.	City of Antioch	Prior to Occupancy Permit	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

41.	<b>Debris Removal.</b> All mud, dirt or construction debris carried off the construction site and shall be removed prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.	City of Antioch	Prior to Occupancy Permit	Building Department	
42.	<b>Fire Prevention.</b> A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	Contra Costa Fire Protection District	Prior to Occupancy Permit	Fire Department	
43.	<b>Damage to Street Improvements.</b> Any damage to street improvements now existing or done during construction on or adjacent to the subject property, shall be repaired to the satisfaction of the City Engineer at the full expense of the applicant. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.	City of Antioch	Prior to Occupancy Permit	Building Department	
44.	<b>Right-of-Way Construction Standards.</b> All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be constructed in accordance with approved standards and/or plans and shall comply with the standard plans and specifications of the City Engineer.	City of Antioch	Prior to Occupancy Permit	Public Works	
	<b>Project Specific Conditions</b>				
45.	<b>Deceleration Lane.</b> Construct the deceleration lane on Lone Tree Way as shown on the plans submitted to the Community Development Department on April 30, 2021.	City of Antioch	Prior to Occupancy Permit	Public Works	
46.	<b>Sidewalk Repair.</b> Existing Sidewalks along Lone Tree Way and Vista Grande Drive and the property frontage shall be reconstructed or repaired per City standards as required by the Public Works Inspector and as approved by the City Engineer.	City of Antioch	Prior to Occupancy Permit	Public Works	

**EXHIBIT A: CONDITIONS OF APPROVAL**

47.	<b>On-Street Striping.</b> Lone Tree Way shall be restriped per California MUTCD standards from the extension of the west property line to Vista Grande Drive for the right turn lane included any other modifications as required by the City Engineer and shown in approved plans.	City of Antioch	Prior to Occupancy Permit	Public Works	
48.	<b>ADA.</b> The existing curb ramp at the corner of Lone Tree Way and Vista Grande Drive, shall be removed and replaced with new City standard curb ramps meeting current ADA requirements.	City of Antioch	Prior to Occupancy Permit	Public Works	
49.	<b>Parking Lot Plan.</b> The parking lot striping and signing plan shall be approved by the City Engineer.	City of Antioch	Prior to Occupancy Permit	Public Works	
50.	<b>Parking Lot Striping</b> All parking spaces shall be double-striped, and all parking lot dimensions shall meet minimum City policies and Antioch Municipal Code requirements.	City of Antioch	Prior to Occupancy Permit	Public Works	
51.	<b>Requirement for Compact Spaces.</b> No more than ten percent (10%) of parking spaces shall be compact per AMC §9-5.1711.	City of Antioch	Prior to Occupancy Permit	Public Works	
52.	<b>Red Curb.</b> The red curb along the project frontage shall be repainted as approved by the City Engineer.	City of Antioch	Prior to Occupancy Permit	Public Works	
53.	<b>Turning Template.</b> The applicant shall show a turning template on the site plan exhibit, submitted with the permit drawings verifying that delivery trucks can safely ingress, egress and successfully maneuver throughout the site.	City of Antioch	Prior to Occupancy Permit	Public Works	
54.	<b>Alcohol Sales.</b> Only beer and wine may be sold under an ABC Type 20 Off Sale Beer and Wine license.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

55.	<p><b>Alcohol Sales Floor Area.</b> The total sales area dedicated to the sale of alcoholic beverages shall be restricted as follows:</p> <p>No more than 15 linear feet of refrigerated cooler display; and</p> <p>No more than 60 square feet of convenience store floor area.</p>	City of Antioch	On-Going	Planning Department	
56.	<p><b>Tobacco Sales.</b> Tobacco sales shall comply with AMC § 9-5.3843 Tobacco and Paraphernalia Retailers and AMC § 6- 8.14 Restrictions on Tobacco Retailers and Businesses.</p>	City of Antioch	On-Going	Planning Department	
57.	<p><b>Temporary Signage Restrictions.</b> Temporary signs, banners, commercial flags, and similar devices are prohibited at this site, except as individually approved by the Community Development Department.</p>	City of Antioch	On-Going	Planning Department	
58.	<p><b>Canopy Illumination.</b> The only lighted elements of the fuel canopy shall be the channel letters, logo, and canopy down lights. No illuminated band is allowed.</p>	City of Antioch	On-Going	Planning Department	
59.	<p><b>In-Window Signage.</b> No more than 50% of the total window area may be covered with graphic lettering, signage, or other devices that may obscure vision into the building.</p>	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

60.	<p><b>Operating Hours.</b></p> <p>The hours of operation shall be as follows:</p> <p>Convenience store 4:00 AM – 10:00 PM</p> <p>Car wash 7:00 AM – 9:00 PM</p> <p>Fuel dispensers 4:00 AM – 10:00 PM (Per Planning Commission Action 5/4/22)</p>	City of Antioch	On-Going	Planning Department	
61.	<p><b>Fencing Requirements.</b> The proposed fence separating the development from the vacant portion of the site shall be a solid fence that is architecturally compatible with the development. A fencing detail shall be included with the building permit submittal.</p>	City of Antioch	At the time of Building Permit Issuance	Planning Department	
62.	<p><b>Photometric Plan.</b> A revised photometric plan shall be submitted that any light spillover onto adjacent residential properties is less than one-half foot candle per the requirements of AMC § 9-5.1715 Lighting</p>	City of Antioch	At the time of Building Permit Issuance	Planning Department	
63.	<p><b>Revocation.</b> Pursuant to Section 9-5.2707.1 “Violation, Revocation, Fine” of the City of Antioch Municipal Code, if there is a violation of the Conditions of Approval, the Planning Commission shall hold a public hearing to consider revocation of the Conditional Use Permit. If the Planning Commission determines that the operation is not in compliance with the Conditions of Approval, there is a public nuisance or otherwise a threat to public health, safety, or welfare, this may result in revocation of or modification to the Use Permit or imposition of a fine.</p>	City of Antioch	On-Going	Planning Department	



**EXHIBIT A: CONDITIONS OF APPROVAL**

64.	<b>Bicycle Requirements.</b> The applicant shall provide a bicycle repair stand and air pump for public use (Per Planning Commission Action 5/4/22)	City of Antioch	At the time of Building Permit Issuance	Planning Department	
65.	<b>Security Requirements.</b> The applicant shall provide a drive-by security guard during off hours (Per Planning Commission Action 5/4/22)	City of Antioch	On-Going	Planning Department	

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# Resolution 2022-12 UP Gas PD UP DR

Final Audit Report

2022-07-18

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