

**ZONING ADMINISTRATOR  
RESOLUTION # 2023-01**

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR  
APPROVING A USE PERMIT (UP-2023-0001) FOR SAVERS SECONDHAND RETAIL  
STORE AT 2521 SOMERSVILLE ROAD**

**WHEREAS**, Savers requests approval of a use permit for a secondhand retail store, located at 2521 Somersville Road (APN 076-432-008);

**WHEREAS**, the application was deemed complete on July 27, 2023;

**WHEREAS**, this project is Categorically Exempt from the provisions of CEQA, pursuant to 15301, "Existing Facilities";

**WHEREAS**, a public hearing notice was published in the East County Times and posted pursuant to California Government Code Section 65090 for the public hearing held on September 14, 2023;

**WHEREAS**, the Zoning Administrator held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, IT BE RESOLVED** that the Zoning Administrator does hereby make the following findings for approval of a Use Permit to operate a secondhand retail store pursuant to Section 9-5.2703 "Required Findings" (B) (1) of the Antioch Municipal Code:

- a) 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.

**Finding:** The proposed secondhand retail store 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 area.

- b) The use applied at the location indicated is properly one for which a Use Permit is authorized.

**Finding:** The site is zoned Regional Commercial (C-3). The Regional Commercial designation allows secondhand retail stores subject to the approval of a Use Permit.

- c) That the site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

**Finding:** The proposed secondhand retail store will occupy an existing commercial building. The commercial site has a developed parking lot that provides sufficient parking for the proposed use.

- d) That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

**Finding:** The project site is currently developed and has site access from Somersville Road and Delta Fair Boulevard, which are adequate in width and pavement type to carry the traffic generated by the proposed use.

- e) The granting of such Use Permit will not adversely affect the comprehensive General Plan.

**Finding:** 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-2023-0001, for a secondhand retail store at 2521 Somersville Road (APN 076-432-008), subject to the Conditions of Approval attached hereto in Exhibit A.

\* \* \* \* \*

**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 14th day of September 2023.

*Kevin Scudero*  
Kevin Scudero (Oct 10, 2023 10:19 PDT)

**KEVIN SCUDERO**  
**ZONING ADMINISTRATOR**

**FINAL**

<p style="text-align: center;"><b>General Conditions</b></p>		<p style="text-align: center;"><u>Regulation Source</u></p>	<p style="text-align: center;"><u>Timing / Implementation</u></p>	<p style="text-align: center;"><u>Enforcement/ Monitoring</u></p>	<p style="text-align: center;"><u>Verification</u> (date and signature)</p>
<p>1.</p>	<p><b>Project Approval.</b> This Use Permit approval is for a secondhand retail store at 2521 Somersville Road (APN: 076-432-008), as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans presented to the Zoning Administrator on September 14, 2023, ("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.</p>	<p>City of Antioch</p>	<p>On-Going</p>	<p>Planning Department</p>	
<p>2.</p>	<p><b>Project Approval Expiration.</b> This Use Permit approval expires on September 14, 2025, (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 one (1) years, provided that, an application for renewal of the approval is filed with the Community Development Department prior to the expiration.</p>	<p>City of Antioch</p>	<p>On-Going</p>	<p>Planning Department</p>	

3.	<p><b>City Fees.</b> The applicant shall pay any and all City and other related fees 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 applicant 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	
4.	<p><b>Pass-Through Fees.</b> The developer shall pay all pass-through fees. Fees may include but are not limited to:</p> <ul style="list-style-type: none"> <li>East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.</li> <li>Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.</li> <li>Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).</li> <li>Contra Costa County Flood Control District Drainage Area fee.</li> <li>School Impact Fees.</li> <li>Delta Diablo Sanitation Sewer Fees.</li> <li>Contra Costa Water District Fees.</li> </ul>	City of Antioch	On-Going	Community Development Department	

5.	<p><b>Appeals.</b> Pursuant to Section 9-5.2705 of the Antioch Municipal Code, any decision made by the Zoning Administrator which would otherwise constitute final approval or denial may be appealed to the Planning Commission. Such appeal shall be in writing and shall be filed with the Community Development Director within five (5) working days after the decision. All appeals to the Planning Commission from the Zoning Administrator shall be accompanied by a filing fee established by a resolution of the City Clerk.</p>	City of Antioch	Within 5 Days of Zoning Administrator Action	Planning Department	
6.	<p><b>Requirement for Building Permit.</b> Approval granted by the Zoning Administrator 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 implemented 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 Zoning Administrator approval through the discretionary review process.</p>	City of Antioch	On-Going	Planning Department	
8.	<p><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.</p>	City of Antioch	On-Going	Planning Department	

<b>Fire Standards</b>		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and signature)</u>
9.	The applicant shall comply with all requirements of the Contra Costa County Fire Protection District	Contra Costa Fire Protection District	On-Going	Contra Costa Fire Protection District	
<b>At the Time of Construction</b>		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and signature)</u>
10.	<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	
11.	<b>Construction Hours.</b> Construction activity shall be as outlined 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 Engineer. days/times restricted to the hours of 8:00 a.m. to 6:00 p.m.	City of Antioch	On-Going	Building Department/ Public Works Department	
12.	<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	

13.	<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>		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
14.	<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	
15.	<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	
16.	<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 County Fire District	Prior to Occupancy Permit	Fire Department	

<b>Project Specific Conditions</b>		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
17.	<b>Hours of Operation.</b> The hours of operation shall be 8AM – 8 PM, seven (7) days a week. Any request to modify the hours of operation shall be subject to Zoning Administrator approval.	City of Antioch	On-Going	Planning Division	
18.	<b>Operational Standards.</b> <ul style="list-style-type: none"> <li>• The Community Donation Center shall always be staffed during operating hours Further,</li> <li>• “No Dumping” signage shall be placed at the Property surveillance cameras shall be installed to discourage illegal dumping.</li> <li>• Prior to opening each day employees shall check the donation area to remove any donations that are left overnight to ensure that the donation area is kept clean and orderly.</li> </ul>	City of Antioch	On-Going	Community Development Department	
19.	<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.	City of Antioch	On-Going	Community Development Department	




# Reso Savers


Final Audit Report


2023-10-10


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 Signer kscudero@antiochca.gov entered name at signing as Kevin Scudero  
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