

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2023-02**

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR
APPROVING A USE PERMIT (UP2023-0002) FOR PUBLIC ASSEMBLY AND LIVE
ENTERTAINMENT FOR PRESTIGE BANQUET HALL LOCATED AT 2656
SOMERSVILLE ROAD**

WHEREAS, Royan Joshan requests approval of a use permit to operate a banquet room for special events and live entertainment. The subject property is located within the Somersville Towne Center at 2656 Somersville Road (APN 067-251-011).

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301; and

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

WHEREAS, the Zoning Administrator on October 12, 2023, duly held a public hearing and received and considered evidence, both oral and documentary; and

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 live entertainment consists of live bands and DJs. Amplified live entertainment will be permitted within the building only; no live entertainment, amplified or non-amplified, will be permitted outdoors or in parking lot areas. Security guards will be required on site for events in the evenings and at night. 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 Neighborhood Community Commercial (C-3). The City of Antioch Municipal Code allows public assembly with the approval of a use permit in the 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 public assembly will take place in an existing commercial building and will not require any alterations to the site. Based on the conditions imposed, the project site provides sufficient off-street parking.

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 and Fairview Drive, which are 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 in an existing retail center.

NOW THEREFORE BE IT RESOLVED, the Zoning Administrator of the City of Antioch does hereby **APPROVE**, a use permit to operate a banquet room for special events and live entertainment. The subject property is located within the Somersville Towne Center at 2656 Somersville Road (APN 067-251-011), 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 of Antioch 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 October 12, 2025), unless operations have commenced, or 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. AGENCY REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met.
2. All requirements of the Contra Costa Environmental Health Division (CCEHD) shall be met.

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. 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. USE REQUIREMENTS

1. This use permit applies to public assembly, including ancillary live entertainment, conducted at Prestige Banquet Hall at 2656 Somersville Road as indicated on the application form and accompanying materials provided to the City of Antioch. Approved live entertainment activities include live bands and a live DJ ancillary to other events occurring at the banquet hall.
2. Only beer and wine may be served at the site. Beer and wine shall be served in conjunction with an event that serves food. Hard liquor shall not be permitted at any time.

3. Beer and wine service shall cease at 1:00 am.
4. All events shall end by 2:00 am.
5. Music and all other noise shall be kept within the 80-decibel limit and at the property line cannot exceed 75 decibels as required by the City of Antioch Municipal Code. Audible music should not be heard outside the premises.
6. All doors and windows shall remain closed to minimize the noise impacts during the entertainment.
7. All activities shall be conducted entirely inside the building. Loitering shall be prohibited. Conspicuously placed "No loitering, No open containers and No drinking" signs shall be posted on site.
8. No less than two uniformed security guards who are employed by a Private Patrol Operator (Security Company) who is currently licensed with the California Department of Consumer Affairs shall be provided from 5:00 p.m. until 2:00 a.m. during any public assembly and live entertainment events. A copy of the contract with the Security Company shall be provided to the Community Development Director for review and approval prior to issuance of building permits and commencement of public assembly live entertainment at Imperial Banquet Room. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
9. The name of the Security Company, proof of liability insurance including a copy of all exceptions, their State license number and the guard registration numbers for the employed guards shall be provided to the Community Development Department. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director shall be notified within 5 business days.
10. The applicant shall be subject to a Planning Commission hearing, per Section 9-5.2707.1 of the City of Antioch Municipal Code, if the Antioch Police Department must respond to this property as a result of complaints received due to incidents related to public assembly and live entertainment or any other police response issues related to the operation of public assembly and live entertainment at 2656 Somersville Road. If the Planning Commission determines that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare, it can result in revocation of the use permit or imposition of a fine.

11. If the Antioch Police Department must respond to this property as a result of incidents related to the public assembly or live entertainment and they determine that the conditions of approval are not met or the use has become a public nuisance or otherwise a threat to public health, safety, or welfare they may immediately shut down the event and/or impose a fine.
12. At no time shall the posted occupancy limit be exceeded.
13. No "Adult Entertainment" (as defined in Antioch Municipal Code section 9-5.203) shall be permitted on site. This is to include, but not limited to, "go-go" dancers, exotic dancers, strippers, lingerie shows, etc.

* * * * *

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 12th day of October 2023.

Kevin Scudero

KEVIN SCUDERO
ZONING ADMINISTRATOR






2023-02 Presitge Banquet Hall

Final Audit Report

2024-01-23

Created:	2024-01-22
By:	Monique Villagrana (mvillagrana@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAU6VbdQiqJhCDgwgHLGsRZkIQZbbYqCEt

"2023-02 Presitge Banquet Hall" History

-  Document created by Monique Villagrana (mvillagrana@antiochca.gov)
2024-01-22 - 7:20:44 PM GMT
-  Document emailed to Kevin Scudero (kscudero@ci.antioch.ca.us) for signature
2024-01-22 - 7:21:13 PM GMT
-  Email viewed by Kevin Scudero (kscudero@ci.antioch.ca.us)
2024-01-23 - 4:58:08 PM GMT
-  Document e-signed by Kevin Scudero (kscudero@ci.antioch.ca.us)
Signature Date: 2024-01-23 - 4:58:18 PM GMT - Time Source: server
-  Agreement completed.
2024-01-23 - 4:58:18 PM GMT