

**CITY OF ANTIOCH ZONING ADMINISTRATOR  
RESOLUTION NO. 2024-01**

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR  
APPROVING A USE PERMIT (UP2023-0009) FOR TYPE 21 OFF-SALE GENERAL  
ABC LICENSE AT 4649 GOLF COURSE ROAD**

**WHEREAS**, Mohan S. Rai and Rajnesh Singh requests approval of a use permit for a Type 21 off-sale general ABC license to allow the sale of beer, wine, and distilled spirits at Food Mart at 76 gas station, located at 4649 Golf Course Road (APN 072-012-113);

**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 January 11, 2024, 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 ABC license Type 20 to Type 21 off-sale ABC license 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 Planned Development District (P-D). The project's master use list requires that the uses permitted in the C-2, Neighborhood/Community Commercial District be allowed. The C-2 district requires liquor establishments to obtain a Use Permit.

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 liquor store will take place in an existing commercial building that is used for a liquor store that sells beer and wine only. The proposed sale of liquor will not affect the parking at the site, which is sufficient for the use.

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 at the intersection of Golf Course Road and Lone Tree Way, 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 Convenience 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** UP2023-0009, for a Type 21 off-sale general ABC license to allow the sale of beer, wine, and distilled spirits at the existing food mart at 76 Gas Station on 4649 Golf Course Road (APN 072-012-113), subject to the following conditions:

**A. GENERAL CONDITIONS**

1. The project shall comply with the Antioch Municipal Code. All construction and improvements 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 January 11, 2026), 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.

**C. FEES**

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

**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 REQUIREMENTS**

1. The use permit approval allows for a Type 21 ABC license at 4649 Golf Course Road.
2. The operator shall store all cardboard and other refuse entirely within the recycling dumpsters or within the store.
3. All temporary signage shall comply with section § 9-5.508 of the Antioch Municipal Code. Any temporary or moveable signs shall be removed from in front of the business.
4. Pursuant to Section 9-5.2707.1 "Violation, Revocation, Fine" of the 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.

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**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 11th day of January 2024.

*Kevin Scudero*

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**KEVIN SCUDERO  
ZONING ADMINISTRATOR**






# 2024-01\_76 Gas Station Liquor License

Final Audit Report

2024-01-22

Created:	2024-01-22
By:	Monique Villagrana (mvillagrana@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAACARKKmjjHXJh22XPjNyY7n-cxJ7V-N6X

## "2024-01\_76 Gas Station Liquor License" History

-  Document created by Monique Villagrana (mvillagrana@antiochca.gov)  
2024-01-22 - 4:10:14 PM GMT
-  Document emailed to Kevin Scudero (kscudero@ci.antioch.ca.us) for signature  
2024-01-22 - 4:10:51 PM GMT
-  Email viewed by Kevin Scudero (kscudero@ci.antioch.ca.us)  
2024-01-22 - 4:23:15 PM GMT
-  Document e-signed by Kevin Scudero (kscudero@ci.antioch.ca.us)  
Signature Date: 2024-01-22 - 4:23:27 PM GMT - Time Source: server
-  Agreement completed.  
2024-01-22 - 4:23:27 PM GMT