



TO: Forrest Ebbs, Zoning Administrator
FROM: Kevin Scudero, Senior Planner
SUBJECT: UP-22-16 Four Legs Brewing Use Permit
DATE: November 10, 2022

Property Owner: SR Ventures 420 Beatrice Ct., Ste E Brentwood, CA 94513	Applicant/Representative: Four Legs Brewing 951 Princess Way Brentwood, CA 94513
PROJECT: Four Legs Brewing FILE #: UP-22-16 APN: 066-010-009 GP LU: Downtown Specific Plan ZONING: Downtown Specific Plan PLANNER: Kevin Scudero	Original filing: August 30, 2022 Date Deemed Complete: September 21, 2022 Date of Public Hearing: November 10, 2022

REQUEST

The applicant is seeking is seeking Use Permit approval for a new 600 sq. ft. taproom located at 1 I St. Unit C (Monica's Riverview). The proposed hours of operation are 11:00 AM – 10:00 PM, seven days a week with a total of six employees. The business will operate under a Type 40 ABC license (Taproom to sell Beer ONLY).

STAFF RECOMMENDATION

Staff recommends that the Zoning Administrator review and approve the proposed Use Permit request subject to Resolution and Conditions of Approval.

SITE LOCATION



ANALYSIS

Project Overview

The applicant proposes to operate a taproom under a Type-40 Alcohol Beverage Control (ABC) license within an existing 600 square foot restaurant. The Department of Alcoholic Beverage Control (ABC) defines a Type-40 license as:

(Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.

The proposed hours of operation at 11 AM – 10 PM seven days a week with a total of six employees. The taproom plans to serve a variety of craft beer for on-site consumption as well as 16-ounce cans to go. The taproom will not be producing any food on site but customers will be able order food using a QR code from Monica's at Riverview, which is located in the same building. Staff has added a condition of approval that any change to the operating hours or ABC license type shall be subject to the review and approval of the Zoning Administrator.

General Plan, Zoning and Land Use

The General Plan designation of the site is Downtown Specific Plan. The site is zoned Downtown Specific Plan (DTSP) with a Waterfront designation within the specific plan. Alcoholic beverage sales within the Waterfront Designation of the DTSP require the approval of a Use Permit.

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

North: Waterfront (DTSP)

South: Mixed Use Commercial (DTSP)

East: Fishing Pier (DTSP)

West: Shoreline (DTSP)

ENVIRONMENTAL REVIEW

This project has been deemed Categorically Exempt from CEQA under Article 19, Section 15301, Existing Facilities, Class 1 because the project involves negligible expansion of the existing use.

ATTACHMENTS

- A. Resolution 2022-xx with Exhibit A Conditions of Approval
- B. Project Description & Plans
- C. Contra Costa County Fire Protection District Letter

Draft Resolution With Conditions of Approval

**ZONING ADMINISTRATOR
RESOLUTION # 2022-xx**

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR
APPROVING A USE PERMIT (UP-22-16) FOR FOUR LEGS BREWING TAPROOM AT 1 I
STREET, UNIT C**

WHEREAS, Four Legs Brewing requests approval of a use permit for a taproom, located at 1 I Street, Unit C (APN 066-010-009);

WHEREAS, the application was deemed complete on September 21, 2022;

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

WHEREAS, a public hearing notice was published in the East County Times and posted pursuant to California Government Code Section 65090 on October 28, 2022 for the public hearing held on November 10, 2022;

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 taproom 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 taproom 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 Downtown Specific Plan with a Waterfront designation within the Specific Plan. The Waterfront designation allows alcohol sales 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 taproom will occupy a small space within an existing commercial building. The commercial site has a developed parking lot that provides sufficient parking for the existing commercial uses and the proposed taproom.

- 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 is located at the terminus of I St. which is 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 Downtown Specific Plan 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-22-16, for a taproom at 1 I Street, Suite C (APN 066-010-009), 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 10th day of November 2022.

FORREST EBBS
ZONING ADMINISTRATOR

DRAFT

General Conditions		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
1.	Project Approval. This Use Permit approval is for a Taproom at 11 Street, Suite C (APN: 066-010-009), as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received August 30, 2022, as presented to the Zoning Administrator on November 10, 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.	Project Approval Expiration. This Use Permit approval expires on November 10, 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 Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, 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 for up to two additional years from the expiration date.	City of Antioch	On-Going	Planning Department	

3.	<p>City Fees. 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>Pass-Through Fees. The developer shall pay all pass-through fees. Fees may include but are not limited to:</p> <ul style="list-style-type: none">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.	City of Antioch	On-Going	Community Development Department	

5.	Appeals. 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.	City of Antioch	Within 5 Days of Zoning Administrator Action	Planning Department	
6.	Requirement for Building Permit. 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.	City of Antioch	On-Going	Building Department	
7.	Modifications to Approved Plans. 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.	City of Antioch	On-Going	Planning Department	
8.	Hold Harmless Agreement/Indemnification. 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	

Fire Standards		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
9.	The applicant shall comply with the Contra Costa County Fire Protection District in the letter dated September 29, 2022.	Contra Costa Fire Protection District	On-Going	Contra Costa Fire Protection District	
At the Time of Construction		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
10.	Collection of Construction Debris. 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.	Construction Hours. 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 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.	Demolition, Debris, Recycling. 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.	Debris Removal. 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	
Prior to Issuance of Occupancy Permit		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)
14.	Planning Inspection. 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.	Debris Removal. 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.	Fire Prevention. 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	
Project Specific Conditions		<u>Regulation Source</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and signature)

17.	Hours of Operation. Hours of operation shall be 11 AM – 10 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.	ABC License Type. The proposed taproom is approved for a Type-40 ABC License. Any change in license type shall be subject to the review and approval of the Zoning Administrator.	City of Antioch	On-Going	Community Development Department	
19.	Revocation. 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	

Project Description & Plans

Four Legs Brewing is a Brewing company in Brentwood where we operate under a Type 23 liquor license (Small Beer Manufacturer). At this location beer is brewed on-site and sell through the taproom as well as distribute to local bars and pubs. We would like to open a small taproom under a Type 40 liquor license (Taproom to sell Beer ONLY). We will manufacture and sell all our product in Brentwood and distribute to the taproom in Antioch.

The Antioch taproom will consist of 600 square feet with indoor and outdoor seating that will be open to the public during limited hours of operations. We plan to serve a variety of craft beer for on-site consumption as well as 16oz cans to go. We also plan on using a QR code from Monica's at Riverview for people to order food at our establishment. We hope to create a relaxing environment where people can come and enjoy the art craft beer.

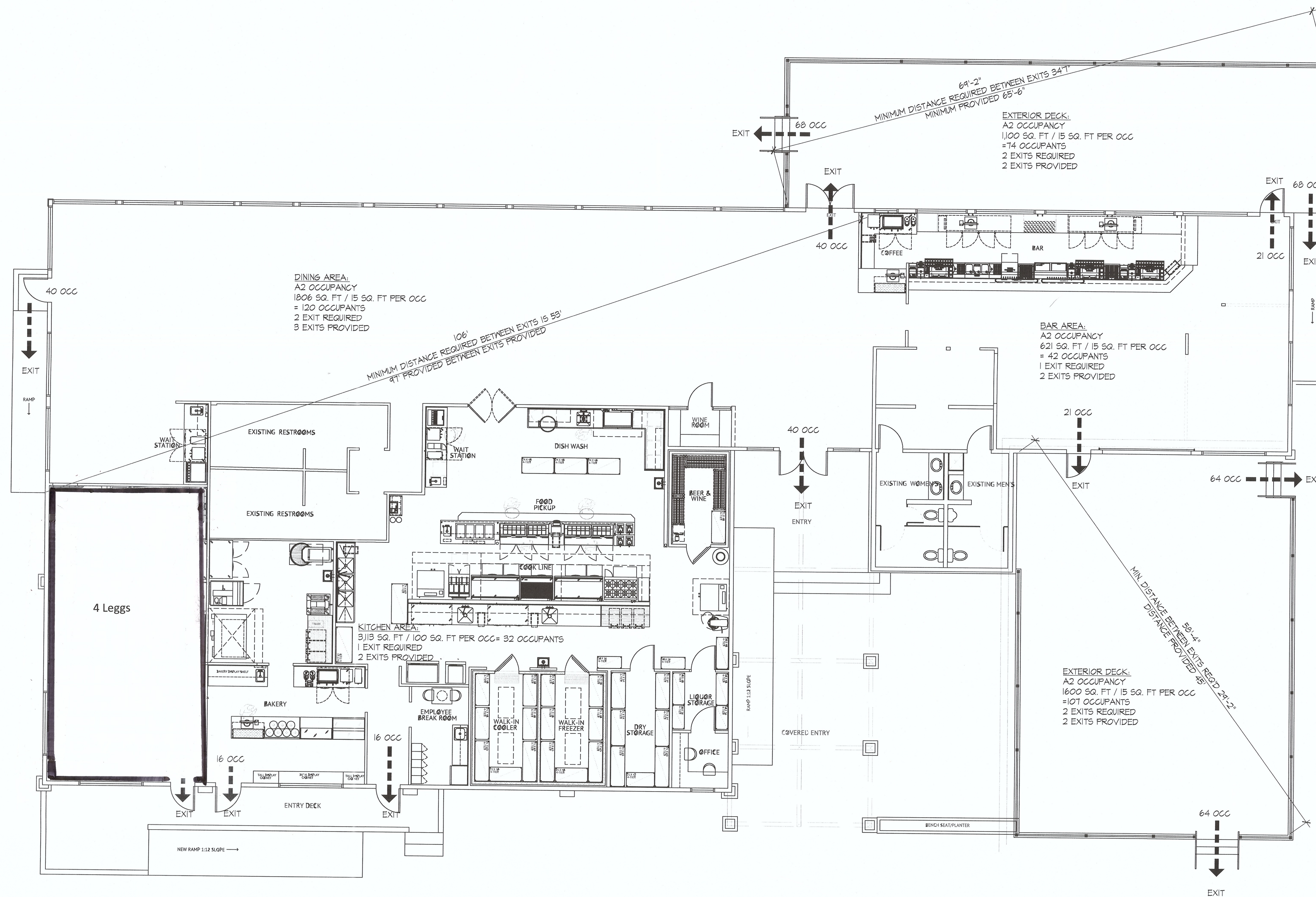
Four Legs Brewing proposes to operate with a total of 6 employees with the following hours of operation:

Public hours of operation:

Monday thru Sunday 11am-10pm

Operating hours may vary but will never start before 11am or go past 10pm.

Taproom staff will arrive an hour before opening and stay an hour after closing.



1 OCCUPANT & EGRESS PLAN
SCALE: 1/8" = 1'-0"

EGRESS LEGEND:

← EXIT PATH OF EGRESS

OCC OCCUPANTS FOR THAT EXIT

NUMBER OF EXITS REQ'D:

TWO EXITS OR EXIT ACCESS DOORWAYS FROM ANY SPACE SHALL BE PROVIDED FOR OCCUPANCIES (A, B) WHERE ANY TOTAL INDIVIDUAL OCCUPANCY IS GREATER THAN 49 OCC. (2019 CBC 1006.3.3(2))

THREE EXITS OR EXIT ACCESS DOORWAYS SHALL BE PROVIDED FROM ANY SPACE WITH AN OCCUPANT LOAD OF 501 TO 1000. FOUR EXITS OR EXIT ACCESS DOORWAYS SHALL BE PROVIDED FROM ANY SPACE WITH AN OCCUPANT LOAD GREATER THAN 1000. (2019 CBC 1006.2.1.1)

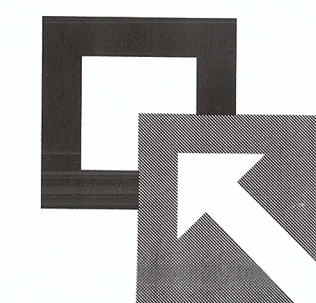
DISTANCE TO EXIT FROM MIDDLE OF EACH SPACE IS LESS THAN 75' (2019 CBC 1006.3.3(2))

EXIT WIDTH (40 OCCUPANTS X 2" = 8" REQUIRED < 36" PROVIDED. ALL DOORS ARE 36" OR LARGER.

STAIR WIDTH (60 OCCUPANTS X 3" = 9" REQUIRED < 20.4" PROVIDED. ALL STAIRS ARE 42" OR LARGER.

RAMP MINIMUM WIDTH 36" CLEAR.

STIRLING
ARCHITECTS INC.
1145 Second Street Suite A188
Brentwood, CA 94513
Tel: (925) 634-0095
Fax: (925) 226-4816



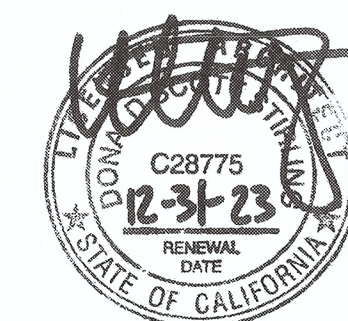
**MONICA'S AT
RIVERVIEW**

**EGRESS
PLAN**

**11 STREET
ANTIOCH, CA**

REVISIONS

THE INFORMATION CONTAINED IN THESE DOCUMENTS SHALL NOT BE USED FOR CONSTRUCTION OF THIS OR ANY OTHER WORK UNLESS THE SPACE BELOW INDICATES THE DATE OF ISSUE FOR THAT SPECIFIC PURPOSE TOGETHER WITH THE SIGNATURE AND LICENSE NUMBER OF THE ARCHITECT OF RECORD

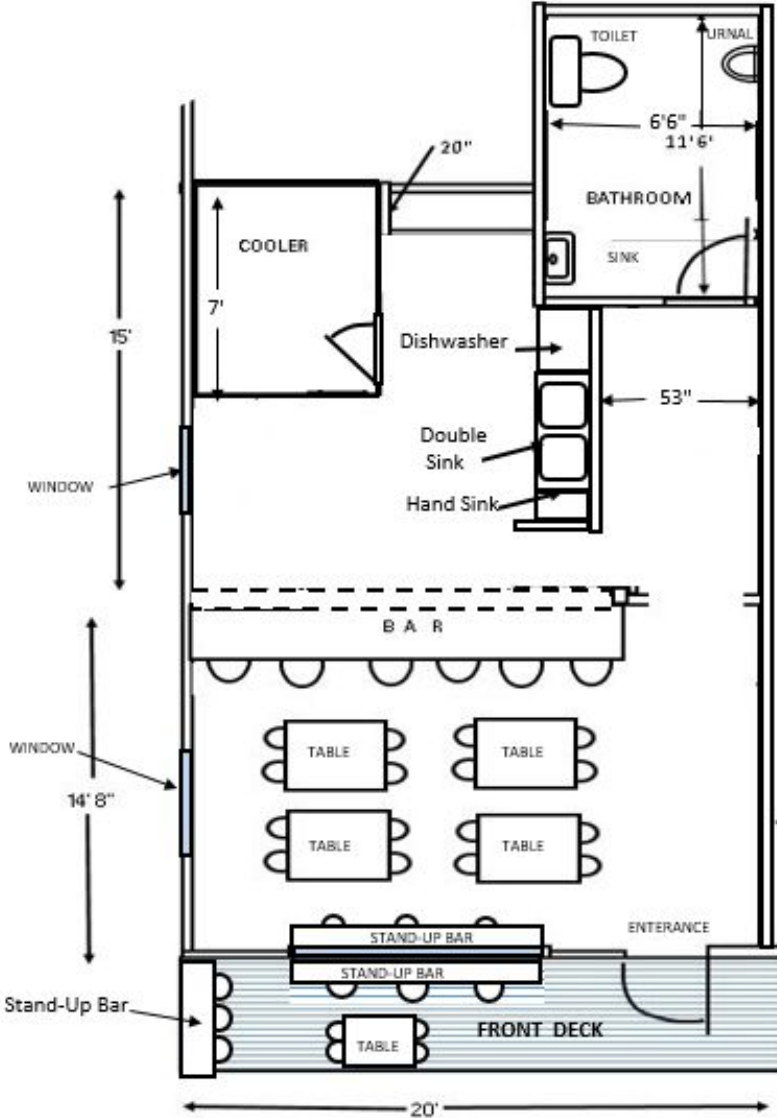


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EGRESS PLAN

SET DATE	1-31-22
ISSUE DATE	1-31-22 INITIAL ISSUE
JOB #	409.011
DRAWN BY	DS
SCALE	AS NOTED
SHEET	

A0.3



**Contra Costa County
Fire Protection District
Letter**

Contra Costa County



Fire Protection District

September 29, 2022

Mr. Kevin Scudero
Antioch – Planning
City of Antioch

Subject: Four Legs Brewing
1 I Street, Antioch
Planning #: UP-22-16
CCCFPD Project No.: P-2022-019270

Dear Mr. Scudero:

We have reviewed the application to establish a taproom within an existing commercial space at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), and Local and County Ordinances and adopted standards:

It was unclear if tenant improvement plans were proposed. If work is being done that will require plan submission to building department, plans will also need to be submitted to Fire District.

Contact fire permit techs for further information about submittals if needed.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Cameron".

Michael Cameron
Fire Inspector

File: 1 I Street-PLN-P-2022-019270-LTR