

**PLANNING COMMISSION
RESOLUTION NO. 2025-02**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
APPROVING A USE PERMIT AND DESIGN REVIEW FOR DEVELOPMENT OF A
NEW STARBUCKS RESTAURANT AT 2410 MAHOGANY WAY
(DR2024-0008; UP2025-0002) (APN: 074-370-024)**

WHEREAS, the City of Antioch (“City”) received an application from GreenbergFarrow for approval of a Use Permit and Design Review for the development of a Starbucks restaurant with drive-through and associated site improvements at 2410 Mahogany Way (DR2024-0008; UP2025-0002) (APN: 074-370-024);

WHEREAS, the project is Categorically exempt from CEQA Guidelines Section 15332, Infill Development, and there is no substantial evidence that any exceptions under CEQA Guidelines Section 15300.2 apply;

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law;

WHEREAS, on March 19, 2025, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral 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 AND DETERMINED, that the Planning Commission hereby makes the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) (a)-(e) of the Antioch Municipal Code:

- a. That 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 project has been designed and conditioned to comply with the City of Antioch Municipal Code requirements and commercial design guidelines.

- b. That the use applied at the location indicated is properly one for which a use permit is authorized

The site is zoned C-3, Service/Regional Commercial. The General Plan designation for the site is Regional Commercial. Both designations allow

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for the development of eating establishments. C-3 zoning permits fast food restaurants and drive-up windows with a Use Permit.

- c. 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.

The project is located on a vacant parcel that was previously a drive-through restaurant. The project has been designed to accommodate a new building, drive-through lane, and associated landscaping which will provide screening around the restaurant and drive-through lane when viewed from the street level.

- 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.

The project is located on Mahogany Way. Engineering staff reviewed the plans and agreed that the existing streets are adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

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

The General Plan designation for the site is Regional Commercial. The project is consistent with the General Plan land use designation, its allowed uses, and its description of development focused on harmonizing with the adjacent businesses.

BE IT FURTHER RESOLVED, that the Planning Commission hereby APPROVES a Use Permit and Design Review application from GreenbergFarrow for the development of a Starbucks restaurant with drive-through, and associated site improvements at 2410 Mahogany Way (DR2024-0008; UP2025-0002) (APN: 074-370-024), subject to the conditions provided in Exhibit A, attached hereto.

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I **HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 19th day of March 2025, by the following vote:

AYES: Commissioners Jones, Martin, Perez, Riley and Webber

NOES: None

ABSTAIN: None

ABSENT: None

A handwritten signature in black ink, appearing to read "D. Storer", is written over a horizontal line.

**DAVID STORER
SECRETARY TO THE PLANNING COMMISSION**

EXHIBIT A: CONDITIONS OF APPROVAL
Starbucks on Mahogany Way (DR2024-0008 | UP2025-0002)

- 1. Project Approval.** This Use Permit and Design Review approval is for the Starbucks on Mahogany Way located at 2410 Mahogany Way (APN: 074-370-024), as substantially shown and described on the project plans received on November 26, 2024, as presented to the Planning Commission on March 19, 2025 (“Approval Date”), except as required to be modified by conditions herein. 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 of Antioch (“City”).
- 2. Project Approval Expiration.** This approval expires on March 19, 2027, or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued. All approval extensions shall be processed as stated in the Antioch Municipal Code.
- 3. Appeals.** Pursuant to Antioch Municipal Code § 9-5.2509, any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Council.
- 4. Requirement for Building Permit.** Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolition of 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.
- 5. Non-Planned Development Modification of Approved Plans.** The project shall be constructed as approved and with any additional changes required pursuant to the Planning Commission Conditions of Approval. Planning staff may approve minor modifications to the project design as outlined in Antioch Municipal Code § 9-5.2708.
- 6. Hold Harmless Agreement/Indemnification.** The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch, its agents, 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.
- 7. Final Approval.** A final and unchallenged approval of this project supersedes any previous approvals that have been granted for this site.

8. **Compliance Matrix.** With the submittal of all grading plans, improvement plans, and building permit plans, the applicant shall submit to the Community Development Department a Conditions of Approval 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.

FEES

9. **City Fees.** The applicant shall pay all City and other related fees applicable to the property, as may be modified by the 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. 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 Division plan check and inspection, as mutually agreed between the City and applicant.

No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, balances, and reimbursements that are outstanding and owed to the City.

10. **Pass-Through Fees.** The applicant shall pay all applicable pass-through fees.

PUBLIC WORKS' STANDARD CONDITIONS

11. **City Standards.** All proposed improvements shall be designed and constructed to City standards or as otherwise approved by the City Engineer in writing. The applicant shall file for a City encroachment permit for all improvements within the public right of way, a grading permit for grading of the site, and a building permit for all buildings and utilities to be installed on the site.
12. **Required Easements and Rights-of-Way.** Any new required easements shall be obtained by the applicant at no cost to the City of Antioch prior to occupancy. The applicant shall prepare separate easements by Licensed surveyor and record the documents as approved by the City Engineer prior to occupancy. All easements shall be identified on the site plan and all plans that encroach into existing easements shall be submitted to the easement holder for review and approval.
13. **Existing Easements.** The applicant shall submit an updated title report dated within six months of the building permit submittal and identify the existing property lines of the project shall be shown on all improvement plans and staked in the field by a Licensed Land Surveyor. All existing easements from the previous development shall be identified on the new site plan and any easements that are no longer to be in use shall be abandon by a separate instrument by the Licensed

Land Surveyor and noted on the plan. Any existing easements that is to remain in use that encroach into the proposed building envelope shall be relocated or revised to the consent of the easement holders prior to occupancy.

- 14. Line of Sight Triangles.** Safe line of sight distance triangles shall be maintained at the driveway entrance with the public street per Antioch Municipal Code § 9-5.1101, Site Obstructions at Intersections, or as approved by the City Engineer. Landscaping, structures and signage shall not restrict the safe line of sight at intersections, driveways and parking lots.
- 15. Utility Construction.** Relocation of public utilities and construction of new private utilities shall be completed to their ultimate size and configuration, as shown on the preliminary entitlement plan documents submitted to the City for review, prior to occupancy of the first building.
- 16. Utility Undergrounding.** Prior to the final occupancy permit, all existing and proposed utilities (e.g., transformers and PMH boxes), except existing PG&E towers (or other utilities as approved by the City Engineer), shall be undergrounded and subsurface pursuant to Antioch Municipal Code § 7-3, Underground Utility Districts, or as approved by the City Engineer.
- 17. Utility Mapping.** Prior to acceptance of public utilities, the applicant shall provide GPS coordinates of all below ground and above ground utilities. This includes all Water Distribution utility features, Sewer Collection utility features, Storm Water utility features, and inverts, locations of pipes, manholes, cleanouts and utility meters associated with these features. Applicant shall include GPS coordinates of water meters, irrigation meters, sewer cleanouts, sewer manholes, subdivision entryway signs, street signs, light poles, storm drain manholes, drainage inlets and transformers and gas meters needed for recording the location of all proposed utilities in the project as defined by the City Engineer. These GPS coordinates must be taken on a survey-grade GPS data receiver/collector and provided in GIS shapefile format using the NAVD 88 (with conversion information). Submittal of as-built drawings in AutoCAD drawing format in NAVD 88 coordinates shall satisfy this condition prior to occupancy.
- 18. Sewer.** All sewage shall flow by gravity to the intersecting street sewer main. All sewer lines and utility connections to the City sewer system shall be in accordance with City and local sewer district specifications.
- 19. Requirement for Connection to a Looped Water System.** If an existing domestic water connection and fire sprinkler line from the City main to the site is not already available, the applicant shall connect a new domestic water line and fire sprinkler line into the City looped water system in accordance with city standard plans and details. The applicant shall be responsible for installing any water mains off site to create a looped system at no cost to the City.

- 20. Water Pressure.** The applicant shall provide adequate water pressure and volume for fire flow and domestic use to serve this development per City and Fire District requirements. This will include a minimum fire flow of 1,000 gpm at residual pressure of 20 psi with all losses included at the highest sprinkler unit point in the building and at the water service at a minimum static pressure of 20 psi at the water service or as approved by the City Engineer. The Contra Costa Fire Protection District may provide additional water flow calculations to satisfy their requirements for the new building.
- 21. Retaining Walls**
- a. Public Right of Way.** Retaining walls shall not be constructed in the public right-of-way or other City maintained parcels, unless otherwise approved by the City Engineer.
 - b. Materials.** All retaining walls shall be of concrete masonry unit construction.
 - c. Height.** All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the frontage setback and sight distance triangles as required by the City Engineer.
 - d. Slope.** The 2:1 maximum slope above all retaining walls shall be landscaped with trees, ground cover, grass or other erosion control vegetation.
- 22. Fences.** All perimeter fences shall be located at the top of slope or along the existing property parcel line as shown on the approved landscape plans as approved by the City Engineer.
- a.** In cases where a fence is to be built in conjunction with a retaining wall, and the wall face is exposed to a side street, the fence shall be set back a minimum of three feet (3') behind the retaining wall per Antioch Municipal Code § 9-5.1603, or as otherwise approved by the City Engineer in writing.
 - b.** All fencing adjacent to open space (trails and basins) shall be located at the top of slope and be constructed of wrought iron, tubular steel, or other materials as approved by the City Engineer in writing at the time of improvement plan approval.
- 23. Storm Drain Design/Construction.** The applicant shall design and construct all storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed.
- a.** All public utilities, including storm drainpipes and ditches, shall be installed in streets avoiding one lot draining over or between other lots. All proposed drainage facilities, including open ditches and bioretention basins shall be constructed to City standards and of Portland Concrete Cement, or as approved by the City Engineer. These public utilities shall be designed prior to building permit issuance and constructed prior to occupancy.

- b. Storm drainage systems shall flow to the detention basins shown within the project drainage study or as shown on the project grading and improvement plans, with no diversion out of existing watershed(s).
- c. The bioretention basin(s) and associated improvements shall be constructed and operational prior to issuance of the certificate of occupancy..
- d. Bioretention 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 shall be submitted for each basin prior to the issuance of the first building permit.

24. Project Storm Water Report. The applicant shall submit a site storm water report of the site hydrology and hydraulic analyses as part of the storm water system design for 10 year and 100 year storm events in 24 hours. The analyses shall demonstrate adequacy of the in-tract or onsite drainage system and the downstream drainage system for the 10-year storm event with the hydraulic grade line (HGL) contained a minimum 1.25' below the top of each catch basin or storm drain manhole within the project. The minimum pipe slope of any drainage pipe is 0.0033 minimum and the minimum velocity of water flowing in the pipe is 2 FPS with half of the design flow. The minimum storm drainpipe size for pipe in the private system is 10-inch pipe. All detention basins shall be designed with outfall weir with 1 foot (of free board) below the lowest top of bank. The sides of the basin shall be a maximum 3:1 slope, the bottom of this basin drain shall drain to the outfall at a minimum slope of 0.003 and a paved maintenance access be constructed at a maximum grade of 15% for access to the basin. The analysis for the 100-year event shall show that the site will have at least one or more 100-year flood release points to public streets, existing creeks or existing flood control channels. Any building finish floor elevation within the site or subdivision shall have at least 1 foot of free board from the finish floor elevation to the HGL of the 100 year event. The hydrology and hydraulic analysis shall be reviewed and approved by the city and Contra Costa County Flood Control to the satisfaction of the City Engineer prior to building permit.

25. Compliance with City Water Master Plan. The applicant shall provide the city with average water consumption data from other Starbucks locations in the area to estimate the sites' typical annual domestic water use prior to issuance of the first building permit. This data will be compared with the water demand analysis based on the site's commercial land use designation to determine if the projected water use exceeds the allocated demand. Additionally, the applicant shall submit a fire flow analysis for the proposed development in accordance with the City and local fire requirements. If the site's water demand exceeds the previously allocated capacity, the applicant may need to meet with City staff to assess whether the existing City water network can accommodate the increased demand. If the capacity is exceeded, the applicant may be required to implement improvements to the projects water needs. This analysis shall be reviewed and approved by the City Engineer.

26. **Compliance with City Sewer Master Plan.** The applicant shall complete a peak flow sewer analysis of the proposed project development in accordance with City sewer requirements prior to issuance of the first building permit. This analysis shall be reviewed and approved by the City Engineer.
27. **Compliance with City Drainage Master Plan.** The applicant shall complete a hydrology and hydraulic analysis of the proposed project development in accordance with City requirements for 10-year and 100-year drainage flows. The site drainage volume for the project shall not exceed the storm drainage flows generated from this site according to the requirements of the City. This analysis shall be reviewed and approved by the City Engineer prior to building permit

CONSERVATION / NPDES

28. **C.3 Compliance.** Per State Regulations, all onsite and offsite impervious surfaces, including off-site roadways to be designed and constructed as part of the project, are subject to State C.3 requirements prior to building permit issuance and occupancy of the first building.
29. **NPDES.** The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (Antioch Municipal Code §6-9). (Note: Per State Regulations, NPDES Requirements are those in effect at the time of the Final Discretionary Approval.) Under NPDES regulations, the project is subject to provision C.3: "New development and redevelopment regulations for storm water treatment."
 - a. **Requirements.** Provision C.3 requires that the project include storm water treatment and source control measures, as well as run-off flow controls so that post-project runoff does not exceed estimated pre-project runoff.
 - b. **Storm Water Control Plan.** C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates plan compliance. The SWCP shall be submitted to the Building and City Engineering Departments concurrently with site improvement plans.
 - c. **Operation and Maintenance Plan.** For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted to the Building Department at the time of permit submittal and shall be approved by the City Engineer.
 - d. **Covenants, Conditions and Restrictions (CC&Rs).** Both the approved SWCP and O&M plans shall be included in the project CC&Rs, if applicable. Prior to final building permit approval and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification Best Management Practices (BMP's).

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- 30. NPDES Plan Submittal Requirements.** 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:
- a. Application.** Prior to issuance of permits for building, site improvements, and/or landscaping, the applicant shall submit a permit application consistent with the applicant's approved C.3 Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious areas, pervious pavements, self-retaining areas, treatment BMP's, permanent source control BMP's, and other features that control storm water flow and potential storm water pollutants.
 - b. Certified Professional.** The Storm Water Control Plan shall be stamped and signed by a registered civil engineer, or by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California 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).
 - c. Final Operation & Maintenance Plan.** Prior to building permit final approval and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance (O&M) Plan in accordance with City of Antioch guidelines. This O&M Plan shall incorporate City comments on the draft O&M Plan and any revisions resulting from changes made during construction. If the project has CC&Rs, the O&M Plan shall be incorporated into them.
 - d. Long Term Management.** Prior to building permit final approval and issuance of a Certificate of Occupancy, the applicant 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 all storm water treatment and underground detention facilities to the satisfaction of the City Engineer.
 - i. The project shall prevent site drainage from draining across public sidewalks and driveways in a concentrated manner by installing drainpipes within or under the sidewalks, per City details.
 - ii. Install "No Dumping, Drains to River" decal buttons in all new site catch basins, curb inlets and drainage inlets.
 - e. C.3 Storm Water Calculations.** Prior to building permit issuance, the applicant shall prepare a C.3 Storm Water Control Plan report with calculations of anticipated conveyance of all C.3 storm water entering and

originating from the site to an adequate downstream drainage facility without diversion of the watershed prior to building permit. The applicant shall submit C.3 hydrologic and hydraulic calculations with the improvement plans to the City of Antioch Engineering Department for review and approval, as well as to the Contra Costa County Flood Control District.

- f. Erosion Control Plan.** The applicant shall submit a copy of the Erosion Control Plan 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 cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP's may result in the issuance of correction notices, citations, or a project stop work order.
- i. **BMP.** The applicant shall install appropriate clean water devices at all storm drain locations immediately prior to entering the public storm drain system, and shall implement Best Management Practices (BMP's) at all times on the project before, during and after construction.
- ii. **Erosion Control.** Applicant shall include erosion control/storm water quality measures in the grading plan in order 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, or other measures subject to review and approval by the City Engineer. The applicant shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such erosion control measures.
- iii. **Sweeping.** The applicant or their assignee shall sweep and/or vacuum the paved parking lot(s) a minimum of once a month and prevent the accumulation of silt, litter, and debris on the site. Corners and hard-to-reach areas shall be swept manually.
- iv. **Pressure Washing.** If any sidewalks are to be 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 drains. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the Sanitary Sewer District.
- v. **Construction Debris.** The applicant shall ensure that the area surrounding the project, such as the adjacent streets, stays free and clear of construction debris such as silt, dirt,

dust, and tracked mud. 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 loads in dump trucks shall be covered per City requirements.

- vi. **Storm Drain Cleaning.** The applicant shall 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 the City Engineer.

Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed project plans may be required in order to comply with C.3 regulations.

OUTSIDE AGENCIES

31. **Contra Costa County Fire Protection District.** The applicant shall comply with the conditions provided by the Contra Costa County Fire Protection District in the letter dated September 23, 2024.

GRADING

32. **Requirement for Grading Permit.** Grading plans shall be submitted, processed, and issued prior to commencement of any grading operations within the project. A grading permit shall be obtained through the City's Engineering and Building Divisions, subject to review and approval by the City Engineer. The submitted plans shall incorporate any modifications required by the Conditions of Approval, local and national building codes.
33. **Grading Plans.** Locations of building exterior walls, fences and retaining walls, drainage swales, side slopes, top and bottom of slopes, parking lot drainage to catch basins with underground pipe drainage systems, and pipe outfalls, shall be shown on the grading plans for review and approval. All the above features shall have proposed elevations shown on the grading plan and the grading of the project will drain to an above and/or underground drainage system in an acceptable manner, as approved by the City Engineer. Unless approved in writing by the City Engineer and the adjacent landowner, all grading of any part of the project shall be contained within the existing parcel or subdivision boundary of the project. All improvement projects shall submit a grading plan, and a plan showing existing conditions or field survey of the project before construction, showing existing grades, pavement grades, curb grades, finish floor elevations, 1' contours, existing buildings and structures, all existing private and public improvements, all underground utilities, overhead utilities, drainage features, all easements and street right of ways, existing project property lines of the approved project area.

Submitted with the grading plans the applicant shall also prepare a demolition plan of all onsite and offsite improvements to be removed from the site prior to grading the site.

- 34. Elevations on Grading Plans.** All elevations shown on the grading plans and plot plans shall be based on actual surveyed NAVD 88 survey control vertical datum, and, if needed, with conversion information, as approved by the City Engineer.
- 35. Soils.** Prior to the approval of the grading plan(s), the City Engineer requires a registered soils engineer to review the grading plans, improvement plans, building permit plans, and specifications submitted for the project. The soils engineer's field inspections will be required to verify compliance with the approved plans and soils reports prior to issuance of a final occupancy permit. Costs for these consulting services shall be incurred by the applicant.
- 36. Geotechnical Recommendations.** All residential subdivisions, commercial and industrial projects are required to have a project specific geotechnical investigation prior to project approval. The applicant shall implement project-specific geotechnical recommendations. Prior to the issuance of any grading permits, all recommendations and specifications set forth in the project-specific Geotechnical Exploration Report prepared by the project's soils engineers, shall be reflected on the project grading and foundation plans (inclusive of seismic design parameters), subject to review and approval by the City Engineer.
- 37. Off-Site Grading.** All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The applicant shall submit written authorization to "access, enter, and/or grade" adjacent properties prior to issuance of a grading permit and shall have permission from any affected property owners prior to issuance of the first building permit of each phase of the project.
- 38. Grading Easements.** Any sale of a portion (or portions) of this project to another applicant shall include the necessary CC&Rs, and/or grading and drainage easements, to ensure that the project-wide grading conforms to the project's Conditions of Approval.

AT BUILDING PERMIT SUBMITTAL

- 39. Requirement for Phasing Plan.** The applicant shall continuously build all improvements of the project in one phase. If the project becomes a phased project, then the applicant shall provide a phasing plan to the Community Development Department and Engineering Department for review and approval.
- 40. Final Landscape Plans.** The applicant shall submit final landscape plans that identify specific plant materials to be constructed, including all trees, shrubs and groundcover, and landscape features. At the time of building permit submittal,

applicant shall provide for all plan materials both common and botanical names, sizes, and quantities, that are in substantial conformance with the Preliminary Landscape Plan. Applicant shall coordinate with the Public Works Department on approved plants to be installed in the public right of way.

- 41. Water Efficient Landscape Ordinance.** 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.
- 42. Property Drainage.** All buildings on the site shall contain rain gutters and downspouts that catch rainwater from the roof and direct water away from the foundation and into an acceptable drainage system as approved by the City Engineer.
- 43. Utility Location on Private Property.** All existing utility improvements that are disturbed shall be relocated within (water meters, sewer cleanouts, etc.) the immediate area of site as defined by the preliminary utility plans and approved by the City Engineer.
- 44. Construction Traffic Control Plan.** A Construction Traffic Control Plan shall be submitted with the improvement plans for review and approval by the City Engineer.
- 45. Postal Service.** Should mailbox facilities be provide, provisions for mail delivery and locations of mailbox facilities shall be reviewed by the USPS prior to the issuance of the building permit.

AT BUILDING PERMIT ISSUANCE

- 46. Encroachment Permit.** The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any existing or proposed public right- of-ways or easements.
- 47. Demolition Permit.** Site demolition shall not occur until demolition permits are issued for the development project. All demolitions shall be in accordance with permits issued by the City of Antioch and Bay Area Air Quality Management District (BAAQMD).

DURING CONSTRUCTION

- 48. Construction Notice.** The applicant shall inform the City of the start of construction of the project, the construction schedule and provide the below items, approximate area of disturbance, time frames for needed inspections, hours of work, construction detours, flagging, etc. The applicant shall provide the adjacent businesses and residents with a notice of construction by posting a flyer or sign, not to exceed 24" x 36" in size, in a publicly visible location at the construction site, such as on the exterior of the construction fence, containing the following information:
- Address of Work
 - Start Date of Work
 - End Date of Work
 - Hours of Work
 - Type of Work
 - Contact Person
 - Company Name
 - Telephone
- 49. Collection of Construction Debris.** During construction, the applicant shall place dumpsters or other containers on site to contain all construction debris. The dumpsters or other containers shall be emptied on a regular basis, consistent with the Antioch Municipal Code § 6-3.2, the Construction and Demolition Debris Ordinance. Where appropriate, applicant shall use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
- 50. Construction Hours.** Construction activity shall be as outlined in the Antioch Municipal Code § 5-17.04 and § 5-17.05. Construction activity is limited to 7:00 AM to 6:00 PM Monday-Friday except that activity within 300 feet of occupied dwellings is limited to the hours of 8:00 AM to 5:00 PM on weekdays. On weekends and holidays, construction activity is allowed 9:00 AM to 5:00 PM, irrespective of the distance from an occupied dwelling. Extended hours may be approved in writing by the City Manager or designee.
- 51. Driveway Access.** Driveway access to neighboring properties shall be maintained at all times during construction.
- 52. Demolition, Debris, Recycling.** All debris, garbage spoils, unwanted materials and vegetation shall be removed from the project site in accordance with the City requirements. All materials that can be recycled shall be taken to an approved recycling facility. The project shall be kept clean and in compliance with and shall

supply all necessary documentation for compliance with the Antioch Municipal Code § 6-3.2, the Construction and Demolition Debris Ordinance.

- 53. Filter Materials at Storm Drain Inlet.** The applicant shall install filter materials (such as sandbags, filter fabric, etc.) at each storm drain inlet nearest the downstream side of the project site prior to:
- a. start of the rainy season (October 1).
 - b. site dewatering activities.
 - c. street washing activities.
 - d. saw cutting asphalt or concrete; and
 - e. in order to retain any debris or dirt flowing into the City storm drain system.

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness, prevent street flooding and prevent erosion of soil onto City streets and draining into the storm drain system. Used filter particles shall be disposed of in the trash or at a local approved landfill facility.

- 54. Archeological Remains.** In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all construction work within 100 feet of the find shall be halted, and the Community Development Department, along with a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

- 55. Erosion Control Measures.** The grading operation of the site development shall take place at one time and in a manner to prevent soil 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 phases of construction in accordance with an approved erosion and sedimentation control plan. Erosion control shall be continuously maintained by the developer and upgraded after rainstorms through the construction of the project and until the permanent erosion control measures, storm drain and landscaping improvements are installed and operational.

- 56. Dust Control.** Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with contact phone numbers for the applicant, City staff, and the Bay Area Air Quality Management District.

- 57. Landscape Installation and Maintenance.** Landscape shall show immediate results. Landscaped areas shall be watered, weeded, pruned, and/or otherwise maintained, as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans. All trees shall be a minimum 24" box size and all shrubs shall be a minimum 5-gallon size.

PRIOR TO ISSUANCE OF OCCUPANCY PERMIT

- 58. Planning Inspection.** Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans, and to review landscape installation (if applicable). 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
- 59. Site Landscaping.** All landscaping within the project site, including on all slopes, medians, C.3 drainage basins, retaining walls, bioretention basins, common areas, open space and park landscape areas, and any other areas that are to be landscaped, shall be installed prior to issuance of final certificate of occupancy.
- 60. Debris Removal.** All mud, dirt, and construction debris shall be removed from the construction site prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.
- 61. Damage to Street Improvements.** Any damage occurring during construction to existing streets and site improvements or adjacent property improvements in the immediate area of the project, shall be repaired and/or rebuilt to the satisfaction of the City Engineer at the full expense of the applicant. This shall include sidewalks, asphalt and concrete pavement, slurry seal existing AC pavements, parking lot curbs and gutters, landscaping, street reconstruction along the project frontage, as may be required by the City Engineer, to restore the developed area.
- 62. Right-of-Way Construction Standards.** All improvements within the public right-of-way, including curbs, gutters, sidewalks, driveways, paving and utilities, shall be constructed in accordance with the City approved plans and/or City specifications as directed by the City Engineer.
- 63. Double Detector Check Valve Assembly.** The applicant shall install the required sprinkler Double Detector Check Valve assemblies, and fire department connections in an enclosed area that is screened by landscaping or small 3.5' high masonry walls or placed within the building or in an underground vault so it is not visible from public view as approved by City Engineer and Fire Marshall.

The design shall be approved prior to building permit issuance and installed prior occupancy.

- 64. Common Area Trash Receptacles.** Trash receptacles located in common areas, such as plazas, eating areas, walkways, club houses, or playgrounds, shall be the City Park three-sort type. All common area trash receptacles shall be in place prior to issuance of the certificate of occupancy for the area where the receptacle is located.
- 65. Idle Free Signage.** Consistent with the City’s adopted 2010 Climate Action Plan, the applicant shall install at least one “Idle Free” sign encouraging drivers to refrain from idling in their vehicle, reducing air pollution and greenhouse gas emissions. The sign shall be placed in an area with high visibility where drivers are queued to access the drive-through or pick up area. The sign location shall be shown on the construction plans at the time of building permit submittal for review and approval by Planning staff. The sign shall be 12”x18” and satisfy City requirements for no parking signage, traffic sign mounting, and signage in the right of way. The City’s Environmental Resources Division has a sample bilingual Idle Free sign that the applicant may use as template: <https://www.antiochca.gov/pscr/environmental-resources/climate-change/>.

PROJECT SPECIFIC CONDITIONS:

- 66. Hours of Operation.** The hours of operation for the Starbucks store and drive-through shall be from 4:00 AM – 12:00 AM seven days a week. Any request to modify the hours of operation shall be subject to Zoning Administrator approval.
- 67. Photometric Plan.** At building permit submittal, the applicant shall provide an updated photometric plan and lighting plan that meets the requirements of Antioch Municipal Code § 9-5.1715, which states, “lighting shall not shine directly onto an adjacent street or property. Minimum illumination at ground level shall be two footcandles but shall not exceed one-half foot-candles in a residential district.”
- 68. Tree Mitigation.** There are nine protected Blue Gum Eucalyptus trees authorized for removal with this entitlement. Eight are established trees and one is a mature tree. Antioch Municipal Code § 9-5.1205 states, “Replacement of trees that are legally removed shall be replaced according to the following schedule: (a) Each established tree: two 24-inch box trees. (b) Each mature tree: two 48-inch box trees.” The applicant shall plant a total of 16 24-inch box trees and two 48-inch box trees as mitigation for the removal of the protected trees. The final landscaping plans submitted with the building permit submittal shall show the mitigation trees. The trees shall be planted prior to a certificate of occupancy.

- 69. Existing Improvements Identified.** Any existing improvements (water meters, sewer cleanouts, etc.) that are to remain in use but disturbed during construction shall be restored or relocated within the area of the right of way shown on the city approved site, grading, utility, and improvements plans and any pavement fully restored to the satisfaction of the City Engineer prior to occupancy.
- 70. Trash Receptacles.** The width of the trash enclosure along the grate shall have reinforced 8" concrete slab and at least 15' wide to support the trash truck that loads the trash onto the truck. The trash collection area shall be always kept clean. Signs shall be installed specifying when trash collection will occur in this designated area of the site.
- 71. Install Drainage Trench Drain.** The applicant shall install a storm drain trench drain across the main entrance to the site to catch more of the existing surface drainage from the site to drain to an extended bioretention basin or vegetated drainage swale so more of the parking lot of the site can be included in treating the surface water from the parking lot. This new extended drainage swale shall be a bioretention basin or vegetated swale along one side of the driveway to the edge of the existing public sidewalk or at the site property line with the street to process more of the parking lot surface water in the 2-year storm event in accordance with state storm water requirements. The applicant shall construct vegetated drainage swales or bioretention basins along the side of the site to filter the drainage from the parking lot and other landscape areas of site that are draining from the back of the site to public street. These improvements shall be designed prior to building permits and constructed prior to building occupancy.
- 72. Retaining Walls.** The applicant may need to install retaining walls along the rear and sides of the site to contain the grading and drainage of the site so that surface water from the site does not spill onto adjacent properties in accordance with City requirements. The maximum slope transition of the site to existing ground or neighboring properties is 3:1 slope. Any slope steeper than 2:1 shall be retained by a masonry retaining wall. These retaining wall improvements shall be constructed with grading of the site and completed prior to occupancy.
- 73. Sewer Connection.** If an existing 6" sewer lateral is not available on the site, the developer shall install one. A new sewage lateral from the new building shall flow by gravity to an existing 6" sewer main pipe located in the existing public street Mahogany Way. The developer shall make this new connection to the public sewer line by installing a concrete manhole per city standards in the paved street as shown on the city approved site improvement plans. The improvements shall be designed prior to grading and building permits and constructed prior to occupancy. The developer shall backfill trench in accordance with city standards

and restore the existing pavement in accordance with city standards, according to the original pavement section.

- 74. Install Bioretention basins.** All storm water flows shall be collected onsite and discharged into approved site stormwater bioretention basins to be filtered prior to draining to the public storm drain system.
- 75. Site Water Connection.** If not available from the previous development, the applicant shall install a new 1 ½" domestic water line from the proposed building which shall connect to the 8" public water main located in Mahogany Way. A City water meter and backflow preventer assembly shall be installed within the city right of way behind the existing south sidewalk of Mahogany Way per City water details and per city requirements. This proposed water line lateral line shall also supply irrigation water to the site irrigation meter in the same location as the domestic water meter and water line that is connected to the proposed building. This water connection shall be designed prior to building permit and constructed prior to occupancy.
- 76. Striping and Signage.** The applicant shall prepare a signing and striping layout of the proposed site parking lot using the latest version of the City parking standards and Caltrans Standard Plans Pavement Markers and Traffic Lines Typical Details as depicted in the Caltrans standard plans A20 and A24 or in the latest version of the California MUTC and striping details. The plan shall be included in the building permit submittal and constructed prior to occupancy.