

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2024-02**

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR
APPROVING A USE PERMIT AND DESIGN REVIEW (UP2023-0008, DR2023-0021)
FOR A DAY CARE CENTER LOCATED AT 3166 CONTRA LOMA BOULEVARD
(APN 076-550-007)**

WHEREAS, Freda Stowe requests approval of a use permit and design review to operate a day care and after-school programs center. The subject property is located at 3166 Contra Loma Boulevard (APN 076-550-007).

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 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 day care and after-school programs use 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 Neighborhood/Community Commercial District (C-2). The City of Antioch Municipal Code allows day cares centers with the approval of a use permit in the Neighborhood/Community 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 use will take place in an existing commercial building and will not require any alterations to the site, besides adding a play area at the rear of the building. 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 Contra Loma Boulevard, 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 Neighborhood/Community Commercial and is located in an existing shopping center.

NOW THEREFORE BE IT RESOLVED, the Zoning Administrator of the City of Antioch does hereby **APPROVE** UP2023-0008, DR2023-0021, to allow a day care center use at 3166 Contra Loma Boulevard (APN 076-550-007), 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 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.

B. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met, including the comments provided in the District's letter dated December 8, 2023.

C. FEES

1. The applicant shall pay all fees as required by the City Council.
2. The applicant 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. PROJECT SPECIFIC REQUIREMENTS

1. The use permit applies to a day care with a maximum of 35 students occupying 1,403 +/- square feet at 3166 Contra Loma Boulevard. Approval of a supplemental use permit shall be required to serve more than 35 students.
2. Any food prepared, cooked, packaged, or served shall meet all the requirements of Contra Costa County Environmental Health.
3. An outline of the area to be used for the outdoor play area shall be striped on the pavement to ensure that the area is designated for the play area and that the day care center staff can easily set up the fencing. The striping shall be completed prior to beginning the day care and after school program operations.
4. The outdoor play area fencing, materials, and play equipment shall either be brought into the tenant space or secured outside by tying and locking the equipment together or through another means of security.

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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

**KEVIN SCUDERO
ZONING ADMINISTRATOR**






2024-02 Day Care Center

Final Audit Report

2024-01-22

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