

**STAFF REPORT TO THE ZONING ADMINISTRATOR  
FOR CONSIDERATION AT THE MEETING OF JANUARY 11, 2024**

**Prepared by:** Samina Merchant, Interwest Consultant  
**Approved by:** Zoe Merideth, Acting Planning Manager  
**Date:** January 11, 2024  
**Subject:** Z&J Clubhouse (UP2023-0008, DR2023-0021)

**RECOMMENDATION**

It is recommended that the Zoning Administrator **APPROVE** a use permit and design review application allowing a day care and after-school programs center at 3166 Contra Loma Boulevard, subject to the conditions contained in the attached resolution.

**REQUEST**

Freda Stowe requests a Use Permit and Design Review to occupy an existing 1,403 square foot tenant space at an existing strip commercial center. The request is to operate a childcare center with an associated outdoor space in the rear parking lot. The subject property is located at 3166 Contra Loma Boulevard (APN 076-550-007).



## **ENVIRONMENTAL**

This project is Categorically Exempt from the provisions of CEQA, pursuant to Article 19, Section 15301 – Existing Facilities. This section of CEQA exempts projects that:

- Consist of the operation of existing public or private structures.
- Involve negligible or no expansion of an existing use beyond that existing at the time of the lead agency determination.

## **ANALYSIS**

### **Issue #1: Project Overview**

The applicant is proposing to operate a day care and after-school programs center for up to 35 students in an existing 1,403 +/- square foot tenant space at Contra Loma Plaza, an existing strip commercial center.

The subject property is within the Neighborhood/Community Commercial designation of the General Plan and zoned C-2. Day care centers are permitted in C-2 zone with the approval of a use permit.

The center aims to provide year-round services for day care and after-school programs, offering nutritional breakfast, lunch, and snacks approved by the State of California nutritional program. A recommended condition of approval has also been added to ensure all food preparation and packaging meets the requirements of Contra Costa County Environmental Health.

Additionally, the day care center will implement a daily curriculum, and all staff members will be fully qualified to work at a day care center. The program emphasizes an educational and enriching day care experience, with proposed operating hours from 7:00 am to 6:00 pm, Monday through Friday.

The applicant proposes tenant improvements within the existing space, incorporating four classrooms totaling 599 +/- square feet, an entrance lobby, kitchen, and four bathrooms. Furthermore, a designated covered play area of 1,517 square feet is proposed at the rear of the building, which will result in the blocking of some existing parking spaces. The applicant proposes to use a 1-inch-thick firestone rubber mat for the play area. The outdoor space will be enclosed with five feet tall removable barriers, which the applicant intends to put up and take down each day. It will not be a permanent fence installed in the parking lot.

### **Issue #2: Parking and Circulation**

Antioch Municipal Code § 9-5.1703.1 requires day cares to provide one space per employee on the largest shift plus one space per eight children. Based on the applicant's

project description, 4 staff members will be needed. Additionally, in order to meet the parking requirement for daycares to provide one additional parking space per eight children, an additional 5 spaces would need to be provided for the 35 students. In total, 9 parking spaces are needed for day care use. The shopping centers use a standard five spaces per 1,000 square foot and this use would not generate a parking concern above the standard allocation.

## **ATTACHMENTS**

- A. Resolution
- B. Applicant's Project Description
- C. Applicant's Project Plans

**ATTACHMENT "A"**

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

**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.

\* \* \* \* \*

**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.

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**KEVIN SCUDERO**  
**ZONING ADMINISTRATOR**

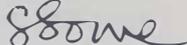
## ATTACHMENT "B"

October 30, 2023

Antioch Planning Department

Z & J Clubhouse childcare center will be open at 7am- Monday-Friday and close at 6pm. We will provide year around services for childcare in the community. We will serve nutritional breakfast, lunch, and snacks approved by the state of California nutritional program. The Childcare center will have a daily curriculum that will be in place every day. Staff members will be fully qualified to work at the childcare center. We will provide a safe, educational and fun place for children to come while their parents are at work.

Thank



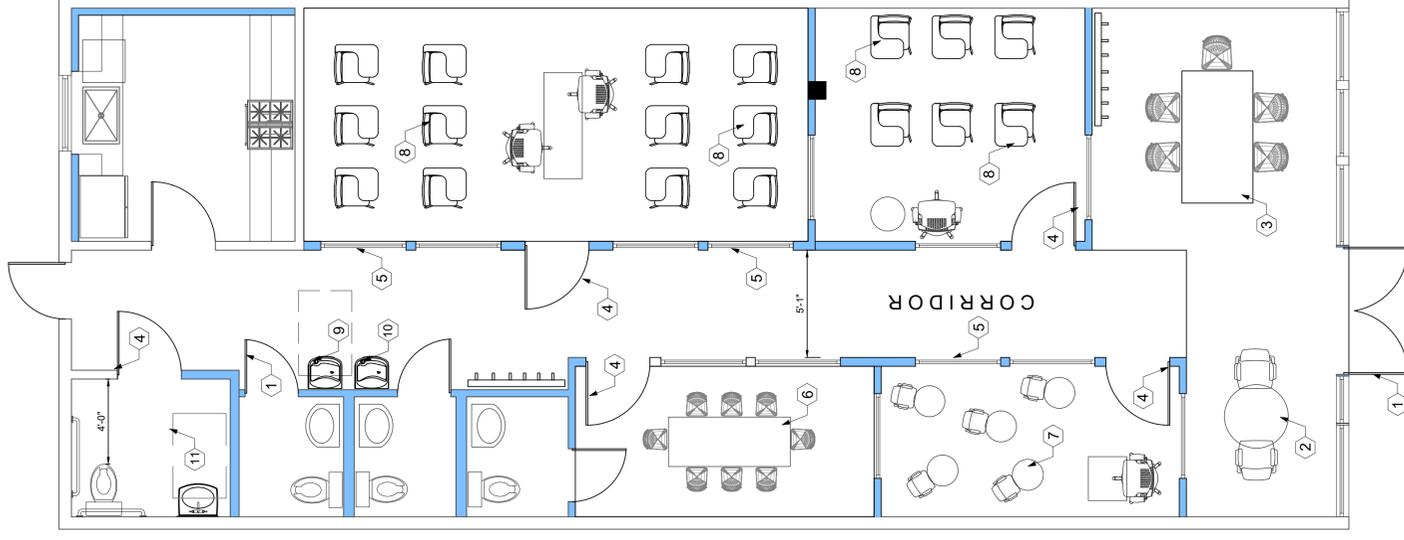
Z&J Clubhouse Childcare Center

Freda Stowe

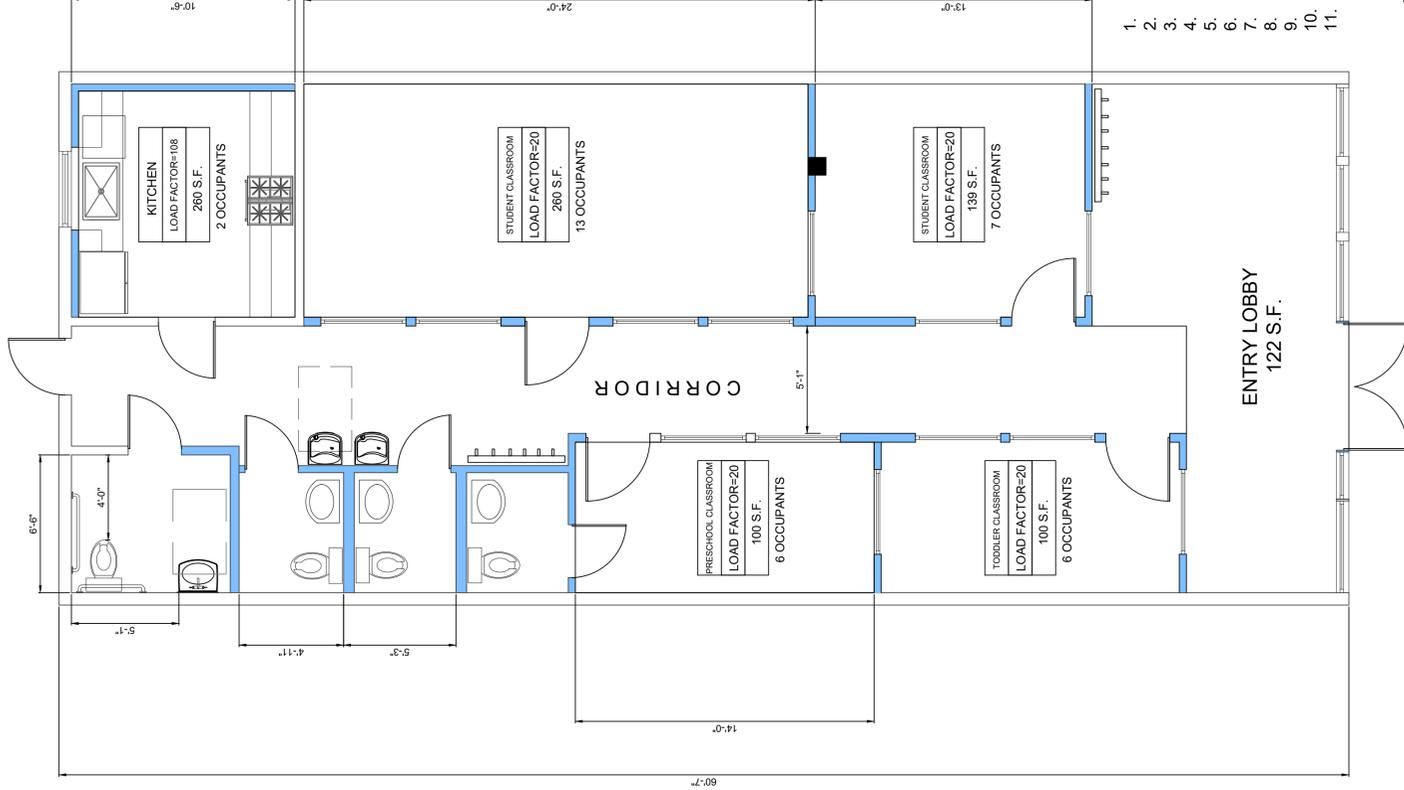
510-867-8259

fstowe1@aol.com

# ATTACHMENT "C"



2 PROPOSED FLOOR PLAN - TOTAL OCC. = 40  
 Contra Loma Plaza Unit 3166 Antioch, Ca SCALE: 1/4" = 1'-0"  
 1,403 S.F.



1 PROPOSED OCCUPANCY PLAN - TOTAL OCC. = 40  
 Contra Loma Plaza Unit 3166 Antioch, Ca SCALE: 1/4" = 1'-0"  
 1,403 S.F.

1. 3070 SELF-CLOSING DOOR
2. GUEST WAITING AREA
3. FAMILY CONFERENCE AREA
4. 3070 CLASSROOM DOOR
5. 4070 TEMPERED GLASS PANEL
6. CLASS WORK STATION
7. TODDLER DESKS
8. FULL-SIZE CLASS DESK
9. ACCESSIBLE DRINKING FOUNTAIN
10. DRINKING FOUNTAIN
11. 30x48 CLEAR SPACE

GROSS INTERNAL AREA  
 FLOOR PLAN 1,403 sq. ft  
 TOTAL: 1,403 sq. ft

