

STAFF REPORT TO THE ZONING ADMINISTRATOR FOR CONSIDERATION AT THE MEETING OF SEPTEMBER 9, 2021

Prepared by: Kevin Scudero, Senior Planner

Approved by: Forrest Ebbs, Community Development Director

Date: September 9, 2021

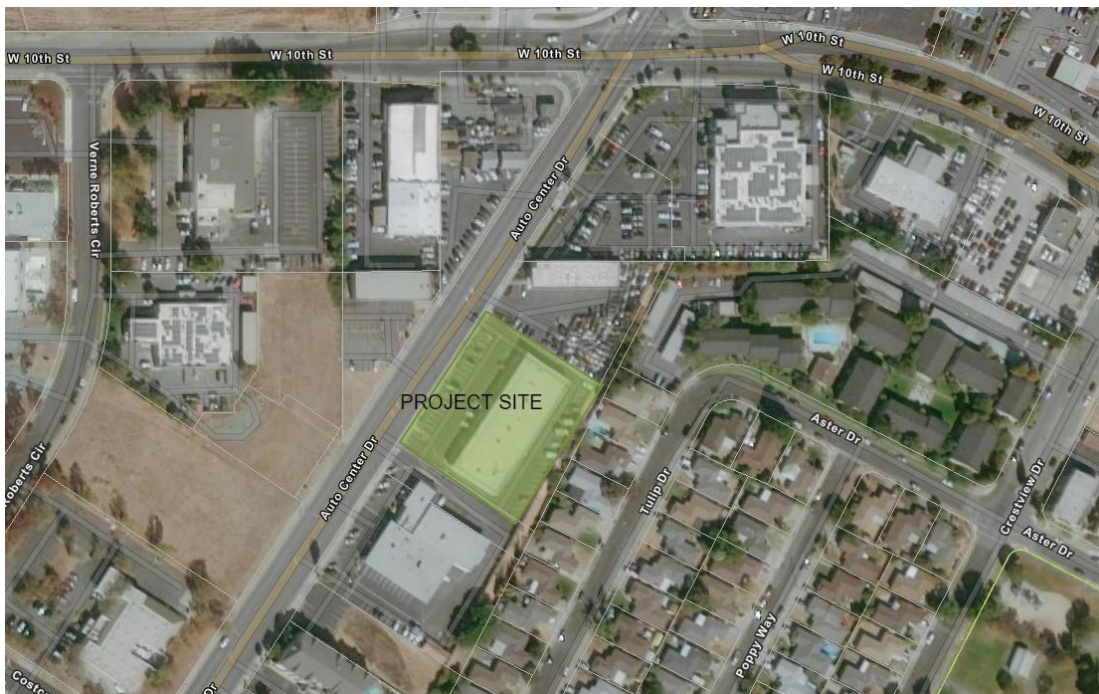
Subject: Cole Vocational Services (UP-21-11)

RECOMMENDATION

It is recommended that the Zoning Administrator **APPROVE** a use permit allowing an adult day program at 1201 Auto Center Drive, subject to the conditions contained in the attached resolution.

REQUEST

Cole Vocational Services requests approval of a use permit to operate an adult day program for up to 60 people. The subject property is located at 1210 Auto Center Drive (APN 074-160-013).



ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to 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 proposes to operate an adult day program that provides vocational and independent living programs for adults with developmental disabilities. The program will be licensed for 60 clients through the Department of Social Services – Community Care Licensing. The office hours of operation are 7:30 AM – 5:00 PM Monday through Friday. The clients will arrive in vans provided by an outside agency and employees' personal vehicles and public transportation will be used to transport clients to and from the community to their paid/volunteer jobs, and other community resources of interest.

The program will serve individuals in a center-based environment. The ratio of staff to clients will be 1 to 3, though the actual ratio may be higher depending on the needs of the individual. All clients are expected to participate in activities outside of the center at a minimum of 2 times per week for 2 hours. Support hours are flexible according to the needs of the individual though most clients will receive services between the hours of 8:00 AM and 2:00 PM.

The applicant's project description is provided as Attachment "B".

The General Plan designation of the property site is Neighborhood Commercial and the site is zoned Neighborhood Commercial District (C-2). Day care uses are permitted in C-2 with the approval of a use permit.

Issue #2: Parking and Circulation

The 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, which in this case is an adult participant. Based on the applicants' project description, there will be 24 employees which would require 24 spaces to meet the Municipal Code requirement. Additionally, in order to meet the parking requirement for daycares to provide one additional parking space per eight participants, an additional 7.5 spaces would need to be provided for the 60 participants. In total, a minimum of 31.5 parking spaces would be needed for the use.

The entire shopping center shares 59 parking spaces which is adequate to support the proposed use.

The program's operation would have minimal impact on the circulation of the center. The clients will arrive to the center in vans provided by an outside agency. The program would not create the typical pick up and drop off situation of a child day care, where all the children are picked up or dropped off in individual vehicles in a short amount of time. In order to prevent a circulation problem from developing in the future, staff has made it clear in the resolution that this approval would only be for an adult day care program and that the program shall pick up and drop off participants in the community.

ATTACHMENTS

- A. Resolution
- B. Applicants' Project Description
- C. CCCFD Letter

ATTACHMENT A

Resolution

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2021-****

**RESOLUTION OF THE CITY OF ANTIOCH ZONING ADMINISTRATOR
APPROVING A USE PERMIT (UP-21-17) FOR AN ADULT DAY CARE PROGRAM
LOCATED AT 1201 AUTO CENTER DRIVE**

WHEREAS, Cole Vocational Services request approval of a use permit to operate an adult day care program. The subject property is located 1201 Auto Center Drive (APN 074-160-013).

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 September 9, 2021, 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 adult day care 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 Commercial (C-2). The City of Antioch Municipal Code allows day cares with the approval of a use permit in the Neighborhood 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 proposed adult day care will take place in an existing commercial building and will not require any alterations to the site. 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 Auto Center Drive, 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 Commercial and is located in an existing retail center.

NOW THEREFORE BE IT RESOLVED, the Zoning Administrator of the City of Antioch does hereby **APPROVE** UP-21-17, to allow an adult day care program at 1201 Auto Center Drive (APN 074-160-013), 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 September 9, 2023), 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 August 10, 2021 (Attachment C to the Staff Report).

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 an adult day care program with a maximum of 60 adult participants. A supplemental use permit shall be required to serve more than 60 participants.

* * * * *

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 9th day of September, 2021.

FORREST EBBS
ZONING ADMINISTRATOR

ATTACHMENT B

Applicants' Project Description



Cole Vocational • First Step • Unlimited Quest

Cole Vocational Services

Corporate: 9166 Anaheim Place Ste.200 Rancho Cucamonga, CA 91730
Telephone: (909) 483-2505 Fax: (909) 484-2899

Site Location: 1201 Auto Center Drive, Antioch, CA 94509

PROPOSED USE OF SITE

We are funded by the State of California, Department of Developmental Services to provide vocational and independent living training programs for adults with developmental disabilities. The program will be licensed for (60) clients through the Department of Social Services – Community Care Licensing (CCL). There are two managers to supervise and provide training for the support staff.

The office hours of operation are 7:30am – 5:00pm Monday through Friday. The clients will arrive in vans provided by an outside agency. We use employee personal vehicles and public transportation to transport clients to and from the community to their paid/volunteer jobs, and other community resources of interest.

DESCRIPTION of SERVICES

This program will serve up to 60 individuals in a center-based environment. The center shall be accessible to community resources, shopping, recreation, and transportation. The ratio of staff to clients shall be 1 to 3, though the actual ratio may be higher depending on the needs of the individual, the recommendation of the Support Team, and funding availability. All clients are expected to participate in activities outside of the center at a minimum of 2 times per week for 2 hours, though Cole Vocational Services anticipates that actual time in the community will be higher. Support hours are flexible according to the needs of the individual though most consumers receive services between the hours of 8:00 AM and 2:00 PM.

Based on the consumer's need, Cole Vocational Services uses several instructional approaches in training. Cole Vocational Services believes there is always another way to accomplish a task. Staff, and the interaction with the consumers served, provides an atmosphere of "trial and error" that is conducive to a positive and suitable learning and growth experience.

Consumers have the opportunity to interact with people with diverse skills and personalities. The group process provides an arena for personal interaction with participation in activities that establish partnerships and satisfy each person's individual service plan objectives.

Our clients learn how to access community resources such as volunteer/paid jobs, public transportation, libraries, banks, post offices, colleges, and recreational centers. At the program, our staff works with the clients to train on personal hygiene, interviewing and computer skills, gardening, arts and crafts, hobby development, exercise, movement and fitness, and meal preparation.



Cole Vocational • First Step • Unlimited Quest

Cole Vocational Services emphasizes continuous staff interaction with each consumer served, provision of opportunities for choice making and incorporation of personal preferences into activities. Frequent positive verbal praise, modeling, and the principles of partial and active participation are used. Prompt hierarchy is utilized as the teaching strategy of choice, e.g. natural cue to full physical assistance.

SERVICE DAYS and HOURS of OPERATION:

Consumers receive five (5) hours of support per day, five days per week. (Monday through Friday), 12 months a year, excluding the major holidays. The hours of services are between 8:00am to 2:00pm, Monday through Friday.

STAFFING RATIO:

The staffing ratio is 1:3 – one support staff (employee) with three clients. Enriched staffing ratio is also available based on the consumer's individual need.

TRANSPORTATION:

Clients arrive to the program in vans provided by an outside agency. The clients access the program site and the community throughout the day at our program. We use employee personal vehicles and public transportation to transport clients to and from the community to their paid or volunteer jobs and other community resources of interest. Our clients arrive in buses and vans that do not remain on site. Cole Vocational Services has one van that is parked offsite in a secure location during non-program hours and is also used to transport our clients during program hours. Our clients do not transport themselves to our facilities.

PARKING:

Our needs only require no more than (26) parking spaces. Our parking needs consists of (24) parking spaces for our employees and (2) handicap space with a loading/unloading area near the entrance.

The designated loading and unloading area will accommodate three vans during peak times of staff and client arrival times.

PUBLIC SAFETY

Cole Vocational Services is aware of public safety issues that neighboring business and city officials may have with our type of usage in this commercial/residential area. We currently operate 50 similar facilities throughout California. The programs are located in commercial offices, multi-use office/industrial parks, and retail/commercial locations. We have been successful in providing our services to our clients with no adverse impact on neighboring businesses.

ATTACHMENT C

**Contra Costa County
Fire Protection District (CCFPD) Letter**

Contra Costa County



Fire Protection District

August 10, 2021

Mr. Scudero
City of Antioch
Community Development
PO Box 5007
Antioch, CA 94531-5007

Subject: Cole Vocational Services
1201 Auto Center Dr. Antioch
Project # UP-21-11
CCCFPD Project No.: P-2021-04152

Dear Mr. Scudero:

We have reviewed the land use permit application to establish an adult day care in an existing building 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), the 2019 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. Access as shown appears to comply with Fire District requirements.

Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons (503) CFC

2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC

Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC

3. Access gates for Fire District apparatus shall be a minimum of 20-feet wide. Access gates shall slide horizontally or swing inward and shall be located a minimum of 30 feet from the street. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. (D103.5) CFC.
4. The developer shall provide an adequate and reliable water supply for fire protection as set forth in the California Fire Code. (507.1) CFC

5. A land development permit is required for access and water supply review and approval prior to submitting tenant improvement plans.

The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating:

All existing or proposed hydrant locations,
Fire apparatus access,
Elevations of building,
Size of building and type of construction,
Striping and signage plan

This is a separate submittal from the tenant improvement plans. These plans shall be approved prior to submitting tenant improvement plans for review. (501.3) CFC

6. Changes of use or occupancy. This appears to be a change in use. Previous use was a mercantile (M) occupancy. Proposed occupancy would be an I-4. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code. (§102.3) CFC
7. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC
8. Flammable or combustible liquid storage tanks shall **not** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC
9. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC
10. The owner or the owner's authorized agent shall be responsible for the development, implementation and maintenance of a written plan establishing a fire prevention program at the project site applicable throughout all phases of the construction. The plan shall be made available for review by the fire code official upon request. (Ch.33) CFC

The fire prevention program superintendent shall develop and maintain an approved prefire plan in cooperation with the fire chief. The fire chief and fire code official shall be notified of changes affecting the utilization of information contained in such prefire plans. (Ch.33) CFC

11. The developer shall submit a minimum of two (2) complete sets of tenant improvement plans and specifications for the subject project to the Fire District. After the tenant improvement plans are approved, plans and specifications for all deferred submittals shall be submitted, including, but not limited to the following.
 - Private underground fire service water mains
 - Fire sprinklers
 - Fire alarm

Plans shall be submitted to the Fire District for review and approval **prior to** construction of the building or installation of the systems to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

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 "Todd Schiess", with a stylized flourish at the end.

Todd Schiess
Fire Inspector I

cc: Horrigan Cole Enterprises
 Hector Hernandez
 hector.hernandez@thementornetwork.com

File: 1201 AUTO CENTER DRIVE-PLN-P-2021-04152