

**Exhibit A**

**RECOMMENDED FINDINGS OF FACT  
Resolution 2021-007**

**PLN20-0035  
110 San Leandro Blvd., APN 075-0223-001-00  
Y. Sharma (Applicant/Property Owner)**

The Board of Zoning Adjustments hereby approves PLN20-0035, subject to the following findings:

**PARKING EXCEPTION FINDINGS**

- 1. The strict application of the provisions of this Code would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.**

The strict application of the parking requirements of the Zoning Code would cause particular difficulty and undue hardship since the property has no on-site parking. The property is 701 square feet in size and the existing building is 656 square feet in size. The site with the building is a small and sits at the intersection of San Leandro Blvd. and Apricot Street on the border with the City of Oakland and is on an irregularly shaped lot.

The building was previously used for a residential use and now is proposed to be used for catering services. Adequate street parking is readily available in the immediate vicinity of the site and will compensate for the shortage of two required on-site parking spaces under the Zoning Code. Approval of a Parking Exception in this instance is suitable because the required two parking spaces and loading/unloading for the catering services use can be accommodated within the existing public right-of-way.

There is physical hardship presented by the shape of the property and the existing building development. Due to the property's developed area and footprint, imposing the required on-site parking would create an undue hardship as there are no practical alternatives to reasonably accommodate additional parking spaces without eliminating the existing building on-site. Approval of the Parking Exception accommodates a site and use that is located on a mixed-use block.

- 2. That the establishment, maintenance and/or conducting of off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this Code as are reasonably possible.**

The existing street parking is within the public right-of-way, as maintained by the City of San Leandro and the City of Oakland, is in compliance with the requirements of the Zoning Code, and would otherwise be available for the use of the site, mix of uses on the block and residents of the neighborhood regardless of a Parking Exception. Granting a parking exception to allow a new catering services use would contribute to the economic growth of the City and support a small business. The catering services parking need would minimally impact the surrounding area due to minimal traffic expected to the site from on-site supply delivery to catering deliveries made off-site. The lack of required parking spaces on-site is not considered as impactful since the previous residential use also required two on-site parking spaces and was unable to provide those spaces. The catering services use will have the same amount of parking deficiency as the previous use, thus, granting an exception to parking standards is considered reasonable at this location.

3. **That the provision of additional parking measures for projects shall be allowed to include car share features, transit passes for tenants in residential, commercial, or mixed-use developments, and within one-quarter mile proximity to a transit corridor or other transit facility including a bus stop or BART station.**

The applicant has submitted a Parking Exception request to allow a reduction in the required parking for the 656 square foot building to operate as a catering services use. There is no on-site parking, but the surrounding neighborhood has been evaluated and street parking is available. The general vicinity consists of commercial and residential uses. The project site is served by AC Transit's 45 and 1T bus lines, which has bus stops within approximately six blocks of the project site. The applicant will be providing Clipper Cards and would subsidize transit travel for employees.

### **CEQA ENVIRONMENTAL REVIEW**

The Board of Zoning Adjustments finds that this item (PLN20-0035) is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15301 Existing Facilities that involves minor alterations and negligible expansion of use with interior and exterior improvements. A catering services use in the Commercial Community (CC) Zoning District is a permitted use that does not normally trigger discretionary review and would otherwise not be subject to the California Environmental Quality Act.