

**RECOMMENDED
FINDINGS OF FACT FOR APPROVAL**

**PLN15-0032
1517 East 14th Street
Alameda County Assessor's Parcel Number 077-0545-031-00
Long Beer'd LLC (applicant) and
B. Gordon, J. Gordon, J. Mitchell (property owners)**

The Board of Zoning Adjustments hereby approves the Conditional Use Permit and Categorical Exemption from CEQA for the proposed bar within the existing 1517 East 14th Street, subject to the following findings:

Conditional Use Permit Findings

- 1. That the proposed location of the use is in accordance with the objectives of this Code and the purposes of the district in which the site is located.**

Bars are permitted in the DA-1 – Downtown Area-1 Zoning District with a Conditional Use Permit (Section 2-636.B.2). The proposed use would be subject to certain limitations to avoid adverse effects on adjacent uses and properties. The use is in accordance with the purpose of the DA-1 Zoning District, which is to provide uses which improve the mix of retail service businesses Downtown. The introduction of the bar will be compatible with the adjacent commercial uses in the Pelton Shopping Center and the surrounding Downtown. The bar adds to the concentration of entertainment commercial uses in the downtown retail and service district.

- 2. That the proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing in or working in or adjacent to the neighborhood of such uses; and will not be detrimental to such properties or improvements in the vicinity or to the general welfare of the City.**

The proposed use conforms to the General Plan, which designated the property as Downtown Mixed Use. The San Leandro Zoning Code categorizes the use as a Bar which would be a new amenity as an entertainment destination within the surrounding Downtown Area, particularly in relation to the complimentary surrounding uses. Amenities such as the proposed bar would benefit the concentration of commercial uses and help to revitalise the Downtown to become the geographical and social heart of the City.

The proposed bar at this site ensures that the following General Plan goal and policies are achieved: Goal 6.02, 7.06 and 8.02:

Retail Service Improvements – develop and implement business development strategies that improve the mix of retail service businesses Downtown, with an emphasis on higher-end retail shops, sit-down restaurants and entertainment uses.

Adaptive Reuse – Encourage private reinvestment in vacant or underutilized industrial and commercial real estate to adapt such property to changing economic needs, including the creation of flex/office space.

Retail Diversity – Encourage a diverse range of commercial uses in the city, offering goods and services that fully meet the needs of San Leandro residents and businesses. The City should recruit new businesses that: (a) fill gaps in the range of goods and services currently available; and (b) act as catalysts for attracting other retailers to the City.

With the incorporation of the recommended Conditions of Approval and adherence to the Department of Alcoholic Beverage Control (ABC) regulations, the use will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the area.

- 3. That the proposed use will comply with the provisions of this Code, including any specific conditions required for the proposed use in the district in which it would be located.**

Tenant improvements are proposed to the building, which will renew the occupancy of this older commercial building and will ensure that the building is maintained and revitalized. Building signage, and other on-site improvements, will ensure compatibility with its immediate neighbors. With the required conditional use permit and any necessary permits per State law and regulations, the bar will comply with City and State requirements.

- 4. That the proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities, which cannot be mitigated.**

The existing site is adequately served by streets, utilities and other public facilities. The City's Engineering and Transportation Department and Alameda County Fire Department staff have reviewed the site and find it acceptable for both emergency vehicle and regular traffic access and transit requirements.

California Environmental Quality Act Categorical Exemption Findings

This project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (a) of the State CEQA Guidelines. The exemption is based on the property being existing facilities to exempt this property as a use of an existing structure with minor interior alterations.