

**RECOMMENDED  
FINDINGS OF FACT FOR APPROVAL**

**PLN18-0082  
14602 Washington Avenue  
Alameda County Assessor's Parcel Number 77C-1310-9-1  
2950 Merced Park Properties LLC (applicant/property owner)**

The Board of Zoning Adjustments hereby approves the Conditional Use Permit to allow Vehicle/Equipment Repair, Limited for a Vehicle Repair and Oil Change business at 14602 Washington Avenue, and finds the project categorically exempt from CEQA subject to the following findings:

The Board of Zoning Adjustments hereby approves the Conditional Use Permit, subject to the following findings:

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

The Zoning Code requires that Vehicle/Equipment Repair, Limited in the CC Commercial Community District obtain a conditional use permit (Sections 2-606.B.48). The proposed use is in accord with the purposes of the CC District, which are to provide sites for commercial centers containing a wide variety of commercial establishments and to provide appropriately located areas for a full range of office, retail, commercial, and service commercial uses needed by residents, businesses, and visitors. The property has historically been used for Vehicle/Equipment Repair, Limited, but the statute of limitations for the prior Conditional Use Permit had ended.

The proposed use would be subject to certain limitations through the recommended conditions of approval to avoid adverse effects on adjacent uses and properties. The proposed use is conditioned to operate in an orderly manner within the site and noise impacts would be minimal as the use would be subject to the City's noise ordinance. Vehicle idling has been conditioned to be limited to less than two minutes to avoid the effects of noise and air pollution. In addition, there are conditions that prohibit the display of for sale vehicles at the site. The recommended conditions of approval will maintain the character of the commercial area, promote the use of the existing commercial area, and prevent impacts to the adjacent commercial uses.

- 2. 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 or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.**

The subject property is designated General Commercial in the City's General Plan Land Use Map. General Commercial areas correspond with "larger shopping centers, shopping districts, and commercial uses providing a broader range of goods and services and serving a broader market than the neighborhood commercial areas." "These areas also contain primarily auto-oriented uses such as hotels and motels, car dealerships, auto service and repair businesses, and construction suppliers (General Plan page 3-27), therefore, the provision of a vehicle repair and oil change business will be consistent with the City of San Leandro's General Plan for this land use designation. In addition, the following General Plan goals and policies would apply (note: LU-Land Use; ED-Economic Development):

**Policy LU-7.2** – 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 and space for technology-driven businesses.

**Goal LU-8** – Establish excellent community and neighborhood – serving retail and entertainment uses.

**Policy LU-8.5** – Commercial Uses With An Industrial Character. Maintain areas in the City that are appropriate for lumberyards, construction suppliers, automotive repair shops, and other commercial uses that are industrial in character or that typically locate in industrial areas.

**Goal LU-10** – Ensure that commercial and industrial projects are attractively designed and are sensitive to surrounding areas.

**Goal ED-1** – Attract jobs and investment across all economic sectors.

**Goal ED-2** – Create an environment in which local businesses can prosper.

This proposed use, with the incorporation of the recommended conditions of approval, will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the area since the proposed project is a re-establishment of automotive repair and oil change, commercial use at the property.

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

Vehicle\Equipment Repair, Limited is a conditionally permitted uses in the CC Commercial Community District. The Board of Zoning Adjustments, in considering the conditional use application, will require specific conditions of approval (i.e., orderly use of the property, site maintenance, adherence to proposed plans) to

ensure the proposed use will be compatible with the existing site improvements and the immediate commercial neighborhood.

- 4. 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.**

No expansion of the existing building is proposed. The property has adequate off-street parking and employee/customer parking, with the 13 on-site parking spaces. The existing property is adequately served by streets, utilities and other public facilities without detriment to the immediate area. The proposal will not significantly affect the public utilities and facilities already serving the existing immediate commercial area as it involves reuse of an existing building on a commercial site. The proposed use will not contribute to an increase in traffic or create further demands on public services.

#### **California Environmental Quality Act Categorical Exemption Findings**

This item is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 as it is an Existing Facility that involves minor alterations and negligible expansion of use; is in an area where all public services and facilities are available to allow for maximum development; and is not located in an environmentally sensitive area.