



Legislation Details (With Text)

**File #:** 20-367      **Version:** 1      **Name:** BZA Reso PLN20-0010 Day Care Facility

**Type:** Board of Zoning Adjustments Resolution      **Status:** Agenda Ready

**In control:** Planning Commission and Board of Zoning Adjustments

**On agenda:** 9/3/2020      **Final action:**

**Enactment date:**      **Enactment #:**

**Title:** RESOLUTION No. 2020-011 of the Board of Zoning Adjustments of the City of San Leandro, approving an Administrative Review, Administrative Exception, Parking Exception and Fence Modification request (PLN20-0010) to operate a general day care facility located at 201 Foothill Blvd.

**Sponsors:** Andrew Mogensen

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A PLN20-0010 Findings of Fact, 2. Exhibit B PLN20-0010 COA

Date	Ver.	Action By	Action	Result
9/3/2020	1	Planning Commission and Board of Zoning Adjustments		

**RESOLUTION No. 2020-011** of the Board of Zoning Adjustments of the City of San Leandro, approving an Administrative Review, Administrative Exception, Parking Exception and Fence Modification request (PLN20-0010) to operate a general day care facility located at 201 Foothill Blvd.

**WHEREAS**, Plazita Schools Inc. c/o Krystell Guzman (“Applicant”) and Plazita Schools Inc. (“Property Owner”) submitted an application for an Administrative Review, Administrative Exception, Parking Exception and Fence Modification requests to operate a general day care facility at 201 Foothill Blvd. (PLN20-0010) (“Project”); and

**WHEREAS**, the subject property at 201 Foothill Blvd. (“Property”) is comprised of a 6,334 square foot parcel developed with a 2,843 square foot building; and

**WHEREAS**, the Property is zoned as Residential Single-Family District (RS) and has a General Plan land use designation of Low Density Residential (RL); and

**WHEREAS**, Administrative Review is required for a general day care facility located in the Residential Single-Family Zoning District (Zoning Code Section 2.04.212.C.2). An Administrative Exception is required to allow an exception to the provisions for minimum setbacks of accessory structures in the R district and locate the proposed accessory structure in the required front yard of the property (Zoning Code Section 2.04.400.A.2.). A Parking Exception is required for the reduction of required parking spaces as specified in Section 4.08.108 Off-Street Parking and Loading Spaces (Zoning Code Section 5.08.124). A Fence Modification is required to allow a six-foot tall fence located along the street side property line of the corner lot (Zoning Code Section 4.04.364.C); and

**WHEREAS**, the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15301 Existing Facilities, Class 1 (a) and (e)(1), which involves minor alterations to the interior and exterior of the existing building; and

**WHEREAS**, the Board of Zoning Adjustments held a duly noticed public hearing regarding the proposed Project on September 3, 2020, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Board of Zoning Adjustments fully considered the Project application and entitlements, applicant's statements, staff report, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing; and

**WHEREAS**, the Board of Zoning Adjustments finds that the staff report, Categorical Exemption per CEQA, and standards for approval reflects the City's independent judgement and analysis of the Project; and

**WHEREAS**, the Board of Zoning Adjustments finds the proposed Project does satisfy the requisite findings of fact necessary for approval as further explained in the staff report and the findings of fact associated with this Resolution, as identified in "Exhibit A" attached to this Resolution; and

**WHEREAS**, the City's General Plan and Zoning Code are incorporated herein by reference, and are available for review at City Hall during normal business hours and on the City's website.

**NOW, THEREFORE, BE IT IS RESOLVED THAT:** The above and forgoing recitals are true and correct and made a part of this resolution.

**BE IT FURTHER RESOLVED THAT:** The Board of Zoning Adjustments of the City of San Leandro does hereby make the following findings and determinations regarding the proposed project:

1. The Board of Zoning Adjustments of the City of San Leandro does hereby make the necessary findings and determinations required by Section 5.08.124 of the San Leandro Zoning Code to approve the requested Parking Exception to allow for a reduction in the required parking to accommodate the operation of a general day care facility located at 201 Foothill Blvd., as further explained in the staff report and findings of fact for approval as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.
2. The Board of Zoning Adjustments of the City of San Leandro does hereby make the necessary findings and determinations required by Section 2.04.212.C.2 and Section 2.04.400.A.2 of the City of San Leandro Zoning Code to approve an Administrative Review request to permit the operation of a general day care facility and approve an Administrative Exception to allow the installation of an accessory structure in the required front yard located at 201 Foothill Blvd., as further explained in the staff report and findings of fact for approval as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.
3. The Board of Zoning Adjustments of the City of San Leandro does hereby make the necessary findings and determinations required by Section 4.04.364. C of the San Leandro

Zoning Code to approve a Fence Modification request to allow for the installation of a six-foot tall fence located along the street side property line of the corner lot accommodate the general daycare facility located at 201 Foothill Blvd., as further explained in the staff report and findings of fact for approval as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.

4. Based on the findings and determinations, the Board of Zoning Adjustments of the City of San Leandro does hereby approve an Administrative Review, Administrative Exception, Parking Exception, and Fence Modification applications for PLN20-0010 allowing the operation of a general day care facility to care for a maximum of 50 children at 201 Foothill Blvd. subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.