



Legislation Text

File #: 19-421, **Version:** 1

RESOLUTION No. 2019-008 of the Board of Zoning Adjustments of the City of San Leandro, approving Major Site Plan Review for PLN18-0091 at 2540 West Avenue 133rd.

WHEREAS, Kenneth T. Ngai (“Applicant”) submitted an application for Major Site Plan Review to allow for the remodel of the existing residence with a garage addition and construction of a new two-story duplex for a total livable area of 7,244 square feet at 2540 West Avenue 133rd (PLN18-0091) (“Project”); and

WHEREAS, 2540 West Avenue 133rd (“Property”) is comprised of a 17,159 square foot lot; and

WHEREAS, the Property is zoned RO Residential Outer District (RO) and has a General Plan designation of Garden Residential (RG); and

WHEREAS, Zoning Code Section 2-580, Major Site Plan Review applies as the cumulative square footage for all units exceeds 6,000 square feet of livable area; and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15303(b) for New Construction or Conversion of Small Structures; and

WHEREAS, the Board of Zoning Adjustments held a duly noticed public hearing regarding the proposed Project on August 1, 2019, 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, finds 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 from CEQA, and standards for approval reflects the City’s independent judgement and analysis of the Project; and

WHEREAS, the Board of Zoning Adjustments finds that 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 the 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 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 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 2-580.H of the City of San Leandro Zoning Code to approve the requested Major Site Plan Review for the remodel of the existing residence with a garage addition and construction of a new two-story duplex for a total livable area of 7,244 square feet at 2540 West Avenue 133rd, 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. Based on the findings and determinations, the Board of Zoning Adjustments of the City of San Leandro does hereby approve Major Site Plan Review PLN18-0091 allowing for the remodel of the existing residence with a garage addition and construction of a new two-story duplex for a total livable area of 7,244 square feet at 2540 West Avenue 133rd subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.