



## Legislation Text

---

**File #:** 21-351, **Version:** 1

---

PLN20-0035; Parking Exception for a Catering Services use at 110 San Leandro Boulevard. Zoning District: CC (Commercial Community); Alameda County Assessor's Parcel Number (APN): 075-0223-001-00; Applicant/Property Owner: Y. Sharma.

### **SUMMARY AND RECOMMENDATION**

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 at 110 San Leandro Boulevard, per Zoning Code Section 5.08.124. The subject property is zoned CC Commercial Community District. The lack of required on-site parking for the catering services use requires approval of a Parking Exception from the Board of Zoning Adjustments.

Staff recommends that the Board of Zoning Adjustments Adopt Resolution 2021-007, approving the Parking Exception for a catering services use at 110 San Leandro Boulevard, PLN20-0035, based on the Findings of Fact and subject to the Conditions of Approval.

### **APPLICANT STATEMENT**

See attached.

### **RELATIONSHIP TO SURROUNDING AREA/BACKGROUND**

The property is approximately 701 square feet in size and the existing vacant building is 656 square feet in size. The building was built in 1925 and was previously used as a residential use. The site with the building is a small and sits at the intersection of San Leandro Boulevard and Apricot Street on the border with the City of Oakland and is on an irregularly shaped lot. The existing lot has no on-site parking.

The adjacent properties to the north are located in the City of Oakland. The properties across the street and to the east are zoned RS Residential Single-Family and RD Residential Duplex. The BART tracks are located to the west and to the south the properties are zoned IL Industrial Limited. These nearby properties are developed with commercial, single-family residential, multi-family residential, and industrial uses.

### **PROPOSAL**

The proposal is to use the existing vacant ±656 square foot single-story building for a commercial catering services use. The building would be converted by the applicant owner into a Fiji Indian catering company that would serve the communities of San Leandro, Oakland, and Hayward. The business would operate Monday through Sunday from 10:00 a.m. to 9:00 p.m. The business would

have four employees, with only 2-3 on-site for a shift. The applicant will supply employees with a clipper card for subsidized public transit travel. Trip generation for the catering services use would include on-site delivery of produce/supplies once a week and catering deliveries off-site.

## **STAFF ANALYSIS**

A catering services use in the Commercial Community (CC) Zoning District is a permitted use that does not normally trigger discretionary review. The Commercial Community (CC) Zoning District, is an area zoned to provide sites for commercial centers containing a wide variety of commercial establishments, including banking and financial establishments and businesses selling home furnishings, apparel, durable goods, and specialty items and generally having a citywide market area. The proposed use would be a commercial use having a citywide market area and would use an existing vacant building.

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). 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. 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.

The nearby 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. Loading/unloading for the catering services use can be accommodated within the existing public right-of-way. 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.

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. With the recommended Conditions of Approval, staff is able to recommend Board approval of the Parking Exception based on the Recommended Findings of Fact attached to the Resolution 2021-007.

## **GENERAL PLAN CONFORMITY**

The General Plan designates this site within the Corridor Mixed Use area (MUC). This designation allows a mix of commercial and residential uses oriented in a linear development pattern along major transit-served arterials such as East 14th Street. A range of commercial and office uses is permitted, primarily serving neighborhood and community needs. A catering services use will be consistent with the City of San Leandro's General Plan for the MUC land use designation by providing a commercial business that will serve the community's needs. The proposed use has been evaluated and is not anticipated to be detrimental to the public health, safety or welfare and would not be detrimental to properties and improvements in the surrounding area. The following General Plan goals and policies 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.

**Policy LU-3.4 Promotion of Infill.** Encourage infill development on vacant or underutilized sites within residential and commercial areas.

**GOAL ED-2.** Create an environment in which local business can prosper.

**Policy ED-2.7 - Small Businesses.** Create a supportive environment for small businesses, particularly locally-owned retail and service businesses Downtown and in the city's neighborhood centers.

## **ENVIRONMENTAL REVIEW**

This item (PLN20-0035) is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 for Existing Facilities that involves minor alterations and negligible expansion of use with interior and exterior improvements.

## **PUBLIC OUTREACH**

This item received standard noticing for the July 1, 2021 Board of Zoning Adjustments hearing, including a legal advertisement in the East Bay Times Daily Review newspaper, the posting of notices at City Hall and on the property, and mailing notification to property owners within 500 feet of the subject property.

## **RECOMMENDATION**

The catering services use conforms both to the City's Zoning Code and to the General Plan. Any potential issues associated with the parking exception will be addressed by the implementation of the recommended Conditions of Approval. Staff therefore recommends that the Board of Zoning Adjustments motion to adopt Resolution 2021-007, approving the Parking Exception for a catering services use at 110 San Leandro Boulevard, PLN20-0035, based on the Findings of Fact and subject to the Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map  
Applicant Statement  
Plan Exhibits A - D  
Resolution 2021-007 with Recommended Findings and Conditions of Approval

PREPARED BY:  
Anjana Mevani, AICP  
Senior Planner, Planning Services Division