



Legislation Text

File #: 19-179, **Version:** 1

RESOLUTION No. 2019-003 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit, Site Plan Review, Parking Exception, and Administrative Exception for PLN17-0059 at 2181 Doolittle Drive.

WHEREAS, Niknat Investors LLC (“Applicant”) submitted an application for Conditional Use Permit, Site Plan Review, Parking Exception, and Administrative Exception to build a new 3,539 square foot retail building at 2181 Doolittle Drive (PLN17-0059) (“Project”); and

WHEREAS, 2181 Doolittle Drive (“Property”) is comprised of a 20,519 square foot lot that is part of a small shopping center that also includes the adjacent lot at 2117 Doolittle Drive, which is 9,364 square feet in size; and

WHEREAS, the Property is zoned CN(S) Commercial Neighborhood District (Special Review Overlay District) and has a General Plan designation of Neighborhood Commercial (CN); and

WHEREAS, Conditional Use Permit is required for establishment of a new structure in the Special Review Overlay District (Zoning Code Section 3-1306.A). Site Plan Review is required for a commercial development that requires a use permit and development of a non-residential new structure that is greater than 2,500 square feet (Zoning Code Section 5-2502.A & B.3.a). A Parking Exception is required for not meeting the parking requirement set by Zoning Code Section 4-1704. Administrative Exception is required for not meeting the daylight plane regulations for commercial parcels located adjacent to residential districts (Zoning Code Section 2-680.B.3.a & e. and 2-699); and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15303(c) 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 April 4, 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 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 2-699 and 5-2212 of the City of San Leandro Zoning Code to approve the requested Conditional Use Permit, Site Plan Review, Parking Exception, and Administrative Exception for a new retail building at 2181 Doolittle Drive, 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 Conditional Use Permit, Site Plan Review, Parking Exception, and Administrative Exception PLN17-0059 allowing for a new retail building at 2181 Doolittle Drive subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.