



## Legislation Details (With Text)

<b>File #:</b>	15-425	<b>Version:</b>	1	<b>Name:</b>	SR BZA Continuation of Public Hearing Item PLN2014-00063
<b>Type:</b>	Staff Report	<b>Status:</b>	Filed	<b>In control:</b>	Board of Zoning Adjustments
<b>On agenda:</b>	7/9/2015	<b>Final action:</b>	7/9/2015		
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	CONTINUATION OF PUBLIC HEARING ITEM PLN2014-00063; Conditional Use Permit; for assembly use for the Ming Dang Center, a religious institution/prayer center, at 2015 Laura Avenue; Alameda County Assessor's Parcel Number 77A-655-144-1; Chien-Wang Chiang - Ming Dang Temple (applicant/property owner); RS Residential Single-Family District.				
<b>Sponsors:</b>	Cynthia Battenberg				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. SR Ming Dang Center 05-07-15 (File 15-286), 2. Ming Dang Center Traffic Analysis				

Date	Ver.	Action By	Action	Result
7/9/2015	1	Board of Zoning Adjustments	Received and Filed	Pass

**CONTINUATION OF PUBLIC HEARING ITEM PLN2014-00063; Conditional Use Permit;** for assembly use for the Ming Dang Center, a religious institution/prayer center, at 2015 Laura Avenue; Alameda County Assessor's Parcel Number 77A-655-144-1; Chien-Wang Chiang - Ming Dang Temple (applicant/property owner); RS Residential Single-Family District.

### BACKGROUND

On May 7, 2015, the Board of Zoning Adjustments (BZA) heard public hearing item PLN2014-00063, Conditional Use Permit for assembly use to allow the Ming Dang Center (Center), a religious institution/prayer center, at 2015 Laura Avenue. The original staff report and attachments presented at the May 7, 2015 BZA meeting are attached.

At the conclusion of the public hearing, the BZA voted to continue the item to June 4, 2015 to receive additional traffic information and enable review with the BZA members in full attendance. In order to obtain the additional traffic information the item was rescheduled to the July 9, 2015 BZA meeting.

### SUMMARY AND RECOMMENDATION

The proposal is for assembly use to allow the Ming Dang Center (Center), a religious institution/prayer center, at 2015 Laura Avenue. Section 1-304 of the Zoning Code defines facilities for religious worship and incidental religious education as Assembly Uses. Since the property is zoned RS Residential Single-Family District, the San Leandro Zoning Code Section 2-506.B.2 stipulates that Assembly Uses in the RS zoning district require approval of a Conditional Use Permit.

The proposed exterior renovations of new paint, canopy, landscaping, and fencing at the site are designed to integrate into the surrounding neighborhood context, and are not likely to have impacts on neighboring properties. The proposal meets the Zoning Code's parking requirement, traffic will be minimal, and noise would be nominal from the meditation and prayer activities. With the implementation of the recommended Conditions of Approval, the applicant/property owner will operate and maintain the Center in an orderly manner, without significant detriment or burden to the immediate area, as it

relates to the proposed use. Staff recommends that the Board of Zoning Adjustments A) adopt the California Environmental Quality Act categorical exemption, B) adopt the recommended Findings of Fact, and C) approve Conditional Use Permit PLN2014-00063 subject to the attached recommended Conditions of Approval.

## **TRAFFIC ANALYSIS**

Under the supervision of the City's Engineering & Transportation Department, a traffic analysis was conducted by PHA Transportation Consultants. The analysis followed the City's traffic study guidelines. The traffic analysis has been reviewed and approved by the City's Senior Transportation Engineer.

The traffic analysis evaluated project trip generations, parking needs, traffic speeds, and the need for a multi-way stop control at the intersection of Laura and Warden Avenues. Based on the results of the traffic surveys and above analyses, the proposed Ming Dang Center would not generate trips on weekdays. However, it could generate 18 trips when meetings are held on Saturdays and Sunday with full attendance and may need 9 parking spaces.

During holidays such as the Chinese New Year and Mid-Autumn Moon festival when attendance would have approximately 45 members, the center could generate 40 trips (20 inbound and 20 outbound based on a 2.25 vehicle occupancy ratio) and would need 20 parking spaces. The 21 parking spaces on the proposed site would be able to accommodate the estimated parking needs.

In terms of volume and traffic speeds, Warden Avenue currently carries about 3,000 vehicle trips daily with an average speed about 20 mph south of Laura Avenue, but above 33 mph north of Laura Avenue. Laura Avenue currently carries about 500 daily vehicle trips with an average vehicle speed of 23 mph, which is in compliance with the speed limits for the residential street. Furthermore, based on the evaluation of current traffic volumes and the collision history, the intersection of Warden Avenue and Laura Avenue would not meet the minimum requirement for a multi-way stop controlled intersection.

## **PUBLIC OUTREACH**

A notice of the May 7, 2015 public hearing was sent to property owners and businesses within 500 feet of the subject property. A legal advertisement was published in the Daily Review and the property and the 500-foot radius was posted with placards 10 days prior to the BZA meeting. Since the matter was continued by the BZA to June 4, 2015, a cancellation of public hearing item notice was sent to property owners and businesses within 500 feet of the subject property and the property was posted with a placard. A notice of rescheduled public hearing item for the July 9, 2015 meeting was sent to property owners and businesses within 500 feet of the subject property. A legal advertisement was published in the Daily Review and the property and the 500-foot radius was posted with placards 10 days prior to the July 9, 2015 BZA meeting.

Further, the property owner conducted a neighborhood visit on October 12, 2014 and documented responses and comments from the neighbors. On May 2, 2015, the property owner submitted a petition of support which was provided to the BZA at the May 7, 2015 meeting. Also, a petition of denial from neighbors and pictures were received on May 4, 2015 with additional pages and pictures provided to the BZA at the May 7, 2015 meeting.

## **ATTACHMENTS**

May 7, 2015 Staff Report with Attachments  
Ming Dang Center Traffic Analysis

Prepared by: Anjana Mepani, Planner II, Planning Services