



Legislation Text

File #: 21-244, Version: 1

RESOLUTION No. 2021-004 of the Board of Zoning Adjustments of the City of San Leandro, approving a Conditional Use Permit for PLN20-0030 at 511 Estudillo Avenue.

WHEREAS, T. D. Kieu (“Applicant”) submitted an application for Conditional Use for mixed-use residential at 511 Estudillo Avenue, zoned P Professional Office District, (PLN20-0030) (“Project”); and

WHEREAS, 511 Estudillo Avenue (“Property”), the subject site consists of a ±2,240 square foot existing commercial building on an approximately 6,738 square foot lot; and

WHEREAS, the Property is zoned P Professional Office District and has a General Plan designation of Downtown Mixed Use (MUD); and

WHEREAS, the Zoning Code requires that Mixed-Use Residential in the P Professional Office District obtain a conditional use permit (Section 2.08.252.B.13); and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 for Existing Facilities and Section 15303 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 May 6, 2021, 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 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 5.08.124 of the City of San Leandro Zoning Code to approve the requested Conditional Use Permit for mixed-use residential at 511 Estudillo Avenue, 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 for PLN20-0030 allowing for mixed-use residential at 511 Estudillo Avenue subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.