



## Legislation Text

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**File #:** 21-750, **Version:** 1

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**RESOLUTION 2021-012** of the Board of Zoning Adjustments approving a Conditional Use Permit and Parking Exception for 1788 Fairway Dr.

**WHEREAS**, Michael Huffaker, Prime Now LLC ("Applicant") submitted an application for a Conditional Use Permit and Parking Exception for a supermarket at an existing warehousing and distribution business located at 1788 Fairway Drive, zoned IG Industrial General, (PLN20-0024) ("Project"); and

**WHEREAS**, 1788 Fairway Drive ("Property"), the subject site consists of a 17.4 - acre industrial site that contains two buildings with multiple tenants; and

**WHEREAS**, the Property is zoned IG Industrial General and has a General Plan designation of Industrial General; and

**WHEREAS**, a Conditional Use Permit is required for a Supermarket on the subject Property as per Section 2.12.200 of the San Leandro Zoning Code; and

**WHEREAS**, a Parking Exception is required for the review of parking requirements in which particular difficulties or undue hardship would occur without the granting of such exception as per Section 5.08.100 of the San Leandro Zoning Code; and

**WHEREAS**, the Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301, Existing Facilities; and

**WHEREAS**, the Board of Zoning Adjustments held a duly noticed public hearing regarding the proposed Project on December 2, 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 IT IS RESOLVED THAT:** The forgoing recitals are true and correct and made 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 required by Section 5.08.124:

1. The Board of Zoning Adjustments of the City of San Leandro does hereby make the necessary findings and determinations required by Sections 5.08.124 of the City of San Leandro Zoning Code to approve the Conditional Use Permit for a Supermarket and Parking Exception, 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 the Conditional Use Permit and Parking Exception for a 395 sq. ft. Supermarket (PLN20-0024) located at 1788 Fairway Drive subject to the Conditions of Approval, as further set forth in "Exhibit B" attached hereto and incorporated herein by this reference.