

ZA ORDER NO. 01-24

**OFFICE OF THE ZONING ADMINISTRATOR,
CITY OF SAN RAMON APPROVING
MINOR USE PERMIT 2024-0003**

**Applicant: Kelly Lee
Property Owner: ROIC California, LLC
Project Name: Slow Burn Studio**

WHEREAS, on February 7, 2024, the Applicant submitted an application requesting approval of Minor Use Permit (MUP 2024-0003) for Slow Burn Studio, “Studio” land use, within existing 1,238 sq. ft. tenant space located at 21001 San Ramon Valley Blvd., Suite C-5 in Gateway Shopping Center (APN: 211-040-015); and

WHEREAS, the subject property is zoned CC (Community Commercial) and the proposed “Studio” land use in Suite C-5, which is a non-retail use, is allowed with approval of a Minor Use Permit application provided that it does not exceed 25% of the total ground floor area of Gateway Shopping Center to be occupied by non-retail uses; and

WHEREAS, the total floor area of non-retail uses including the proposed “Studio” land use and other existing non-retail uses is 23% of the total ground floor area of Gateway Shopping Center; and

WHEREAS, on February 28, 2024, the subject application was deemed to be complete by the Planning Services Division; and

WHEREAS, pursuant to Section 15301 (Existing Facilities) of the Guidelines for the California Environmental Quality Act (CEQA) of 1970, as amended, this application is categorically exempt because the Project would establish the business within the existing building involving no expansion and limited interior alterations on-site; and

WHEREAS, the subject application was duly noticed on March 7, 2024, pursuant to Sections D6-28.E and D7-24 of the Municipal Code of the City of San Ramon, and no written requests for a public hearing were received by the Planning Services Division during the 10-day notice period; and

WHEREAS, the proposed Minor Use Permit is consistent with the requirements of Section D6-28 (Use Permits and Minor Use Permits) of the Municipal Code of the City of San Ramon; and

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby make the following findings based on the all the evidence in the record (including but not limited to all application materials and written comments received by the City):

1. Regarding the Minor Use Permit:

- a. The recitals above are true and correct and are incorporated herein by reference; and
- b. The proposed pilates studio is classified as Studio land use and is allowed with approval of a Minor Use Permit in the CC (Community Commercial) Zoning District because the Gateway shopping center complies with the parking requirements for the subject property and the 25 percent non-retail limitation established by the Zoning Ordinance with the existing and proposed uses, and the proposed use complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code; and
- c. The proposed pilates studio is consistent with the General Plan land use designation (Retail Shopping), the CC (Community Commercial) Zoning District and Westside Specific Plan, because the proposed use, while non-retail, will not exceed 25% of non-retail uses in the Center and will provide a service that will contribute to a compatible mix of services and retail uses on the subject property and in the surrounding area; and
- d. The design, location, size and operating characteristics of the proposed pilates studio is compatible with the existing and other allowed land uses in the vicinity because the pilates studio will operate out of existing tenant spaces, is consistent with the operating characteristics of the surrounding retail and commercial land uses, and the conditions of approval limit the size of the tenant space, the hours of operation, and scope of services provided for the proposed pilates studio; and
- e. The site is physically suitable for the type, density, and intensity of the proposed pilates studio because the subject property, including access, utilities, and the absence of physical constraints, would utilize existing site improvements without adding to the demand for access or utilities beyond what is typical of the surrounding uses; furthermore, the proposed land use is consistent with the surrounding retail and commercial land uses because the Gateway Shopping Center can accommodate the required parking on-site for the proposed and existing land uses; and
- f. Granting the minor use permit for the proposed pilates studio would not be detrimental to the public health, safety, or welfare of the persons residing or working in the subject neighborhood, or materially detrimental or injurious to property or improvements in the vicinity and zone which the property is located because the proposed pilates studio will operate within an existing tenant space and is consistent with the surrounding retail and commercial land uses and is consistent with the General Plan land use designation (Retail Shopping) and the CC (Community Commercial) Zoning District.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Zoning Administrator does hereby approve the Minor Use Permit application (MUP 2024-0003) with Zoning Administrator Order No. 01-24 to allow a Studio land use based on the findings and evidence in the record, subject to the attached Conditions of Approval referenced as Exhibit A.

Date Approved: _____

Debbie Chamberlain,
Zoning Administrator

Date Effective: _____

Attachments:

Exhibit A: Conditions of Approval

EXHIBIT A

ZA ORDER NO. 01-24 CONDITIONS OF APPROVAL MINOR USE PERMIT 2024-0003

**Slow Burn Studio
21001 San Ramon Valley Blvd., Suite C5
(APN: 211-040-015)**

Planning Services Division

Special Conditions:

1. The granting of this Minor Use Permit (MUP 2024-0003) to allow a Studio land use within an existing 1,238 sq. ft. tenant space located at 21001 San Ramon Valley Blvd., Suite C5 (APN: 211-040-015), shall be in substantial conformance with the written project statement and project plans date-stamped "Received February 7, 2024", unless modified by the conditions contained herein. Any additional or modified services shall be reviewed and approved by the Zoning Administrator.
2. The hours of operation for the approved use shall be as follows:
 - 6:00 a.m. to 8:30 p.m. Monday through Thursday;
 - 6:00 a.m. to 6:30 p.m. Friday; and
 - 7:00 a.m. to 1:00 p.m. Saturdays and Sundays
3. A maximum of 25 students are allowed at one time, consistent with the Studio land use.

Standard Conditions:

4. Prior to occupancy, the Applicant shall obtain all required building permits from the Building and Safety Services Division.
5. The approval(s) authorized by this action shall expire if the required permits are not issued, and construction initiated within a one-year period from the effective date, unless the Project has been legally established as determined by the Planning Services Division. A time extension may be granted in accordance with Section D6-34 of the Zoning Ordinance.
6. Failure of the Applicant to implement, follow and adhere to these conditions may result in revocation hearing proceedings or modification of the project before the Zoning Administrator or Planning Commission.

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7. Within 60 days of the effective date of the project approval or prior to Building Permit issuance, whichever is earlier, the Applicant shall pay all outstanding permit review fees for City services incurred prior to project approval by the Zoning Administrator.
8. Any changes to the operation, additional activities, and/or approved plans, other than those required by these conditions, require prior City review and approval. The Zoning Administrator shall determine the appropriate review authority for any revision or modification to the Project. Minor changes may be approved by the Zoning Administrator.
9. All construction activities shall be limited to the hours of 7:30 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on weekends. The City may impose more restrictive construction days/hours if determined to be necessary to protect the public welfare and safety.
10. This Minor Use Permit (MUP 2024-0003) is site specific and not transferable to another site or property within the City. Relocation of the approved use to another location within the City or expansion of the subject tenant space will be subject to a new use permit application.
11. The Applicant shall maintain an active City Business License.
12. The Zoning Administrator may impose additional operating conditions and restrictions upon the proposed land use to ensure the public health, safety, or welfare. If necessary, the Zoning Administrator may modify or add conditions of approval to mitigate such impacts (i.e. parking), or may refer the land use permit to the Planning Commission.
13. All proposed signage shall require a separate sign permit. Building permit applications are to be reviewed and approved by Planning and Building Services Division. All signs shall comply with the regulations of the San Ramon Zoning Ordinance, including the appropriate review process.

Engineering Services Division

Standard Condition:

14. If any improvements impact path of travel within the project, improvements must comply with the latest requirements of the Americans with Disabilities Act (ADA). In addition to on-site improvements, these standards shall be required for off-site improvements for ramps or sidewalks connected to the required ADA accessible path of travel in the public right-of-way that surrounds the property or directly benefits the project.
15. Encroachment Permit will be required from the Engineering Services Division if any

type of work will be performed in the City right-of-way.