



City of Alameda • California

Community Development Department CERTIFICATE OF ZONING COMPLIANCE

Site Address:	1715 Lincoln Ave, Alameda, CA 94501
Zoning Designation: .	C-1 Neighborhood Business District
General Plan Designation:	Neighborhood Business'.

RE: Zoning Compliance Determination, PLN11 ..0090

We have received your request dated March 23, 2011 for zoning confirmation for the property at 1715 Lincoln Ave. Please note the following information:

The pro'perty is currently marked R-5 General Residential District on the City of Alameda zoning map. Abutting parcels are zoned C-1 and R-5.

Responses to Inquirer's information requests:

1. What is **the** zoning designation for **the** subject property?

A review of the zoning history indicates that this property was zoned C-1 Neighborhood Business District in 1958 and has never been rezoned to any other district. The earliest available map (after the adoption of the new zoning code in 1958) shows this property and all surrounding properties zoned C-1 (Attachment #1). The City's log of zoning ordinance revisions does not indicate that this property has ever been rezoned since then. In 1965 and 1952 the city passed ordinances 1515 and 2622 respectively rezoning several properties near 1715 Lincoln Avenue, but not 1715 itself (Attachment #2). The 1991 Zoning map shows that 1715 Lincoln was still zoned C-1 (Attachment #3). In 2007 and 2008 the City created a new, color, zoning map to replace the old black-and-white map. As part of that drafting process it appears that 1715 Lincoln Avenue was mistakenly marked as R-5 (Attachment #4).

Based on the above described review the city has determined **that** the zoning is C-1 Neighborhood Business District and the General Plan designation is Neighborhood Business. The correct zoning has been noted in city records and the map will be corrected as part of the next zoning **map** update.

2. What are the permitted uses under such zoning designation?

It is intended that this district classification be applied on properties suitable to serve residential areas with convenient shopping and service facilities (Attachment #5).

Exhibit 1

Item 7-B, 3/12/18

Planning Board Meeting

G:\PLANNING\Stretnames A-Z\Stretnames L-Q\Lincoln 1715\PLN11-0090\1715 Lincoln Ave.zcd.doc

Community Development Department

2263 Santa Clara Avenue, Room 190

Alameda, California 94501-4477

510.747.6800 - Fax 510.747.6804 -roD 510.522.7538

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Uses Permitted include:

1. Any nonresidential use permitted in R-1, R-2, R-3, R-4 and R-5 Districts.
2. The following retail and similar business uses when conducted principally within enclosed structures and where said uses are not doing business between the hours of 10:00 p.m. and 7:00 a.m.:
 - (a) Art and antique shops,
 - (b) Bakery goods stores,
 - (c) Barber and beauty shops,
 - (d) Book stores and rental libraries,
 - (e) Candy stores,
 - (f) Clothing stores,
 - (g) Dairy products stores, excluding processing,
 - (h) Drug stores, including fountain and food service,
 - (i) Florist shops,
 - (j) Grocery stores,
 - (k) Gift, novelty and stationery shops,
 - (l) Hardware stores,
 - (m) Jewelry shops,
 - (n) Laundries and cleaning agencies, including pressing, spotting, garment repair and alteration service,
 - (o) Music and dancing studios,
 - (p) Repair shops for shoes, radios and television sets, small domestic appliances, watches and similar items,
 - (q) Bed and breakfast facilities, upon compliance with standards set forth in the definition for bed and breakfast in Section 302,
 - (r) Uses permitted in the AP District, and other office uses not associated with permitted retail sales use of the site, provided that for any frontage of a building adjoining a public street, public alley or public sidewalk, fifty (50%) percent in depth of the ground floor space nearest such frontage shall be reserved for retail sales and/or service uses permitted in the C-1 District.

3. Are there any violations currently on file with respect to the subject property?
There are no open enforcement cases for this property.

Please visit our website:

<http://www.ci.alameda.ca.us/planning/PlanningDocuments.html>, for a complete list of application forms including permit applications and design guidelines. The Zoning Ordinance and General Plan are also available in PDF format.

Planner:


Brian Stanke, Permit Center Planner

Date: April 28, 2011

Enclosed Background Documents:

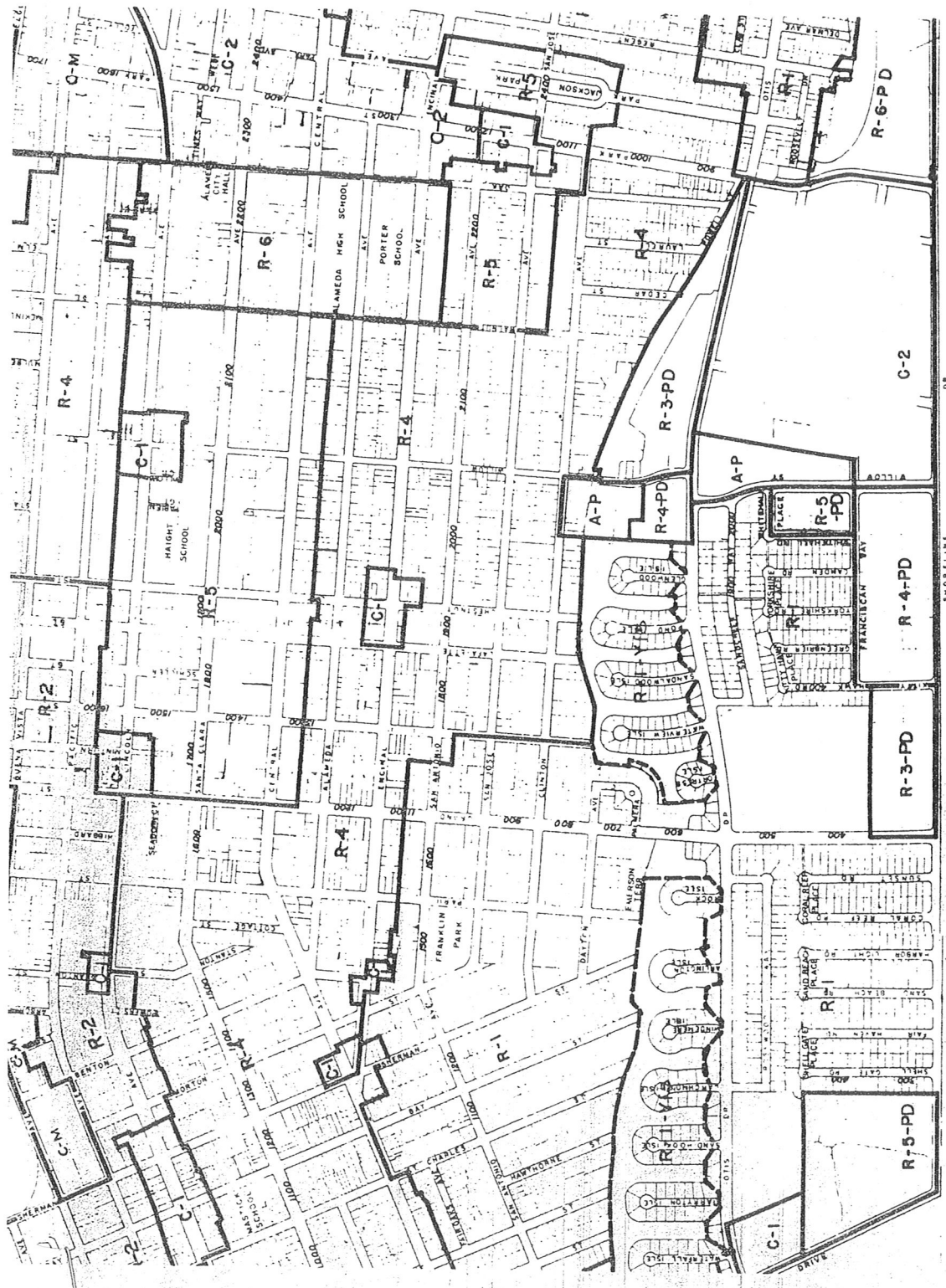
- Attachment 1: 1961 Zoning map
- Attachment 2: Rezoning ordinance log pg. 19 & 27
- Attachment 3: 1991 Zoning map
- Attachment 4: 2008 Zoning map
- Attachment 5: AMC Subsection 30-4.8
- 6: Permit History

DISCLAIMER:

This Certificate of Zoning Compliance does not grant or provide **any** vested right to engage in any use. The City of Alameda reserves **the** right **to** amend or suspend its zoning regulations at any time and in any manner. Any expenditure made by the applicant in reliance of this certificate is **made** at the applicant's full risk.

cc: File
Property Owner (if different from above)

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LEGEND

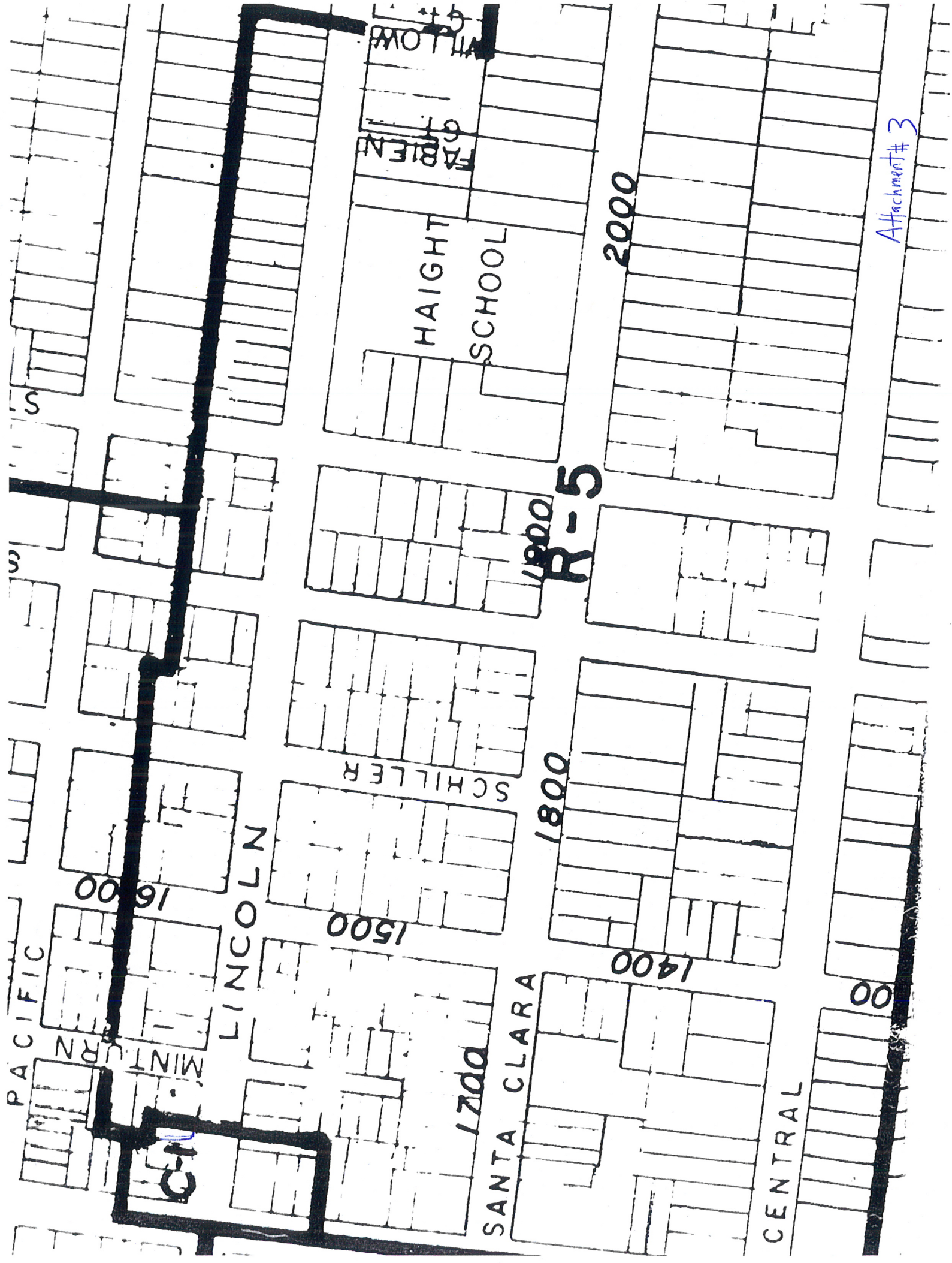
A-P	ADMINISTRATIVE-PROFESSIONAL DISTRICT	(COMBINING DISTRI	
C-1	NEIGHBORHOOD BUSINESS DISTRICT		
C-2	CENTRAL BUSINESS DISTRICT		
C-M	COMMERCIAL MANUFACTURING DISTRICT		
M-1	INTERMEDIATE INDUSTRIAL (MFG) DISTRICT		
M-2	GENERAL INDUSTRIAL (MFG.) DISTRICT		
		PD	SPECIAL PLANNED DEVELOPMI
		A	SPECIAL AGRICULTURAL DISTRIK
		B	SPECIAL BUILDING SITE DISTR.
		H	SPECIAL HEIGHT LIMIT DISTRIC
		G	SPECIAL GOVERNMENT DISTRIC
		Y	SPECIAL YARD DISTRICT

61 map
Attachment # 1

ADOPTION DATE (Effective 30 days later)	ORDINANCE NUMBER	AMENDMENT NUMBER	REZONING FILE NUMBER	PARCEL ADDRESS	ASSESSOR'S PARCEL NUMBER	ZONED FROM	ZONED TO
	1515			1712, 1714, 1716, 1718, 1719, 1724, 1725, 1729 and Part of 1726 Lincoln Ave; 1528, 1529, 1601, 1607, 1611, 1612, 1614 Minturn	72-298-9 thru 13; 72-299-8, 9, 10; 72-300-2 thru 5; 72-301-1, 2, 23, part of 3	C-1	R-5
	1515			2100 Clement Ave; — Clement Ave	71-228-part of 1-2; 71-229-part of 2-1	R-4	M-1
12/06/66	1541	43	1966-5	1254 Pearl St 1252 2612 Encinal Ave 2614 2616 2620 1247 Pearl St 2609 Encinal Ave 2611 2615 2621 2625 1301 Pearl St 1305 1304	70-150-1 -32 70-151-2 -3 -13 -14 -15-1 70-152-35 -34 -33 -26 -25 -24 -23 70-153-27	R-1	R-2

ADOPTION DATE (Effective 30 days later)	ORDINANCE NUMBER	AMENDMENT NUMBER	REZONING FILE NUMBER	PARCEL ADDRESS	ASSESSOR'S PARCEL NUMBER	ZONED FROM	ZONED TO
04/21/92	2598	162	R-91-23	878 Oak St; 985 Park St; 983 Park St; 876 Oak St	74-1225-137 -138 -139 -140	R-4	R-4-PD
07/07/92	2607	163	R-92-2	Properties on: Eagle Ave, Buena Vista Ave, Oak St. See Table II.	Various parcels. See Table II.	C-M, M-1	R-5
12/15/92	2622	164	R-92-3	1712, 1714, 1716 Lincoln Ave	72-300-2, 3, 4	R-5	C-1
09/22/93	2640	165	R-93-1	1234, 1236, 1238 College Ave; 2828 Encinal Ave	69-133-1	R-1	R-1-PD
01/05/94	2654	166	R-92-4	2300, 2306 Alameda Ave; 1218 Oak St	71-205-1, 2, 15	C-2	R-5
03/02/94	2659	167	R-93-2	2313 San Antonio Ave	71-206-12	C-2	R-5
05/18/94	2663	168	GPA/ZA/R-91-332	Area bounded by the mouth of the Estuary on the west, city limits on the north, Miller-Sweeney bridge on the east, and Pier and Bulkhead line on the south. (When the two lines diverge, it is the area bounded by the Pierhead line.)	Various parcels outboard of the Pier and Bulkhead Line, and other land with no parcel numbers. See list attached to Ordinance.	R-1	E
06/10/94	2665	169	R-92-2				
	2665			2301, 2305 Eagle Ave	71-198-23, 22	M-1	R-5
	2665			2300, 2305 Buena Vista Ave; 1712 Oak Street	71-200-1, 23; 71-199-25	C-M	R-5
06/10/94	2666	170	R-92-2	2301-2303 Buena Vista Ave	71-199-26	C-M	R-5

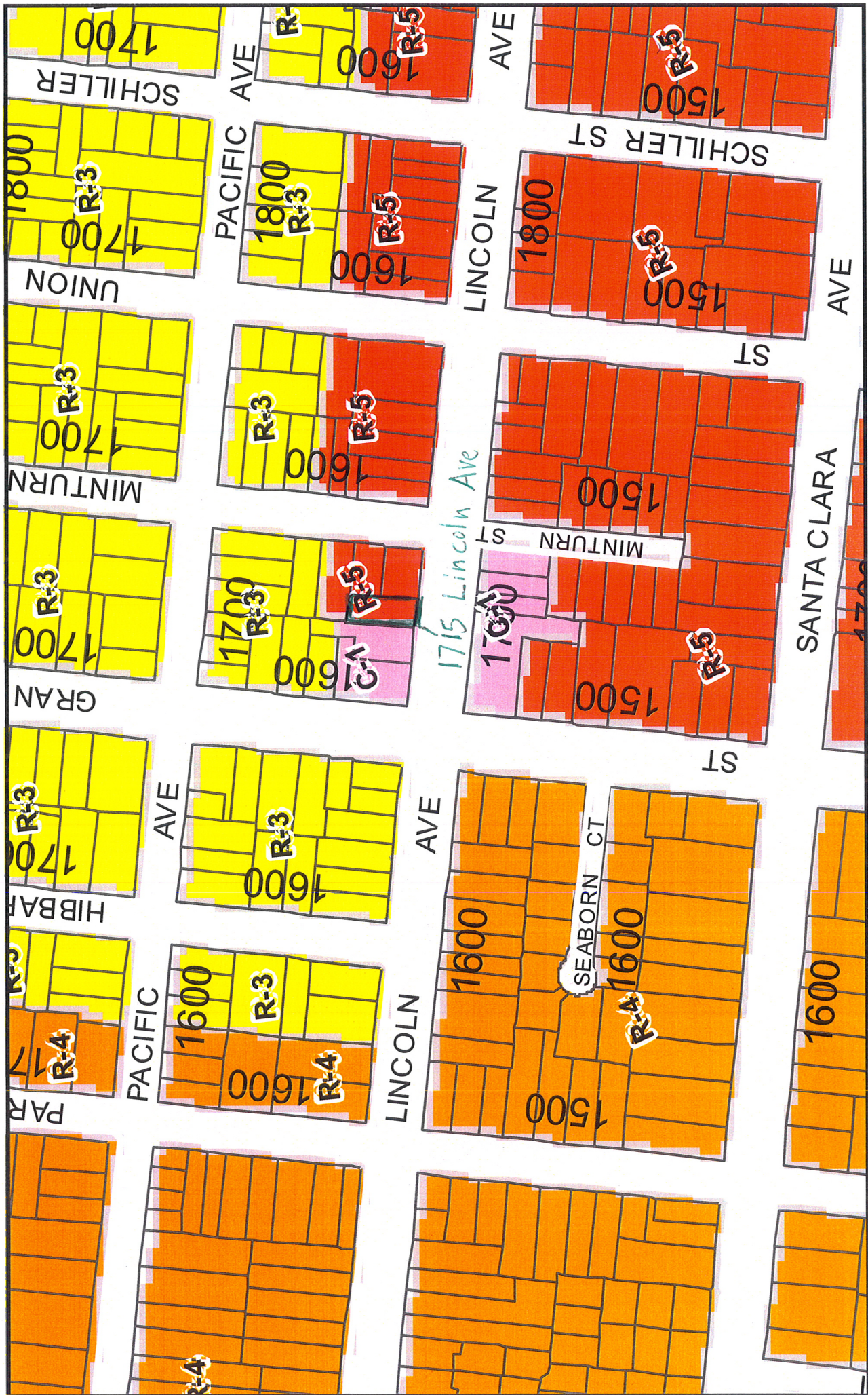
* Indicates amendment number(s) MISSING between starred number and the previous number. Missing number amendment believed to be non-existent.
+ Indicates the amendment number has been used twice, for two different amendments.



Attachment # 3

map

1979



30-4.8 - C-1, Neighborhood Business District.

- a. General. The following specific regulations and the general rules set forth in Section 30-5 shall apply in all C-1 Districts, as delineated and described in the zoning map(s). It is intended that this district classification be applied on properties suitable to serve residential areas with convenient shopping and service facilities.
- b. *Uses Permitted.*

1. Any nonresidential use permitted in R-1, R-2, R-3, R-4 and R-5 Districts.
2. The following retail and similar business uses when conducted principally within enclosed structures and where said uses are not doing business between the hours of 10:00 p.m. and 7:00 a.m.:

- (a) Art and antique shops,
- (b) Bakery goods stores,
- (c) Barber and beauty shops,
- (d) Book stores and rental libraries,
- (e) Candy stores,
- (f) Clothing stores,
- (g) Dairy products stores, excluding processing,
- (h) Drug stores, including fountain and food service,
- (i) Florist shops,
- (j) Grocery stores,
- (k) Gift, novelty and stationery shops,
- (l) Hardware stores,
- (m) Jewelry shops,
- (n) Laundries and cleaning agencies, including pressing, spotting, garment repair and alteration service,
- (o) Music and dancing studios,
- (p) Repair shops for shoes, radios and television sets, small domestic appliances, watches and similar items,
- (q) Bed and breakfast facilities, upon compliance with standards set forth in the definition for bed and breakfast in Section 302,
- (r) Uses permitted in the AP District, and other office uses not associated with permitted retail sales use of the site, provided that for any frontage of a building adjoining a public street, public alley or public sidewalk, fifty (50%) percent in depth of the ground floor space nearest such frontage shall be reserved for retail sales and/or service uses permitted in the C-1 District.

3. Public utility service offices and underground or above ground public utility facilities primarily for local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses.
4. Signs: As provided in Section 30-6 of these regulations.

- c. *Uses Requiring Use Permits.* It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, adequate light and air for dwelling uses, and similar considerations.

1. Any dwelling use permitted in the R Districts; provided that the residential use will not conflict with or inhibit attainment of General Plan land use designations or the operation of legitimate business uses within the commercial district; that new residential use shall not occupy ground floor space considered suitable for business use; and that new structures devoted solely to residential use shall not be permitted; and that there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit.
2. Uses permitted in the AP District, and other office uses not associated with permitted retail sales use of the site, which are not otherwise permitted in paragraph b.2.(r).
3. Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except the service with gasoline, oil, air and water shall be conducted within a building; subject further to the provisions of subsection 30-5.7, of this article.
4. The following and similar retail business, or service uses:

- (a) Public buildings intended to directly serve the public,
- (b) Self-operated laundries,
- (c) Taverns without live entertainment,
- (d) Restaurants, snack bars, lunch counters, but excluding drive-ins,
- (e) Convenience food stores,
- (f) Liquor stores,
- (g) Plant nurseries,
- (h) Those portions of grocery stores devoted to the sale of alcoholic beverages,
- (i) Small upholstery shops, exclusive of refinishing and other furniture repair or manufacturing.

5. Any permitted use listed in paragraph b. that does business between the hours of 10:00 p.m. and 7:00 a.m.
6. Any permitted use listed in paragraph b. which is not principally conducted within an enclosed structure.
7. Theaters with live performances that are in combination with other permitted uses.
8. Pet shops and animal grooming facilities. Such uses may be allowed only upon a finding that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare of adjoining properties. No outside pens or runs shall be permitted.

Attachment #5

9. Boutique theater.
 10. Large format retail including conversion of existing multiple retail tenant spaces to a single tenant space larger than thirty thousand (30,000) square feet (if part of a planned development, no use permit is required). Super stores, as defined in Section 30-2, are prohibited.
- d. *Minimum Height, Bulk and Space Requirements:*
1. Lot Area, Lot Width, Building Coverage Regulations: None.
 2. Building Height Limit: Two (2) stories but not to exceed thirty (30) feet.
 3. Front Yard: None.
 4. Side Yard: No setback shall be required, except where the side yard of a lot abuts an R District, then a minimum side yard of five (5) feet shall be maintained.
 5. Rear Yard: None, except where the rear yard abuts an R District a minimum of fifteen (15) feet shall be maintained.
 6. Off-street Parking and Loading Space: As regulated in Section 30-7
- (Ord. No. 535 N.S. §§ 11-1329—11-1332; Ord. No. 1277 N.S.; Ord. No. 1363 N.S.; Ord. No. 1749 N.S.; Ord. No. 1802 N.S.; Ord. No. 1817 N.S.; Ord. No. 1821 N.S.; Ord. No. 2064 N.S.; Ord. No. 2174 N.S.; Ord. No. 2202 N.S.; Ord. No. 2242 N.S.; Ord. No. 2267 N.S.; Ord. No. 2289 N.S.; Ord. No. 2416 N.S. §§ 2—4; Ord. No. 2566 N.S. § 4; Ord. No. 2630 N.S. § 1; Ord. No. 2943 N.S. § 10; Ord. No. 2944 N.S. § 2; Ord. No. 2979 N.S. § 2; Ord. No. 2984 N.S. § 2)



CITY OF ALAMEDA

2263 SANTA CLARA AVENUE, ROOM 190
ALAMEDA, CA 94501

(510) 747-6800
FAX (510) 747-6804

PERMIT HISTORY REPORT Activity at: 1715 LINCOLN

<u>Permit</u>	<u>Type</u>	<u>Status</u>	<u>Applicant</u>	<u>Issued Date</u>	<u>Final Date</u>
X91-0320	Complaint	FINAL	CITY OF ALAMEDA	10/29/1991	10/29/1991
Work Description: SFD USED AS ILLEGAL BUSINESS (AUTO REP)					
B04-1666	Building Permit	FINALED		12/08/2004	10/26/2005
Work Description: SIGN - "ANTIQUERY"					
MDR04-0370	Minor Design Review	FINALED		03/09/2005	03/09/2005
Work Description: SIGN - "ANTIQUERY"					
P05-0505	Plumbing Permit	FINALED		11/08/2005	11/10/2005
Work Description: REMOVE/REPLACE 40 GAL WATER HEATER					
MR07-0419	Miscellaneous Revenue	ISSUED		07/30/2007	
Work Description: PERMIT HISTORY					
FS105-1974	Fire Safety	PASSED			
Work Description: ANNUAL FIRE SAFETY INSPECTION					



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PERMIT HISTORY REPORT Activity at: 1715 LINCOLN

<u>Permit</u>	<u>Type</u>	<u>Status</u>	<u>Applicant</u>	<u>Issued Date</u>	<u>Final Date</u>
PLN11-0090	Entitlement	Staff Review	CHERYL VAHEY, TRUSTEE		
Work Description: ZONING COMPLIANCE DETERMINATION - ZONING MAP STATES RESIDENTIAL, HAS BEEN USED & TAXED AS COMMERCIAL					

X01-0296	Complaint	INVALID	CITY OF ALAMEDA		
Work Description: LITTER ON TOP OF ROOF WOODEN PIECES					