

ZA ORDER NO. 02-24

**OFFICE OF THE ZONING ADMINISTRATOR,
CITY OF SAN RAMON APPROVING
MINOR USE PERMIT 2024-0001**

Applicant: Ms. Kara Valdez for Mr. Niyaz Shakirov
Property Owner: Cranbrook Realty Inv. Fund
Project Name: Russian School of Mathematics

WHEREAS, on January 19, 2024, the Applicant submitted an application requesting approval of Minor Use Permit (MUP 2024-0001) to establish a School – Specialized Education or Training land use for The Russian School of Mathematics within an existing 3,978 sq. ft. tenant space located at 3150 Crow Canyon Pl., Suite 170 (APN: 213-010-059); and

WHEREAS, the Zoning Administrator has determined that the proposed Russian School of Mathematics business is classified as a School – Specialized Education or Training land use as defined in the Zoning Ordinance because the business provides after school math enrichment programs for up to 80 K-12 students at any one time, and operations offer once per week instructional classes ranging from 1 to 3 hours depending on the grade within an existing 3,978 sq. ft. tenant space, on the subject property; and

WHEREAS, under the MUR (Mixed Use – Residential Emphasis) Zoning District, the Zoning Ordinance requires approval of a Minor Use Permit for the proposed School – Specialized Education or Training land use in the MUR Zoning District; and

WHEREAS, the Minor Use Permit application is intended to regulate the design, location, size, and operating characteristics of the proposed Russian School of Mathematics business to be compatible with the mix of uses on the subject property and in the surrounding area; and

WHEREAS, on February 16, 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 Russian School of Mathematics business within the existing building involving no expansion and limited interior alterations on-site; and

WHEREAS, on March 8, 2024, the City mailed a public notice to property owners within 300 feet of the subject property, which complies with the standards set forth in Sections D6-28.E and D7-24 of the Municipal Code of the City of San Ramon; and

WHEREAS, no written requests for a public hearing were received by the Planning Services Division within the 10-day noticing 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. That the proposed Russian School of Mathematics business, as conditioned, is classified as a School – Specialized Education or Training land use and is allowed by the Zoning Ordinance with approval of a Minor Use Permit in the MUR (Mixed Use – Residential Emphasis) Zoning District because the subject office park complies with the parking requirements for the subject property, and the proposed use complies with all other applicable provisions of the Zoning Ordinance, and the Municipal Code; and
- c. The proposed Russian School of Mathematics business, as conditioned, is consistent with the General Plan land use designation (Mixed Use – Residential Emphasis) and with approval of a Minor Use Permit in the MUR (Mixed Use – Residential Emphasis) Zoning District, and other applicable General Plan policies, because the proposed use contributes to a wide variety of commercial establishments on the subject property and in the surrounding area; and
- d. The design, location, size, and operating characteristics of the proposed Russian School of Mathematics business, as conditioned, is compatible with the existing and future land uses in the vicinity because the business is consistent with the operating characteristics of the surrounding retail and commercial land uses, and the conditions of approval limit size of the tenant space, the hours of operation, and scope of services provided for the proposed business; and
- e. The site is physically suitable for the type, density, and intensity of the proposed Russian School of Mathematics business, as conditioned, 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 subject office park can accommodate the required parking on-site for the proposed and existing land uses; furthermore, and the conditions of approval limit the size of the tenant space, the hours of operation, and the scope of services provided for the proposed business; and
- f. Granting the minor use permit for the proposed Russian School of Mathematics business, as conditioned, 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 business is consistent with the surrounding retail and commercial land uses and is consistent with the General Plan land use designation (Mixed Use – Residential Emphasis) and the MUR (Mixed Use – Residential Emphasis) Zoning District, and other applicable General Plan policies which allow for a compatible mix of uses in the area; furthermore, the conditions of approval limit the size of the tenant space, the hours of operation, and the scope of services provided for the proposed business.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Zoning Administrator does hereby approve the Minor Use Permit application (MUP 2024-0001) with Zoning Administrator Order No. 02-24 to allow a School – Specialized Education or Training land use based on the findings and evidence in the record, subject to the attached Conditions of Approval referenced as Exhibit A.

Date Approved: March 19, 2024

Debbie Chamberlain,
Zoning Administrator

Date Effective: March 30, 2024

Attachments:

Exhibit A: Conditions of Approval

EXHIBIT A

ZA ORDER NO. 02-24 CONDITIONS OF APPROVAL MINOR USE PERMIT 2024-0001

Russian School of Mathematics
3150 Crow Canyon Place, Suite 170
(APN: 213-010-059)

Planning Services Division

Special Conditions:

1. The granting of this Minor Use Permit (MUP 2024-0001) to allow a School – Specialized Education or Training land use (Russian School of Mathematics) for after school math enrichment programs for K-12 Students within an existing 3,978 square foot tenant space located 3150 Crow Canyon Pl., Suite 170 (APN: 213-010-059), shall be in substantial conformance with the written project statement and project plans date-stamped “Received January 19, 2024”, unless modified by the conditions contained herein. Any additional or modified services shall be reviewed and approved by the Zoning Administrator.
2. The proposed School – Specialized Education or Training land use shall be limited to a maximum land use shall be limited to a maximum of 3,978 sq. ft. located at 3150 Crow Canyon Pl., Suite 170. Any additional floor area or relocation shall be reviewed and approved by the Zoning Administrator and may be subject to approval of a new use permit.
3. The proposed School – Specialized Education or Training land use shall be limited to a maximum of 80 Students on-site at any one time. Any request for additional students shall be reviewed and approved by the Zoning Administrator.
4. The hours of operation for the proposed Studio land use shall be as follows:
 - Monday through Friday 3:00 p.m. to 9:00 p.m.
 - Saturdays and Sundays 8:00 a.m. to 6:00 p.m.

Any additional or modified days or hours of operation shall be reviewed and approved by the Zoning Administrator.

Standard Conditions:

5. Prior to occupancy, the Applicant shall obtain all required building permits from the Building and Safety Services Division.
6. The approval(s) authorized by this action shall expire if the required permits are not issued, and construction initiated within a one (1) 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. This Minor Use Permit (MUP 2024-0001) is not transferable to another site or property within the City (including expansion of the tenant space).
12. The Applicant shall maintain an active City Business License.
13. 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.
14. 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.

15. The Applicant (including any assignee or successor-in-interest) shall defend, indemnify, and hold harmless the City of San Ramon (City) and its agents, elected officials, officers, and employees from any claim, action or proceeding against the City or its agents, elected officials, officers, and employees to attack, set aside, void, or annul any part of the City's approval of the Applicant's project. The City will promptly notify the Applicant of any such claim, action or proceeding, and cooperate in the defense. Applicant shall provide the City with independent legal counsel of City's choosing to defend any lawsuit or claim brought by third persons regarding City's approval of the Applicant's project, and Applicant shall bear the entire cost of City's defense.