

**RECOMMENDED
FINDINGS OF FACT FOR APPROVAL**

**PLN17-0002
84 Oakes Boulevard
Alameda County Assessor's Parcel Number 76-420-3
Y. Min Chung (applicant) and RongKang Wang (property owner)**

The Board of Zoning Adjustments hereby approves the Conditional Use Permit and Site Plan Review for a multi-family residential project where two new residential units with covered parking are proposed behind an existing single family residence at 84 Oakes Boulevard, and finds the project categorically exempt from CEQA subject to the following findings:

The Board of Zoning Adjustments hereby approves the Conditional Use Permit, subject to the following findings:

1. The proposed location of the use is in accord with the objectives of this Code and the purposes of the district in which the site is located.

The Zoning Code allows for construction of multi-family residential on a substandard lot in the RM-1800 District subject to a conditional use permit issued by the Board of Zoning Adjustments (Zoning Code Section 4-1650.A). A conditional use permit is discretionary and the Board of Zoning Adjustments will determine if the proposed use will be compatible with the existing and proposed uses in the general vicinity. The proposed multi-family use is in accord with the objectives of this Code, which are to provide opportunities for multiple residential uses, including town houses, condominiums, multi-dwelling structures, or cluster housing with landscaped open space for residents' use, and apartments. A three unit multi-family residential project will have no significant impact on nearby residences as the immediate neighborhood includes single family residences, fourplexes, and apartments uses on varying lot sizes. Covered on-site parking is proposed for the existing residence and the two new units. The subject lot is substandard by approximately 400 square feet as the lot is 9,600 square feet, where 10,000 square feet is the minimum required and by approximately 40 feet in width as the lot is 60 feet wide, where 100 feet in width is the minimum required.

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

The subject property is designated Medium-High Density Residential in the City's General Plan Land Use Map. Medium-High Density Residential areas are

characterized “by multi-family residential development, such as garden apartments, townhomes, and two-story condominiums” (General Plan page 3-26), therefore, the provision of multi-family residential will be in keeping with the City of San Leandro General Plan for this land use designation. In addition, the following General Plan policies will apply:

Policy LU-1.1 – Housing Maintenance: Support the on-going conservation, maintenance and upgrading of the city’s housing inventory.

Policy LU-1.9 – Multi-Family Housing Upkeep: Maintain and enforce high standards of property upkeep for existing and new multi-family rental housing development.

Policy LU-2.8 – Alterations, Additions, and Infill: Ensure that alterations, additions and infill development are compatible with existing homes and maintain aesthetically pleasing neighborhoods.

Policy LU-2.12 – Off-Street Parking: Ensure that sufficient number of off-street parking spaces are provided in new residential development to minimize parking “overflow” into neighborhoods. The visual prominence of parking should be minimized in new development areas.

Goal LU-3 – Provide housing opportunities and improve economic access to housing for all segments of the community.

Policy LU-3.1 – Mix of Unit Types: Encourage a mix of residential development types in the city, including single family homes on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, garden apartments and medium to high density multi-family housing.

The proposed creation of a multi-family residential from an existing single-family dwelling use on a substandard lot, with the recommended conditions of approval, will not be detrimental or injurious to property and will not be detrimental to the public health, safety, welfare or convenience, in that the site layout minimizes potential impacts on surrounding properties, and the site plan has adequate setbacks and physical separation from adjacent properties.

3. The proposed use will comply with the provisions of this Code, including any specific condition required for the proposed use in the district in which it would be located.

The Zoning Code allows for multi-family residential to be built on a substandard lot in the RM-1800 District, subject to a conditional use permit issued by the Board of Zoning Adjustments. A conditional use permit is discretionary and the Board of Zoning Adjustments may impose Conditions of Approval to ensure that the use be compatible with the immediate area. Recommended conditions requiring site

maintenance and new landscaping will ensure continued compatibility with the neighborhood.

Development of the multi-family residential will be compatible with existing development of residences, fourplexes and apartments in the immediate area. The proposed the multi-family residential project conforms to all RM-1800 District development standards such as setbacks, height, parking, density, lot coverage, and floor area ratio. Given its conformance, the proposed project will maintain adequate availability of light, air, and privacy for the development as well as its adjacent neighbors.

4. **The proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities which cannot be mitigated.**

The existing subject property is adequately served by streets, utilities, and other public facilities without detriment to the immediate area. The expanded use of the property from the existing single family use to the proposed multi-family residential use will not significantly affect the public utilities and facilities already serving the existing and immediate area. The proposed project is within walking distance to AC Transit bus stops on E. 14th Street, AC Transit BRT Station (currently under construction), and Downtown San Leandro, thus the proposal will not affect transportation in this area. Further, the proposed development satisfies the off-street parking requirement of 6.75 parking spaces, by providing 7 total parking spaces, conforming to the Zoning Code Section 4-1704.

The Board of Zoning Adjustments hereby approves Site Plan Review, subject to the following findings:

1. **Site plan elements (such as but not limited to: building placement, yard setbacks, size and location of landscape areas, parking facilities and placement of service areas) are in compliance with the minimum requirements of this Code, and are arranged as to achieve the intent of such requirements by providing a harmonious and orderly development that is compatible with its surroundings. Parking, loading, storage and service areas are appropriately screened by building placement, orientation walls and/or landscaping.**

The proposed multi-family residential use will be harmonious and compatible within the existing residential context of the Oakes Boulevard neighborhood with the proposed site planning and architectural design, which are compatible with the existing single family residence at the site and the surrounding neighborhood. The two new units are sited behind the existing single family residence to blend in and minimize massing at the front of the property. The proposed architectural design is craftsman style to match the existing residence and other residences

located in the immediate surrounding area. The design proposed deemphasizes vehicle parking, garage doors, storage areas, and service areas, where they are not highly visible from Oakes Boulevard or adjacent properties. Also, with incorporation of the conditions of approval that have been recommended by staff, the new landscaping will reflect the level of landscaping and property development in the vicinity.

The proposed multi-family residential development complies with the RM-1800 District requirements for setbacks, floor area ratio, and density. Further, the height of approximately 24.5 feet, will also comply with the height requirement which is less than 50 feet maximum allowed. The resulting total lot coverage will be approximately 45% where 70% is the maximum allowed in the RM-1800 District. Required off-street parking will be met with the seven covered parking spaces provided with the proposed garages and carports. Enclosed waste and recycling areas are placed away from public view within the proposed garage and carport spaces.

2. **The building(s) has(have) adequate articulation, with appropriate window placement, use of detailing, and/or changes in building planes to provide visual interest. The exterior materials, finishes, detailing, and colors are compatible with those of surrounding structures. Visually incompatible elements, such as roof-mounted utilities, are fully screened from public view.**

The proposed multi-family residential will blend in with the existing mix of single family homes, fourplexes, and small apartment developments in the neighborhood. The two new units will be located behind the existing single family residence. The two new units will be well-articulated, with a variety of architectural treatments such as windows with wood trim, shiplap wood siding, and redwood corbels. In addition, the garage doors are deemphasized since they will be located mainly behind the existing residence and the proposed garage doors fit in with the craftsman look of the design. The window placements are appropriate for the development and the shiplap siding provides continuity with the wood siding found on the existing residence. The proposed design features of the multi-family residential will contribute in enhancing the streetscape and the nearby area.

3. **The landscaping complements the architectural design, with an appropriate balance of trees, shrubs, and living ground covers, and provides adequate screening and shading of parking lots and/or driveways.**

Prior to issuance of building permits, a final landscape and irrigation plan is to be submitted for review. The plan shall provide adequate landscaping that will be sufficient to provide a contextually appropriate level of landscaping at the subject property. With incorporation of the conditions of approval that have been recommended by staff, an appropriate balance of trees, shrubs, and living ground covers will be provided.

4. **Detail features, such as signs, fences, and lighting for buildings, parking lots, and/or driveways are visually consistent with the architectural and landscape design, and minimize off-site glare.**

As a relatively small multi-family residential building, lighting will be energy conserving lights. Any new on-site paving will be required to be colored or have a light aggregate wash for the concrete treatment and/or textured concrete pavers to minimize off-site glare. If pavers are selected the pavers should be an earth tone color.

California Environmental Quality Act Categorical Exemption Findings

This item is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15303 (b) "New Construction or Conversion of Small Structures," a duplex or similar multi-family residential structure totaling no more than four dwelling units.