

## EXHIBIT A

### **RECOMMENDED FINDINGS OF FACT PLN21-0005**

**2824 Halcyon Drive, APN 77C-1240-5  
Chris Zaballos, D.R. Horton (Applicant)  
Douglas Storm, Douglas Storm Trust UDT (Property Owner)**

The Planning Commission hereby recommends City Council approval of PLN21-0005, subject to the following findings:

#### **Zoning Map Amendment**

- 1. The proposed zoning map amendment is consistent with the policies of the General Plan.**

The proposed zoning map amendment from IP Industrial Park/ RS Residential Single-Family to RS(PD) Residential Single-Family with a Planned Development Overlay District is appropriate and necessary for consistency with the General Plan because the General Plan designation is RLM Low-Medium Density Residential which permits attached and detached single family houses on small lots. Lots smaller than 5,000 square feet are permitted. Gross densities generally range from 7 to 11 units per acre, including streets and easements. Maximum allowable net density in this category is 12.4 units per net acre. With the zoning map amendment, the Project retains the basic amenities and qualities of a single family neighborhood, including front and rear yards, driveways, and garages.

The proposed project is consistent with the General Plan designation of RLM Low-Medium Density Residential because the project consists of 18 single-family dwelling units on smaller lots that are less than 5,000 square feet. The project has a density of 7.4 units per acre which falls within 7 to 11 units per acre and is less than the maximum density of 12.4 units per acre. For these reasons, the zoning map amendment with Planned Development (PD) zoning overlay will be consistent with the underlying General Plan designation.

The Zoning Map Amendment to change the zoning from IP Industrial Park/ RS Residential Single-Family to RS(PD) Residential Single-Family with a Planned Development Overlay District will align the General Plan designation of Low-Medium Density Residential because the corresponding zoning designation for the Low-Medium Density Residential land use category is RS(PD) Residential Single-Family with a Planned Development Overlay District (General Plan page 3-33). The following General Plan policies are applicable to the proposed project (note: LU-Land Use):

**Policy LU-1.5 Front Yards.** Encourage the attractive treatment of front yards and other areas in residential neighborhoods that are visible from the street. Landscaping of front yards should be consistent with the City's water conservation and Bay-friendly landscaping goals.

**Policy LU-1.8 Fences.** Require that any fencing in residential neighborhoods meets high aesthetic and safety standards. Residential fencing should not obstruct vehicle sight lines, be compatible with the architectural design of nearby structures and make a positive contribution to the character of the neighborhood.

**Policy LU-2.1 Complete Neighborhoods.** Complete Neighborhoods. Strive for “complete neighborhoods” that provide an array of housing choices; easy access to retail stores, commercial services, and medical care; quality public schools; great parks and open spaces; affordable transportation options; and civic amenities.

**Policy LU-2.6 Preservation of Low Density Character.** Preservation of Low Density Character. Preserve the low-density character of San Leandro’s predominantly single family neighborhoods.

**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.** Off-Street Parking. Ensure that a 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.

**Policy LU-2.13 Gated Communities.** Gated Communities. Unless overriding public safety considerations exist, discourage the development of “gated” communities or the gating of already developed neighborhoods or subdivisions

**Policy LU-2.14 Emergency Access.** Emergency Access. Ensure that all new development is designed for adequate access by emergency vehicles.

**Policy LU-2.15 Usable Open Space Provisions.** Usable Open Space Provisions. Require useable open spaces for community use in large new residential developments. Wherever feasible, such spaces should contain play equipment, children’s activity areas, and other amenities that draw people outdoors, create street life, and instill a sense of community. In higher density and mixed use areas, such spaces may provide for activities such as outdoor performances, farmers markets, outdoor dining, and community gatherings.

**Policy LU-2.17 Constrained Sites.** Focus new housing development on underutilized or infill sites on the city’s flatter lands, rather than on previously undeveloped sites in the hills. Development on sites with significant geologic, hydrologic, or land stability constraints should be strongly discouraged.

**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 development, garden apartments, and medium to high density multi-family housing.

**Policy LU-3.2 Mix of Price Ranges.** Mix of Price Ranges. Encourage a mix of price ranges to provide housing choices for San Leandro residents of all incomes and ages. Opportunities to include affordable units and market rate units within the same development projects should be pursued.

**Policy LU-3.3 Affordable Housing Design.** Design new affordable housing to blend in with the existing fabric of the community. Affordable housing should be located in a variety of neighborhoods rather than concentrated in one particular part of the city.

**Policy LU-3.4 Promotion of Infill.** Encourage infill development on vacant or underused sites within residential and commercial areas.

**Policy LU-3.10 Market-Rate Housing.** Encourage the provision of a significant amount of market-rate ownership and rental housing as part of an effort to maintain and diversify the city's economic base.

**2. The proposed zoning map amendment is consistent with the purposes of this Code.**

The proposed zoning map amendment from IP Industrial Park/ RS Residential Single-Family to RS(PD) Residential Single-Family with a Planned Development Overlay District is appropriate, consistent and in agreement with the purposes of the Code because the underlying Residential Single-Family zoning district permits single-family residential dwelling units at a maximum density of one dwelling unit per parcel. The project is consistent as the density is also one dwelling unit per parcel. In addition, the zoning map amendment will be subjected to any development proposal on the property to the City's discretionary review process, ensuring that the new development will be compatible with the existing area.

**3. The uses permitted by the proposed zoning district must be compatible with existing and proposed uses in the general neighborhood.**

The Planned Development is compatible with the existing and proposed uses in the surrounding neighborhood because single-family residential is a permitted land use in the RS Residential Single-Family with a Planned Development Overlay zoning designation and the project's single-family residential land use is compatible and consistent with other land uses found in the surrounding the predominantly single-family neighborhood, with the exception the parcel adjacent to the project at the northeast corner is zoned IG(AU) Industrial General Assembly. The rest of the surrounding parcels and neighborhoods consists of single-family residential properties. The project site is located in the middle of a block that contains single family homes. West of the project is a RS(PD Residential Single-Family with a Planned Development Overlay zoning district. East of the project is a RS Residential Single-Family zoning district. Across the street from the project is also a RS Residential Single-Family zoning district. A single-family residential Planned Development at the subject property appropriate and

compatible with the surrounding land uses in the general neighborhood. As a result, the project will be consistent and compatible with existing uses in the neighborhood.

- 4. The property subject to the rezone will be served by streets, utilities and other public facilities of sufficient capacity to properly serve it without overloading and without detriment to other areas presently zoned in contemplation of full use and availability of such facilities.**

As part of the project's plan to rezone and redevelop the subject property, the property will be improved with adequate public infrastructure such as utilities and other public facilities to properly serve it without overloading and without detriment to the immediate area. The Planned Development is fully accessible to all required utilities. The Planned Development will replace a single parcel that is developed with two existing buildings and two associated accessory structures with existing trees and ruderal grassland vegetation with a 18-single-family residential development that has been found to have less than significant impact with mitigation on traffic. Per the Infill Checklist, the estimated increased trip generation rates for the project would be below thresholds of significance and project-specific impacts relative to traffic hazards, emergency access, pedestrian and bicycle circulation, and transit capacity would not exceed or differ from those identified in the General Plan EIR. In addition, the project would not result in new specific effects that were not addressed in the General Plan EIR, and no new mitigation measures would be required. Utility providers have sufficient capacity to accommodate the project and the project will contribute development impact fees in order to compensate for the cost of schools and parkland. The design of the project will remove two dead-end streets and improve access for emergency vehicles for both the project and adjacent neighborhoods. Per the Infill Checklist, the project would have a less than significant impact on public services, the same as the impacts identified in the General Plan EIR, would not result in new specific effects that were not addressed in the General Plan EIR, and would not require new mitigation measures.

The Planned Development overly will not overload or pose a detriment to the full use and availability of streets, utilities and other public facilities. The Planned Development project includes adequate provisions for utilities, services, and emergency vehicle access and public service demands imposed by the project will not exceed the capacity of existing and planned systems.

### **Planned Development**

- 1. That the proposed location of the use is in accord with the objectives of the Zoning Code and the purposes of the district in which the site is located.**

The proposed location of the single-family residential Planned Development, with the approval of the rezoning from IP Industrial Park/ RS Residential Single-Family to RS(PD) Residential Single-Family with a Planned Development Overlay District, is consistent with the objectives of the Zoning Code and the purposes of the RS Residential Single-Family zoning district since the site is surrounded residential single-family neighborhoods and the surrounding area to the development consists single-family residential properties.

The Planned Development provides high quality urban design in comparison with development under the base district zoning regulations while preserving the character and quality of the surrounding neighborhood because the use and design of the Planned Development is similar to and consistent with the type and character of land uses found among the surrounding areas. While the proposed lots are smaller, the proposed project meets the Residential Single-Family zoning district standards for density, side, corner side, and rear minimum yards, maximum height, daylight planes, maximum lot coverage, maximum floor area ratio (FAR), fences, off-street parking and loading, refuse storage areas, underground utilities, performance standards and landscaping. With the exception needed for minimum lot area, minimum lot width, and minimum front yard, the base zoning district of RS Single-Family zoning district will remain in place with a Planned Development Overlay District that allows for a high-quality development that would otherwise not meet all applicable zoning standards. Therefore, it can be found that the proposed location of the single-family residential Planned Development is in accord with the objectives of the Zoning Code and the purposes of the RS Single-Family zoning district.

The Planned Development is appropriately located in an area for residential development as residential development is in its surroundings and it is consistent with the General Plan designation of Low-Medium Density Residential. The project would comply with the standards of public health and safety established by the Municipal Code. The Planned Development protects the adjoining single-family residential districts from excessive loss of sun and light as the project complies with the daylight plane and the heights of the houses are comparable to the heights of the surrounding existing houses.

The Planned Development promotes the development of housing affordable by low- and moderate-income households by designating three houses as affordable for low and moderate-income households.

- 2. That 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 General Plan designation for the location of the single-family residential Planned Development is Low-Medium Density Residential. This land use designation permits attached and detached single family houses on small lots. The development has been evaluated for impacts to traffic, air quality, and public health and, based on the Infill Checklist prepared in accord with CEQA, and all plans and reports submitted to the City with the project application, and it has been determined the project will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of the Planned Development project, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City because the residential project is consistent with similar residential land uses in the

surrounding neighborhood. The project has been appropriately designed and will fully comply with all fire, safety, and building codes.

With the application of grading and construction best practices, the effects of noise and dust emanating from the project site will be mitigated to a less than significant level. Per the Infill Checklist, the estimated increased trip generation rates for the project would be below thresholds of significance and project-specific impacts relative to traffic hazards, emergency access, pedestrian and bicycle circulation, and transit capacity would not exceed or differ from those identified in the General Plan EIR. In addition, the project would not result in new specific effects that were not addressed in the General Plan EIR, and no new mitigation measures would be required. Further, the project's site planning, use of exterior lighting, and landscaping materials will allow for security and easy surveillance of the development. The development will enhance the existing community atmosphere and provide an adequate level of safety and security for its residents. Per the Infill Checklist, the project's impacts related to air quality emissions would be no greater than the impacts identified in the General Plan EIR. Neither would they result in new specific effects not addressed in the General Plan EIR, nor require new mitigation measures. Also, the infill site will be adequately served with public services, including utilities. The following General Plan action, goals, and policies are relevant to this residential project (note: LU-Land Use; ED-Economic Development):

**Policy LU-1.5 Front Yards.** Encourage the attractive treatment of front yards and other areas in residential neighborhoods that are visible from the street. Landscaping of front yards should be consistent with the City's water conservation and Bay-friendly landscaping goals.

**Policy LU-1.8 Fences.** Require that any fencing in residential neighborhoods meets high aesthetic and safety standards. Residential fencing should not obstruct vehicle sight lines, be compatible with the architectural design of nearby structures and make a positive contribution to the character of the neighborhood.

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- 3. That 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 RS(PD) Residential Single-Family Planned Development Overlay District designation allows for a Planned Development application. The project complies with the provisions of the Zoning Code because the Planned Development project complies with the land use permitted, which is Residential Single-Family and most of the development provisions required under the RS Residential Single-Family zoning district. The Planned Development is seeking an exception for minimum lot area, minimum lot width, and minimum front yard which is supported by the General Plan designation of Low-Medium Density Residential as this allows smaller lots that still include similar amenities provided by single-family houses such as front, side, and rear yards, driveways, and garages. The project meets the density and land use goals. The Planned Development project incorporates high quality urban design with height and massing that are compatible and comparable to the existing surrounding single-family neighborhoods and residential areas. The Planned Development allows for the creation of a single-family residential development which would otherwise not be achievable, particularly on smaller parcels. The project contributes to the City's market rate and affordable housing needs by providing 15 single-family dwelling units at market rate, two single-family dwelling units affordable to moderate-income households and one single-family dwelling unit affordable to a low-income household. The project does not contribute to a net loss of housing units.

**4. That 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.**

Following an evaluation of traffic, as noted in the staff report and the Infill Checklist prepared in accord with CEQA, the estimated increased trip generation rates for the project would be below thresholds of significance and project-specific impacts relative to traffic hazards, emergency access, pedestrian and bicycle circulation, and transit capacity would not exceed or differ from those identified in the General Plan EIR. In addition, the project would not result in new specific effects that were not addressed in the General Plan EIR, and no new mitigation measures would be required. The project will connect the existing Elderberry Way and Muscari Court and will make a through street which will have adequate capacity to safely and reasonably accommodate the traffic generated by the development. In addition, there are AC Transit bus stops such as Route 28 located near the intersection of Halcyon Drive and Oleander Street, Route 35 located near the intersection of Halcyon Drive and Hesperian Boulevard. These routes are within half a mile from the project. Bay Fair BART Station is located within one mile from the project. Several AC transit routes run through Bay Fair BART Station such as Routes 40, 97, 10, 93, 35, and 28.

There are adequate public facilities in the area to serve this residential development. There is adequate public service to the proposed subdivision, including but not limited to gas and electric, the water district, the sanitary district, solid waste disposal and recyclable materials collection services, cable television, schools, and police and fire protection. The project will contribute both physical improvements and development impact fees to the community.



**5. The Planned Development Project Plan will provide superior urban design in comparison with the development under the base district zoning regulations.**

The site planning for the Planned Development allows for adequate front yard, side and corner side yard and rear yard setbacks, attached garage parking and driveway parking that maximize the concept of single-family homeownership. The heights, lot coverages, and floor area ratios of the single-family houses do not exceed the maximum allowed in the Residential Single-Family zoning district. In addition, the design of the project contains architectural patterns and elements that contribute to the character of the Planned Development, including the use of colors, exterior materials, and landscaping for the areas contiguous to the street and through the project site. The overall design and features included within Planned Development enhances the development's long-term livability and value retention in this new residential development.

**6. The Planned Development Project includes adequate provisions for utilities, services, and emergency vehicle access; and that public service demands will not exceed the capacity of the existing and planned systems.**

There is adequate public service provided to the proposed subdivision, including but not limited to electric, water, waste disposal, and police and fire services. The Engineering and Transportation Department and Fire Department have found the access to the site to be safe for vehicular, pedestrian and emergency vehicle access. The project will contribute both physical improvements and development impact fees to the community.

**Site Plan Review 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 18 single-family residences would be harmonious and compatible within the existing predominantly single-family residential context of the immediate area. All adjacent and surrounding parcels comprises single-family residences and zoning with the exception that the parcel touching the northeast of the project site is zoned Industrial General Assembly (IG(AU)).

The project would involve demolition of four existing residential and accessory structures and construction of 18 single-family residences. The residential structures would follow three main design plans (Plans 1, 2, and 3) and two main architectural styles (Farmhouse and Craftsman). Each of the plans includes a different variation of floor plan with Plan 1 consisting of 4 bedrooms, 2.5 bathrooms, a 2-car garage; Plan 2 consisting of 4 bedrooms, 3 bathrooms, a 2-car garage, and a loft; and Plan 3 consisting of 4 bedrooms, 3 bathrooms, a 2-car garage, and a den.

Each of the residential structures would have its own driveway connected directly to a new public street that connects Elderberry Way to Muscari Street or to the new southwestern court or new northeastern court that both connect to the public street connecting Elderberry Way to Muscari Street.

The project would result in a density of 7.5 dwelling units per acre on the project site. On the southeast corner of the project site would be a 4,877 square foot privately-owned open space area for residents' passive use, identified in the site plans as Parcel A. The site planning and architectural design for the development also provides fencing and landscaping for each parcel and throughout the site.

The proposed development complies with most of the RS Single-Family zoning district requirements for density, side, corner side, and rear minimum yards, maximum height, daylight planes, maximum lot coverage, maximum floor area ratio (FAR), fences, off-street parking and loading, refuse storage areas, underground utilities, performance standards and landscaping. With the exception needed for minimum lot area, minimum lot width, and minimum front yard, the base zoning district will remain in place with a Planned Development Overlay District that allows for a high-quality development that would otherwise not meet all applicable zoning standards.

**2. The building has 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.**

The proposed 18 single-family residential development provides adequate articulation to all four sides of each residence. The project appropriately provides varying wall planes and roof lines, using multiple colors, materials, and finishes. The building elevation proposes different arrangements of similar and complementary colors and materials, including concrete slate tile roofing, concrete shake tile roofing, corner and gable board and battens, stucco, and stone.

The residential structures would follow two main architectural styles (Farmhouse and Craftsman) which both have a variety of articulation, colors, materials, and design features which creates visual interest. There are four color scheme packages. The Farmhouse design includes a Shasta Blend roof, Low Gloss White gutters and downspouts, Accessible Beige stucco and garage door, Roman Column trims and Peppercorn front door while the alternative Farmhouse design includes a Manteca Blend roof, Low Gloss White gutters and downspouts, Dover White stucco and garage door, Felted Wood trims, and Forestwood front door. The first Craftsman design includes a Pewter Bronze Blend roof, bronze gutters and downspouts, Monticello Old Country Ledge stone finish, Caramel mortar stone, Artisan Tan stucco and garage door, Status Bronze trims, Portabello gable boards and battens, and garage door trim, and Shade-Gown front door. The second Craftsman design includes a Flintridge Gray roof, Royal Brown gutters and downspouts, Monarch Old Country Ledge manufactured stone, Khaki mortar stone, Stone Lion stucco and garage door, French Roast trims, Tree Branch gable boards and battens, and garage door trim, and Van Dyke Brown front door. The articulation, design,

and color schemes satisfy the Planned Development criteria and enhances the streetscape.

In addition, the residential development has a wall and fence plan which include a variety of fence designs and colors that include wood fence, wood fence with lattice and wood gate with lattice. The fence heights comply with the zoning code. The houses are setback an average of 20 feet. The development includes landscaping at front yards, landscaping strips in between the sidewalk and street as well as trees at the sidewalk. Additionally there is a passive recreation open space at the southeast corner of the development project. The fence height and design combined with the residential building setbacks and landscaping encourage pedestrian use of the sidewalk. With the architectural and design elements provided, the overall design of the residences and the project is compatible with the surrounding neighborhood.

**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.**

The landscaping along the frontage, sides, and through the property complement the architectural design with an appropriate balance of new trees, shrubs, and ground cover. The project would include a total landscaped area of 19,600 square feet, or approximately 19 percent of the site. Landscaping would include front yards, planter strips, and the shared passive use open space area located at the southeastern corner of the project site. Approximately 0.78 acre of the site is comprised of mixed ornamental woodland trees that would be removed as part of the project (figus, redwood, Mexican fan palm, Himalayan cedar, acacia, lemon, southern magnolia, pine, tree of heaven, loquat, and willow). There are 18 new street trees (London plane trees) proposed along the new public street as well as a variety of accent trees along the perimeters of the southwestern and northeastern courts connecting to the new public street that would connect Muscari Street and Elderberry Way, and in the front yards of proposed residences. As conditioned, the landscaping will be fully compliant with State Model Water Efficient Landscaping Ordinance irrigation and water use standards.

**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.**

The project has been designed with appropriate residential signage, lighting, and parking areas and driveways. Proposed new fencing and perimeter walls have been conditioned and will meet the Zoning Code and Building Code requirements, to provide separation, and privacy to each residential parcel. One driveway is proposed for each single-family parcel and there sufficient landscaping to visually blend in the improvements. The project would include new outdoor lighting fixtures including streetlights along the new public road and one coach light on the front of each residence. Conditions of approval are also included that would prohibit light from the property spilling onto adjacent properties or create off-site glare.

## **Vesting Tentative Map Tract No. 8592**

The following findings indicate conformance with the State Subdivision Map Act and the City's Subdivision Ordinance.

1. The proposed map will be consistent with the General Plan in that it provides for a lower density residential use in an area with existing low density residential uses on adjacent properties and the immediate area. The project site has a General Plan land use designation of Low-Medium Density Residential. Under the Low-Medium Density Residential land use, attached and detached single family houses are permitted on small lots. Small lots are defined as lots smaller than 5,000 square feet. Gross average densities generally range from 7 to 11 units per acre including streets and easements, with a maximum allowable net density of 12.4 units per net acre. It is also consistent with the City's Subdivision Ordinance.
2. The design and improvements of the subdivision are consistent with the General Plan in that it includes the creation from one parcel to an 18 parcel single-family residential subdivision, which is adequately served by streets, and with sufficient drainage for the residential development.
3. The site is physically suitable for residential development in that it is relatively flat, and there are no known problems regarding, cultural, historical or scenic aspects.
4. The proposed density of development of 7.5 unit per acre will be compatible with adjacent and neighboring existing low density, single-family developments.
5. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The existing subject property is a developed and improved property in an urban area. The proposed subdivision and related development will have no significant impact on the environment's flora or fauna.
6. The design of the subdivision or type of improvements is not likely to cause serious public health problems. A residential subdivision will not involve significant amounts of hazardous materials or products.
7. The design of the subdivision or type of improvements will not conflict with or affect any existing easement. The City reviewed the Title Report and existing maps for the subject property and found that the subdivision will have no conflicts with any easements.