

**RECOMMENDED
FINDINGS OF FACT FOR APPROVAL OF
PLN2014-00044**

Warren Avenue (Vacant Parcel between 396 and 476 Warren Avenues)

Assessor's Parcel Number 77-572-10

J. Cannizzaro, Cannizzaro Realty Inc. (Applicant)

Jefferson Building Inc. (Property Owner)

Rezone

- 1. The proposed rezone must be in general agreement with the adopted General Plan of the City.**

The General Plan Land Use Map designates the subject property as Low Density Residential. This designation is intended for detached single-family homes and is characterized by lots with 5,000 square feet in area. This is the predominant residential development type in San Leandro and includes most neighborhoods developed between 1925 and 1990. Overall densities range from 3-6 units per gross acre (up to approximately nine (9) units per net acre). The proposed four units on the 0.44 net acre equals nine (9) units per net acre. In this case, the proposed development conforms to the density specified by the General Plan.

The rezoning of the project site from RS Residential Single-Family District to RS(PD) Residential Single-Family, Planned Development Overlay District will subject any proposal on the property to the City's discretionary review process, which will ensure that the new development will be compatible with the existing area. This carries out General Plan Policy 2.05 which provides that the development review shall be implemented to ensure that infill development is compatible with existing homes and maintain aesthetically pleasing neighborhoods. In addition, the proposed plans carries out General Plan Policies 3.01 and 3.04 which is to encourage a mix of residential development types in the City, including single-family homes on a variety of lot sizes, as well as townhomes, planned unit developments and multi-family housing and to encourage infill development on vacant or underused sites within residential areas.

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

The existing RS District designation will be maintained for the proposed project and is the appropriate zoning district which is compatible with the existing single-family residential development in the immediate area. The PD overlay allows the flexibility to propose the project with a compatible density and a comprehensive site planning and architectural design solution. The proposed four units have an overall site density equating to approximately nine units per acre (also four units on 19,248 square feet, or one unit per 4,812 square feet).

- 3. 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 comprehensive plan to rezone and further develop the subject property, the subject 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.

Planned Unit 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, with the approval of the rezoning from an RS District to RS(PD) District, will be a residential development of four detached single-family homes within an existing residential neighborhood which includes condominiums and single-family development. The planned development is low residential density equaling one unit per approximately 4,800 square feet. The density of the development would be comparable to the existing immediate neighborhood. The proposed residential use protects the character of the surrounding area by providing a compatible density and massing of structures that is in the context and within the range of the surrounding development.

- 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 proposal is consistent with City goals, objectives and policies related to housing and land use outlined in the General Plan. The project increases the housing supply in a manner that will be compatible with the existing area. The development will result in an improvement in appearance to the property, which is currently underutilized. In addition to aesthetic quality, the new single-family homes will be designed, constructed and equipped to provide an adequate level of safety and security for the residents. The site, furthermore, will be adequately served with public services, including utilities.

The site planning and the proper use of landscaping materials will allow for security and easy surveillance of the development. The application of current construction practices will prevent disturbances from significant levels of noise emanating from within the completed homes. Sufficient off-street parking will be provided to prevent any significant impact on the proposed on-street parking within the existing neighborhood.

- 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) designation allows for a Planned Development (PD) application. In exchange for reduced lot sizes, quality housing and on-site improvements are being imposed as conditions of approval. The development requirements includes a comprehensive list of on-site improvements such as attractive and well appointed architectural exterior design of the new buildings, new landscaping, new and enhanced paving, and off-street parking.

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.

The surrounding streets have adequate capacity to accommodate the traffic generated by this development. With its close proximity to public transportation (AC Transit Bus Lines 1 and 801 on East 14th Street and Lines 40 and 89 on Bancroft Avenue), traffic generation may be less than developments in San Leandro that are not conveniently located close to public transportation. There are adequate public facilities in the area to serve this development.

There is adequate public service to the proposed subdivision, including but not limited to; the gas and electric company, the water district, waste disposal, cable TV, and police and fire departments.

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 and rear yard setbacks, vehicular parking, and private backyards that maximize the concept of home ownership. The height of the homes and the coverage of the homes do not exceed the maximum allowable in the RS base 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, architectural grade composition roof, and landscaping for all areas contiguous to the street and common driveways areas. 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 the gas and electric, the water, waste disposal, cable TV, 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.

California Environmental Quality Act Categorical Exemption Findings

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15332, the project to construct four new single-family residential units as an infill project is categorically exempt from CEQA. Section 15332 provides that if a project is consistent with the general plan and the zoning code, is located on a site with no more than five acres, and has no value for endangered or rare or threatened species, and if approval of the project would not result in any significant effects relating to traffic, noise, air or water quality, and if all required utilities and public services can adequately serve the site, the project is categorically exempt from CEQA.