

### **Zoning Map Amendment**

Pursuant to Zoning Code Section 5.16.116.B, to recommend approval of a Zoning Map Amendment, the Planning Commission must make the findings below.

1. *The proposed Zoning Map amendment is consistent with the policies of the General Plan and the purposes of the Zoning Code.*

The project is consistent with various policies in the General Plan, as enumerated in the staff report. Additionally, the project is consistent with the MUC land use designation, which calls for a mix of residential and commercial uses along major transit-served arterials. One of the main purposes of the SA-2 zoning district is to encourage infill-residential uses. The project would provide housing in a lot that has been vacant for at least two decades. Therefore, the project would be consistent with the policies of the General Plan and the purposes of the code.

### **Planned Development**

Pursuant to Zoning Code Sections 3.04.132.A and 5.08.124.A, to recommend approval of a Planned Development Project, the Planning Commission must make the findings below.

1. *The proposed location of the Project use is in accord with the objectives of the Zoning Code and the purposes of the SA-2 (South Area 2) zoning district, in which the Property is located.*

One of the main purposes of the SA-2 zoning district is to encourage infill-residential uses. The project would provide housing in a lot that has been vacant for over two decades. Therefore, the project would be consistent with the objectives of the zoning Code and the purposes of the SA-2 zoning district.

2. *The proposed location of the Project 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 project is consistent with the MUC General Plan Land Use Designation which supports placement of new residential uses along major transit-served arterials. The project has been reviewed by the Planning Division, Alameda County Fire Department, Engineering and Transportation Division, Building Division and Housing Division to ensure that the proposed use would not be detrimental to surrounding land uses. The proposal would replace a vacant lot with a residential development with additional “eyes on the street,” making the surrounding neighborhood safer.

Therefore, the project will not be detrimental to the public health, safety or welfare of persons residing, or working in, or adjacent to, the neighborhood; and instead, through physical and passive means, would enhance the public health, safety and welfare of persons in the neighborhood or of the City in general.

3. *The proposed Project will comply with the provisions of the Zoning Code, including all requirements for the proposed use in the SA-2 Zoning District in which it would be located.*

The proposed development would be consistent with the applicable development standards for the SA-2 Zoning District and for Multi-Family Residential Developments with the establishment of the requested Planned Development Overlay and the application of the State Density Bonus Law.

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

The project, as conditioned, will have adequate trash collection and will be well-served by all utilities and infrastructure. Therefore, the project will not exceed the demands of public services and facilities.

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

The scale, density and design of the proposed townhome development is consistent with the character of the surrounding neighborhood. The proposed townhome development is consistent with the vision in the South Area Plan for new residential development that contributes to a vibrant, pedestrian-oriented environment on East 14<sup>th</sup> Street. The proposed townhome development reflects high quality design through the use of exterior materials consistent with contemporary architecture, a high level of articulation, and appropriate orientation towards East 14<sup>th</sup> Street to enhance the pedestrian environment. The PD Overlay would modify development standards that would make the proposed townhome development infeasible. Therefore, the PD will provide superior urban design in comparison with the development under the base district zoning regulations.

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 existing and planned systems.*

The project would be constructed on an infill site which would be adequately served by utilities and public services. The project would not impact the flow of traffic in the public right-of-way. Therefore, project would not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities.

**Administrative Site Plan Review**

Pursuant to Zoning Code Section 5.12.124.B, to approve or conditionally approve a Site Plan Review, the decision maker shall find that the proposal is in substantial compliance with the following standards.

1. *The project is 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 development would be consistent with applicable requirements in the Zoning Code with the approval of the requested Planned Development Overlay and the application of the State Density Bonus Law. The project would be compatible with its surroundings where there are various types of residential and commercial developments. Parking garages and carports would be oriented towards the interior driveway and screened from public view.

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 development proposes a contemporary architectural style with varying colors, materials, and finishes which contributes to its articulation, window placement, detailing, and changes in building planes to provide visual interest. Visually incompatible elements such as trash containers are screened from public view by white wood fencing.

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.*

Landscaping would be installed which complements the architectural design of the townhome buildings.

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 proposed fencing is visually consistent with the architectural and landscape design of the project. The fencing is not composed of any reflective materials and thus, would not have glare. As conditioned, light for the buildings and site shall be shielded to minimize off-site glare and light spilling over to adjacent properties.

**Tentative Tract Map**

Pursuant to Municipal Code Section 7-1-325, in order to recommend approval of the Tentative Tract Map, the Planning Commission shall find that the following is true.

*The proposed subdivision together with provisions for its design and improvements, is consistent with applicable General or Specific plans adopted by the City of San Leandro.*

The Tract Map would create fee simple lots consistent with the requirements of the City's Subdivision and Zoning Regulations and would facilitate a development consistent with the vision established in the East 14<sup>th</sup> Street South Area Development Strategy and General Plan.

Pursuant to Municipal Code Section 7-1-330, the Planning Commission shall deny approval of the Tentative Map if it makes any of the following findings as set forth in Section 66474 of the Map Act. There is no basis to make any of the findings.

1. *That the proposed map is not consistent with applicable General and Specific plans as specified in § 65451 of the Government Code.*

The proposed map is consistent with various General Plan policies, as enumerated in the staff report.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific plans.*

The proposed development is consistent with various General Plan policies, as enumerated in the staff report.

3. *That the site is not physically suitable for the type of development.*

No site conditions have been identified that would preclude residential development.

4. *That the site is not physically suitable for the proposed density of development.*

No site conditions have been identified that would preclude the construction of nine dwelling units, as proposed.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

Development of the subdivision would be subject to development regulations and standards conditions to avoid damage to the environment or wildlife.

6. *That the design of the subdivision or the type of improvements is likely to cause serious public health problems.*

Development of the subdivision would be subject to development regulations and standard conditions that protect public health and safety.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

No conflicting easements exist at the subject site.

### **No Net Loss Finding**

*Per Government Code Section 65863, if a jurisdiction approves a development of a parcel identified in its Housing Element sites inventory with fewer units than shown in the Housing Element, it must make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by each income level.*

The subject site was identified in the City's 2023-2031 Housing Element as an inventory site with a realistic development capacity of 12 units in the Above-Moderate Income category. The proposed project would provide nine units (eight Above-Moderate Income units and one Moderate Income unit), which is fewer than the 12 units identified in the City's Housing Element. The City's 2023-2031 Housing Element sites inventory included a buffer of 1,052 Above-Moderate Income units beyond RHNA requirements, and therefore San Leandro would continue to have more than sufficient inventory capacity to satisfy the City's RHNA for Above-Moderate Income housing in the 2023-2031 planning period.