

Conditional Use Permit

1. *The proposed location of the Project use is in accord with the objectives of the Zoning Code and the purposes of the DA-3 Zoning District in which the Property is located;*

The proposed use is consistent with the DA-3 Zoning District, which allows single-family residential as a conditionally permitted use. The proposed use is consistent with the specific purposes of the Downtown Area 3, in that the project is an infill development that respects the scale and fabric of the neighborhood.

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 proposed location of the use and the conditions under which it would be operated and maintained are consistent with the General Plan and the site's Downtown Mixed Use (MUD) Land Use Designation. The proposed use would not be detrimental to surrounding properties because it is an infill residential development that is compatible and consistent with the existing neighboring parcels which are also predominantly two-family and multi-family residences. The recommended conditions of approval would further ensure that the proposed use would not be determinantal to public health, safety or welfare.

3. *The proposed Project will comply with the provisions of the Zoning Code, including all requirements for the proposed use in the Downtown Area 3 Zoning District in which it would be located; and*

With the approval of the requested Administrative Exception and Fence Modification, the proposed development, as conditioned, would be consistent with applicable requirements in the Zoning Code

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 proposed project would add three new single-family homes and households on an infill site which would be 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

Attachment 3: Required Findings

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.*

With the approval of the requested Administrative Exception and Fence Modification, the proposed development, as conditioned, would be consistent with applicable requirements in the Zoning Code. The project would be compatible with its surroundings where there are various types of residential developments such as single-family, two-family, and multi-family residences. The project's three parking spaces and service areas would be appropriately 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 single-family homes. Landscaping at the front and side of Parcel 1 would provide adequate screening of the parking area.

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. 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. The parking area is mostly hidden from view from the public street due to the placement and

Attachment 3: Required Findings

orientation of the single-family home on Parcel 1. Landscaping would also be installed in strategic locations to minimize the prominence of the driveway.

5. *All site plan elements in the DA-1, DA-2, DA-3, DA-4, and DA-6 Districts shall be reviewed for general consistency with the Design Guidelines contained in the Downtown San Leandro Transit-Oriented Development Strategy, unless otherwise superseded by this Code.*

The proposed project advances the TOD Strategy by providing additional housing in Downtown San Leandro, which will increase use of public transportation, provide additional 'eyes on the street', and locate additional residents near downtown shops and services. The project would also improve the pedestrian experience along Castro Street with a visually attractive development with a setback from the street appropriate for an urban environment.

Administrative Exception – Lot Size

1. *The decision making body may administratively approve an exception to the minimum lot size to allow for lots less than the minimum size required by this section if adequate shared ingress, egress and access to parking facilities can be provided to accommodate each proposed new lot.*

The design of the development allows for safe and adequate ingress/egress and access to parking. As a condition of approval, an easement would be recorded on Parcel 1 (where the driveway and three parking spaces would be located) so that occupants of Parcels 2 and 3 may utilize the driveway to access their parcels and park their vehicles.

Fence Modification

1. *The fence is not detrimental to adjacent property.*

The proposed fence would be located entirely within the subject property and would therefore not generate any impacts that could affect any adjacent properties.

2. *The fence is compatible with the neighborhood in terms of aesthetics.*

The proposed white wood fence would be generally consistent with the variety of fencing materials utilized by nearby residential and commercial uses. These include other white wood and picket fences, natural colored wood fences, chain link fences, metal gates, and wood and metal hybrid fences.

3. *The fence does not create a sight distance hazard.*

Attachment 3: Required Findings

The proposed fence would not be in a location that would affect driveway visibility. Therefore the proposed fence would create a sight distance hazard.

4. *The fence is not detrimental to the public health, safety, or welfare.*

The applicant would be required to demonstrate that the design of the fence meets all Building and Fire Codes prior to the issuance of building permits. Therefore the proposed fence would not be detrimental to the public health, safety or welfare.