

**Exhibit B -**  
**RECOMMENDED FINDINGS OF FACT**  
**FOR APPROVAL OF**  
**PLN16-0067; Planned Development and Site Plan Review Permit, and**  
**CEQA Consistency Memorandum**  
**601 Parrott Street (to Thornton Avenue to the south)**  
**Alameda County Assessor's Parcel Number 75-47-57-2**  
**Westlake Development Partners, LLC (applicant and property owner)**

**Finding for California Environmental Quality Act**

**1. CEQA Environmental Review**

A Consistency Memorandum has been prepared that documents: Pursuant to CEQA Guidelines Section 15168(c)(4), the City used a written checklist to determine whether the environmental effects of the project's site-specific operations were evaluated in the San Leandro Downtown Transit-Oriented Development Strategy EIR. Pursuant to CEQA Guidelines Section 15168(c)(2), the City evaluated whether further environmental review was required per the provisions of Section 15162(a). The City considered various technical studies (including a Geotechnical Investigation, Noise Report, and Traffic Impact Study) prepared by environmental consultants hired by the City and the applicant. The proposed project would be consistent with the assumptions for the project site as presented in the City's General Plan and Zoning Code, and the project would not result in any new significant impacts or increase the severity of any significant impacts identified in the Downtown TOD EIR. Therefore, no further environmental analysis is required.

**Findings for Planned Unit Development (Zoning Code Sections 3-1018 and 3-1020)**

**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 mixed-use residential development is located within the DA-6 Downtown Area 6 District. The purpose of the DA-6 District is to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy by clustering office uses in the vicinity of Davis Street and San Leandro Boulevard that will benefit from visibility from these streets and the nearby BART station. The proposed mixed-use residential project is a permitted use (Z.C.S. 2-646 A. 12.) in a DA-6 District and conforms to the various Zoning Code requirements for development. Furthermore, the DA-6 District permits mixed-use residential and its related improvements such as off-street parking, landscaping, paths, walkways driveways, etc.

This Code section provides that mixed-use residential with ground floor retail or office on lots greater than 10,000 square feet have a minimum density of 60 dwelling units per acre and no maximum density. There is 13,000 square feet of speculative office space on the ground floor and the multi-family residential density is 63 units per acre (197 units on 3.13 acres).

The proposed project with zero setback along Parrott Street, four- to five-feet along Thornton Street, seven feet along the western interior side yard, and 4- to 28 feet along the eastern interior side yard conforms to the DA-6 District provisions, where mixed-use residential

buildings front setback shall not exceed 10 feet (Z.C.S. 2-680 F. 2. c.) and side yards are permitted to be zero (Z.C.S. 2-680).

The building height in DA-6 is 75 feet maximum, however there is consideration to go higher per the Downtown San Leandro Transit-Oriented Development Strategy for certain locations (Z.C.S. 2-682). In regards to the proposed project, the TOD Strategy indicates that there is no height limit for this project site bound by Parrott Street, railroad right-of-ways, and Thornton Street because the location is not adjacent to any existing development or uses (i.e., residences). The site has the SLTC parking structure and office buildings to the north, existing industrial usage to the south, and railroad right-of-ways. The nearest residences are 300 feet away to the east and 400 feet away to the west. Therefore the 86- to 94-foot tall seven-story building may be approved being over the 75 foot height limit since it is not expected to create a detrimental impact to adjacent or nearby development.

The project FAR is 1.62 which is less than the maximum permitted FAR of 5.0 when the project is site adjacent to the BART Station (Z.C.S. 2-686 B. 2.).

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 of San Leandro General Plan (GP) goals, objectives and policies related to Transit-Oriented Development Mixed Use (MUTOD). The purpose of this GP designation is to provide for a mix of high-intensity land uses that capitalize on proximity to the San Leandro BART station. This designation maximizes the potential for transit-oriented infill development. The development will carry out the TOD Strategy by having new development that is attractive high density and creates a positive image of revitalization. The development will maintain the north-south bicycle and pedestrian path to connect the southern portion of the development site to Davis Street at the north (along the eastern edge). The following General Plan goals, policies and actions will apply (note: LU- Land Use; ED- Economic Development):

GOAL LU-2 Preserve and enhance the distinct identities of San Leandro neighborhoods

Policy LU-2.7 Location of Future Multi-Family Development. Concentrate new multi-family development in the areas near the BART Stations and along major transit corridors.

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.

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.

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

Policy LU-3.5 Mixed Use on Transit Corridors. Encourage mixed use projects containing ground floor retail and upper floor residential uses along major transit corridors. Such development should be pedestrian-oriented, respect the scale and character of the surrounding neighborhood, and incorporate architectural themes that enhance the identity of adjacent commercial districts.

GOAL LU-6 Foster the development of Downtown San Leandro as a vibrant pedestrian oriented destination that is the civic and social heart of the City.

Policy LU 6.1 Downtown Plans. In accordance with the adopted Downtown Plan and Urban Design Guidelines and the Downtown San Leandro Transit Oriented Development Strategy, ensure that new downtown development is attractive and creates an image conducive to revitalization.

Policy LU-6.6 Downtown Housing Diversity. Encourage a mix of market-rate and affordable housing in the Downtown area, including ownership and rental housing at a variety of price points. Recognize the opportunity to make future Downtown housing more affordable by reducing accompanying transportation costs and making it more feasible to use transit, bicycles, bicycle and car-sharing, and other innovative modes of transportation as these become viable

Policy LU-6.7 BART Accessibility. Maintain and strengthen pedestrian, bicycle, and transit connections between the BART Station, Downtown, and nearby neighborhoods.

Policy LU-6.8 Pedestrian-Friendly Environment. Provide public and private improvements that create a safe, friendly, and comfortable environment for pedestrians and bicyclists in Downtown.

Policy LU-6.9 Urban Design. Promote quality Downtown architecture that is well articulated, enhances the pedestrian setting, preserves the City's architectural heritage, and fits in with the scale and texture of existing historic structures. Discourage "franchise architecture" that will detract from creating a unique and distinctive Downtown setting.

Action LU-6.9A Building Height. Generally maintain building heights of six stories or less in the area east of San Leandro Boulevard to respect the historic scale of development, and the integrity of Downtown San Leandro. Taller buildings are encouraged in the area west of the station.

Policy LU-6.11 Coordination. Fully involve and coordinate with local business owners, property owners, adjacent residents, and business organizations such as the Chamber of Commerce, San Leandro Improvement Association, and Downtown Association in all planning and development activities within the Downtown area.

Policy LU-6.13 BART Station Area Transit Village. Foster the development of the BART Station area as a mixed use “transit village,” with a full complement of office, high-density residential, and retail uses, along with pedestrian plazas, open space, BART parking, and other transit facilities. Development in this area should include a balance of new housing, office, and retail use, oriented in a compact form to make it more feasible to walk and use transit for most trips.

Action LU-6.13.A: Parking Improvements. Complete the planned parking structures at Marea Alta and the San Leandro Tech Campus, and retain spaces in these structures that are available for public use. Pursue opportunities for additional shared publicly available parking as a component of new private development in the station area.

Action LU-6.13.C BART Area Housing. C: BART Area Housing. Strongly encourage the development of high-density housing on vacant and underutilized land at the northern terminus of Alvarado Street, and along the San Leandro Boulevard corridor to the north and south of the BART station. The City should continue to require minimum densities in these areas to ensure that the opportunity for transit-oriented development is maximized.

Policy LU-6.14 Downtown Open Space. Develop a network of Downtown open spaces to serve the growing population and workforce. This network should include civic plazas, parks, a linear greenway along the former Union Pacific Railroad right-of-way (part of the East Bay Greenway), and a San Leandro Creek greenway along the northern edge of Downtown. In addition, streetscape improvements should include street trees and sidewalks that connect these spaces and increase greenery in the Downtown area.

GOAL ED-1 Attract jobs and investment across all economic sectors.

Policy ED-4.5 Downtown San Leandro. Downtown San Leandro. Continue efforts to transform Downtown into a successful, pedestrian-oriented, mixed-use district with services and amenities for workers, residents, and visitors. Downtown should be the gathering place for the city, providing restaurants, cafes, and a wide range of retail stores and services in a walkable setting.

GOAL ED-5 Provide amenities that attract and retain businesses and encourage those working in San Leandro to also live in San Leandro.

Policy ED-5.1 Key Amenities. Support amenities that attract businesses and employees to the city, including a more vibrant downtown, walkable neighborhoods, better dining and entertainment options, quality education and public safety, and more diverse housing choices.

Policy ED-5.2 Housing Production. Substantially increase the production of a variety of housing types meeting the needs of persons at all income levels.

The proposed project complies with the GP, Zoning Code and the City’s Downtown TOD Strategy. Adequate parking is located within the proposed mixed-use residential building and

multi-level parking structure. The project provides in-fill housing on property that is within walking distance to downtown retail services, AC Transit and BART transit stops, and nearby office building including the SLTC buildings. The development expresses strong and attractive contemporary architecture, with bold forms and durable, high quality materials that, together with the rest of the San Leandro Tech Campus (SLTC), achieves the vision in the TOD Strategy for downtown San Leandro as a desirable place to live and work. The proposed project also provides needed new housing supply in the City and helps the City to meet its State Regional Housing Needs Allocation Housing goals, particularly under its Housing Element. The north will be developed with the SLTC and the south is existing industrial uses. These existing conditions have no adjacent development or persons residing adjacent to the site that would be affected by the multi-story development and related site improvements.

**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 Planned Development provides a mechanism for reviewing and considering that the development project is designed to be compatible with the application of careful and imaginative architectural treatment. The review allows the City to ensure orderly and thorough planning that will result in high-quality urban design. The appropriate conditions of approval will ensure the proposed use will comply with the code.

**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.**

Adequate on-site parking will be provided for the mixed-use residential building containing 13,000 square feet of speculative office space and 197 apartment units. In the DA District, the commercial office parking requirement is two spaces per 1,000 square feet (26 spaces required) and multi-family residential adjacent to BART is one space per unit (197 spaces required). The total required is 223 spaces. The proposed project would have 229 spaces to satisfy the requirement. This includes 81 parking spaces in the ground floor parking garage in the mixed-use building and 144 spaces in the adjacent Phase II garage parking structure on Parrott Street, accessible both from grade and from the pedestrian bridge on Level 2 linking the two structures. There would be 26 spaces available on the ground floor and 118 spaces in the Phase II parking structure Levels 3 and 4.

The Traffic Study (Study) prepared by Kimley Horn, dated February 23, 2017, identified several significant impacts and recommended corresponding mitigation measures. First, the Study identified an impact at the intersection of Thornton Street and San Leandro Boulevard. A recommended condition of approval is that the Developer construct a traffic signal at the intersection of Thornton Street and San Leandro Boulevard, as recommended in the Study. The new signal must be interconnected with the nearby signals along San Leandro Boulevard.

In addition, the Study identified an impact at the intersection of Parrott Street and San Leandro Boulevard. A recommended condition of approval is that the Developer re-stripe eastbound Parrott Street to have an eastbound left turn lane and a shared eastbound through and right turn lane, as recommended in the traffic study. This will require the roadway be widened to accommodate the third traffic lane for fire equipment to make the southbound right turn movement from San Leandro Boulevard, and will require modifications to the existing traffic signal. Moreover, the recommended condition requires the Developer to re-stripe westbound

Parrott Street to have a westbound left turn lane and a shared westbound through and right turn lane, as recommended in the Study. This will require modifications to the existing traffic signals.

The mitigation measures required as conditions of approval and their implementation will provide adequate access to the project without having impacts on traffic or creating demands exceeding the capacity of public services and facilities.

The site and immediate area is already served by adequate public utilities and infrastructure, including but not limited to: the gas and electric company, the water district, waste disposal, 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 plan elements (including building placement, size and location of landscape areas, parking facilities, bicycle and pedestrian paths, and on-site active and passive recreational amenities) create a harmonious and orderly development that is compatible with its surroundings. The landscaped areas and setbacks, off-street parking spaces and parking garage, and the modern design of the multi-story mixed-use residence building will improve the site and revitalize the adjacent BART station area which is currently undeveloped and vacant. In that context, the Planned Development project will provide superior urban design versus the existing site conditions.

**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 Planned Development, including but not limited to gas, electric, water, waste disposal, and police and fire services. The Engineering and Transportation Department and Alameda County Fire Department have found that the access to the site and internal circulation to be safe for vehicular, pedestrian and emergency vehicle access. To comply with Building and Fire Codes fire pumps are designated in the building with back-up generators to meet adequate water fire flow.

**Findings for Site Plan Review (Zoning Code Sections 5-2512)**

**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 site plan for the mixed-use residential building is in conformance with the underlying DA-6 Downtown Area District. The proposed project with zero setback along Parrott Street, four-to five-feet along Thornton Street, seven feet along the western interior side yard, and 4- to 28 feet along the eastern interior side yard conforms to the DA-6 District provisions where mixed-use residential buildings front setback shall not exceed 10 feet (Z.C.S. 2-680 F. 2. c.) and side

yards are permitted to be zero (Z.C.S. 2-680). In addition, the site planning and architectural design deemphasizes vehicle parking, storage areas and service areas, where they are not visible from Parrott Street, Thornton Avenue or adjacent properties. All of these elements including the trash enclosure are integrated into the design of the building inside the parking garage.

- 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. Visually incompatible elements, such as roof mounted utilities, are fully screened from public view.**

The proposed seven story mixed-use residential building will have a landmark architectural presence. The exterior design expresses strong architecture, with bold forms and durable, high quality materials. There are many features and treatments of the architectural design that add to the aesthetics, articulation, and modern appearance. There is an extensive use of materials, finishes and colors for visual interest, varying wall planes and roof lines, use of canopies that creates shadows. All of these elements combine to prevent any appearance of monotony in the design. The following lists some of the exterior materials, finishes, detailing and colors that add visual interest to the project and are compatible with the surrounding architecture of the San Leandro Tech Campus: use of cementitious panels with dark aluminum framed windows of varying sizes; cement plaster exterior walls with score lines painted a minimum of three colors and light color framed vinyl clad windows; an aluminum window wall from Level 2 to Level 7 at the northeast corner elevation facing Parrott Street; and cement plank siding on recessed wall planes facing the Thornton and Parrott Street elevations. In addition, the ground floor commercial office and the main entry to the apartment lobby and leasing offices will be treated with metal awnings overhead and large and tall storefront windows and metal framing. The ground floor along the west edge will have green walls where vegetation will be trained to climb it. Together all of these architectural treatments prevent any expanse of the building to appear massive or monotonous. The building will be 86-feet, two-inches to the parapet and 93-feet, eight-inches to the tallest level at the top of the elevator penthouse.

- 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.**

Details on type, size and location of proposed tree and plant species have been submitted as part of the project submittal. The landscaping provided on the plan is an assorted list of trees, flowering shrubs, ground covers and vines. The selected trees appear to have large canopies and they will be required to be a minimum 24-inch box (or specimen size) to have substantial size for a project on a large site and a multi-story building. Over one-half acre (24,514 square feet) of the site adjacent to the mixed-use building will be landscaped. In addition, the Level 2 courtyards will contain over 4,000 square feet of landscaping and the Level 7 (Roof Deck) will have 800 square feet. In the DA District, landscaping is reviewed on a case-by-case basis and at the discretion of the reviewing body of the Site Plan Review.

The landscaping along the frontages and the eastern side complements the architectural design, with an appropriate balance of trees, shrubs, and ground cover. The western side will have green walls where vegetation will be trained to climb it. The design of the project having a

podium over parking effectively conceals the vehicle parking, storage areas, service areas and trash enclosure. Access to the parking garage is minimized to one driveway.

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 sign program conceptually shown on the proposed building appears to fit well aesthetically at their designated locations as edge signs on the metal awnings on the ground floor. In addition, they fit in size and scale. Additional signage such as the monument signs in the landscaped planter areas and directional signs on the site will be reviewed by the Community Development Director to ensure they also fit in the development. The proposed lighting will be a new composition of outdoor lighting for security and surveillance of the site. There is a recommended condition of approval that the exterior lighting should blend in with the new architecture and landscaping. The design and materials used for any freestanding sign will be required to be designed to blend in and complement the mixed-use building.