

## **RESOLUTION NO. 17-003**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN LEANDRO**

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#### **A RESOLUTION DENYING REZONING, PLANNED DEVELOPMENT, AND SITE PLAN REVIEW, PLN17-0021, 1388 BANCROFT AVENUE**

**WHEREAS**, T. Silva, Eden Realty (the “Applicant”) and Silva and Gonsalves Trust (the “Property Owner”) submitted an application requesting approval of a Rezoning, Planned Development, and Site Plan Review Permit, PLN17-0021 (“Project”). The proposed rezoning of the parcel is from P Professional Office District to DA-3(PD), Downtown Area 3, Planned Development Overlay District. The proposed planned development and site plan review is for a four-story, multi-family residential building comprising 73 units, including 72 two-bedroom units and one three-bedroom unit at 1388 Bancroft Avenue (parcel at Bancroft Avenue, and Estudillo and Joaquin Avenues); and

**WHEREAS**, the subject property is a 55,282 square foot (1.27 acre) site located at the eastern side of Bancroft Avenue, between Estudillo Avenue to the north and Joaquin Avenue to the south, developed in 1955 with medical office buildings, located adjacent to a residential neighborhood east of Downtown that contains pre-1940s housing stock; and

**WHEREAS**, in the General Plan, Zoning Code and Zoning Map update in the Spring and Summer of 2016, the City studied and vetted publicly that the Professional Office (P) zoning district for the Downtown East area (the approximately 20 parcels on Estudillo Avenue and Bancroft Avenue) be rezoned to DA-2 Downtown Area 2 District. At the City’s June, July, and September 2016 public meetings, the proposal to rezone the parcels, including the subject property, was unsupported by the neighborhood residents and the general public; and

**WHEREAS**, based on community opposition to the rezoning proposal due to traffic, parking, density and height concerns, staff reversed the recommendation for a rezone of the area at that time, the Planning Commission and the City Council concurred with staff’s recommendation, and the properties remained P Professional District; and

**WHEREAS**, the applicant requests a rezoning to DA-3 to accommodate the proposed 73 residential units on the 1.27 acre property, equating to a density of 58 units per acre, exceeding the P District maximum density of 24 units per acre; and

**WHEREAS**, the proposed residential building would have 10 foot setbacks from the street frontages right-of-way lines (property lines) along Estudillo,

Bancroft and Joaquin Avenues; and maintain 53 feet from the eastern interior property line; and

**WHEREAS**, the proposed total number of parking spaces is 146, which includes 128 spaces provided by 64 stackers/car lifts, five disabled spaces in the building and 13 uncovered spaces adjacent to the eastern perimeter of the property; and the 64 stackers are distributed with 35 inside of the parking garage, 17 beneath the building's eastern carport, and 12 along the eastern perimeter of the property; and

**WHEREAS**, the proposed apartment building would have the highest levels of the building's parapet roof lines 49.5- to 52-feet, and the actual height of the roof sheathing would be at 47 feet; and

**WHEREAS**, it is the policy of the City's General Plan that where higher densities are proposed, care must be taken to ensure quality design and compatible transitions to lower density housing, and protecting neighborhood character; and

**WHEREAS**, it is the policy of the City's General Plan to consider the setting and context of each site when evaluating proposals for rezoning and development in and adjacent to a residential neighborhood for potential impacts on adjacent uses, including land use conflicts, health and safety, and increased parking demand; and

**WHEREAS**, it is in the interest of the City of San Leandro to ensure that residential Planned Development projects provide superior urban design in comparison with development under the base district zoning regulations; and

**WHEREAS**, Zoning Code Section 5-2708 provides that the rezoning is consistent with the policies of the General Plan and the purposes of the Zoning Code; and

**WHEREAS**, Zoning Code Section 3-1018 provides that Planned Development, is in accord, is consistent, and will comply with the required findings for a Conditional Use Permit, that the proposed use will not create impacts on traffic, that the Planned Development Project Plan will provide superior urban design, that the Project includes adequate provisions for utilities and series, and that public service demands will not exceed the capacity of existing and planned systems; and

**WHEREAS**, Zoning Code Section 5-2512 provides that the project is in substantial compliance with Site Plan Review standards, including site plan elements, building design, landscaping and detail features; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing regarding the proposed Project on November 16, 2017, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Planning Commission fully considered the Project application, the applicant's statement, the staff report, public comments, and all other testimony and evidence presented at the public hearing; and

**WHEREAS**, the Planning Commission finds that the proposed Project does not satisfy the requisite findings of fact necessary for approval as further explained in the staff report and attached findings of fact, as identified in Exhibit A attached hereto and incorporated herein by this reference; and

**WHEREAS**, the Planning Commission finds that the staff report and findings of fact for denial reflect the City's independent judgement and analysis of the Project; and

**WHEREAS**, the proposed Project is statutorily exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 18, Section 15270 "Projects Which Are Disapproved"; and

**WHEREAS**, the City's General Plan, the Zoning Code, the Downtown San Leandro Transit Oriented Development Strategy, and the City's Engineering Standard Plans are incorporated herein by reference, and are available for review at City Hall during normal business hours and on the City's website.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The above recitals are true and correct and made a part of this resolution.

**BE IT FURTHER RESOLVED THAT:** The Planning Commission of the City of San Leandro has determined that it is unable to make the necessary findings and determinations required by Zoning Code Sections 5-2708, 3-1018, 5-2212, and 5-2512 to approve the requested Rezoning, Planned Development, and Site Plan Review for PLN17-0021 at 1388 Bancroft Avenue, for the reasons set forth in the staff report and Exhibit A attached hereto and incorporated herein by this reference.

**BE IT FURTHER RESOLVED THAT:** The Planning Commission of the City of San Leandro denies, without prejudice, the requested Rezoning, Planned Development, and Site Plan Review for PLN17-0021 at 1388 Bancroft Avenue for the reasons explained in the staff report and findings of fact for denial set forth in Exhibit A attached hereto and incorporated herein by this reference.

**PASSED, APPROVED, AND ADOPTED**, on this 16th day of November, 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Kenneth Pon, Chairperson

**ATTEST:**

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Tom Liao  
Secretary to the Planning Commission

**Exhibit A**

**SAN LEANDRO PLANNING COMMISSION  
RESOLUTION 17-003  
RECOMMENDED FINDINGS OF FACT FOR DENIAL  
PLN17-0021; Rezoning, Planned Development and Site Plan Review Permit  
1388 Bancroft Avenue  
(parcel at Bancroft Avenue, and Estudillo and Joaquin Avenues)  
Alameda County Assessor's Parcel Number 77-524-12-4  
T. Silva, Eden Realty (Applicant)  
Silva and Gonsalves Trust (Property Owner)**

**Rezone (Zoning Code Sections 5-2708)**

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

The General Plan land use designation for the subject property is "Downtown Mixed Use" (MUD). The Zoning Map designates the subject property as "Professional Office District" (P), a corresponding zoning designation. The proposed Downtown Area 3, Planned Development Overlay District DA-3(PD) zoning is a corresponding designation, however, the Planning Commission finds that this proposed zoning designation is inappropriate and inconsistent with the General Plan, the adopted Downtown San Leandro Transit Oriented Development Strategy, and the designated purpose identified in Zoning Code Section 2-600, as the proposed location of the rezoning would enable a higher and greater intensity development than designated. The DA-3 zoning designation is specified for the inner core of the Downtown rather than along outlying and perimeter areas. The Zoning Code specifically provides that the purpose of DA-3 is to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy in areas adjacent to the Downtown retail core. Zoning Code Section 2-600 specifies that infill development shall respect the scale and fabric of the neighborhood while increased building height and higher residential densities are allowed. Per General Plan Policy LU-2.7, the location of future multi-family development should be concentrated in the areas near the BART Stations and along major transit corridors such as East 14th Street and ensure that such development enhances rather than detracts from the character of surrounding neighborhoods. Moreover, the Downtown San Leandro Transit Oriented Development Strategy defines the TOD Strategy study area as applying to those properties located within the one-half mile radius circle around the intersection of East 14th and Davis Streets, whereas the proposed project is outside the limit of a qualifying radius (Downtown TOD Strategy page 2, Figure 1).

**Neighborhood Character** (General Plan page 3-57)

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

The Planning Commission finds that the zoning map change would allow for a proposal comprising four-story apartment building (47- to 53-feet) with large floor plates of 26,000- to 34,000- square feet that would be tall, large and bulky, and would result in being out of scale and out of character with the adjacent single-family residences that are only one- or two-stories tall.

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

The Planning Commission finds that the zoning map change would enable a high-density residential development proposal on a property that is over four-tenths (4/10) of a mile from East 14th Street and three-quarter (3/4) mile from the Downtown BART station on San Leandro Boulevard, distances which are problematic and inconvenient for persons relying on transit as their primary means of transportation and farther than what is specified under existing General Plan policy.

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 such as East 14th Street. Ensure that such development enhances rather than detracts from the character of surrounding neighborhoods.

The Planning Commission finds that the proposed zoning map change would permit infill development that is bulkier and more massive than the existing adjacent and immediate homes which would not be compatible nor would it maintain the aesthetics of the neighborhood. In addition, the rezoning would reduce the required setback requirements from the three street frontages from 15 feet to 10 feet. The large building with shadowed setbacks increases the appearance of bulkiness and massiveness of the apartment building.

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.

The Planning Commission finds that the zoning map change would not respect an appropriate density transition. It would enable an abrupt change from the existing low density housing (low profile, smaller footprint with separation and spacing from each other) to high density housing (multi-story, higher-rise, large footprint containing multiple residential units).

Policy LU-2.9: Density Transitions. Avoid abrupt transitions from high density to low density housing. Where high-density development occurs, encourage such projects to step down in height and mass as they approach nearby lower density areas.

The Planning Commission finds that the zoning map change would enable bulkier, larger and massive construction which would alter access to sunlight and views of the sky. A larger multi-story structure and high perimeter wall would disrupt panoramic or scenic views to the adjacent and nearby residences.

Policy LU-2.11: Privacy and Views. Encourage residential alterations, additions, and new homes to be designed in a manner that respects the privacy of nearby homes and preserves access to sunlight and views. Wherever feasible, new or altered structures should avoid the disruption of panoramic or scenic views.

The Planning Commission finds that the zoning map change would enable a multi-family proposal with a parking requirement less than current requirement at a higher parking ratio, resulting in a shortage of adequate parking. Multi-family uses in the DA District further than 0.25 mile to BART requires only 1.5 spaces per unit where the current zoning designation requires the following:

- Two-Bedroom Unit, 2.0 covered spaces, plus 0.25 uncovered spaces per unit; 0.25 space per unit must be designated guest parking; and
- Three-Bedroom or Larger Unit, 2.0 covered spaces, plus 0.5 uncovered spaces per unit; 0.25 space per unit must be designated guest parking.

The proposed project provides 146 spaces where the parking requirements listed above would require 165 spaces based on the units and their bedroom count.

Policy LU-2.12: 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.

**Sense of Place** (General Plan page 8-43)

GOAL CD-5: Promote a stronger “sense of place” in San Leandro.

The Planning Commission finds that the rezoning would enable a proposal for new higher density infill multi-family residential building that would not be sensitive to and would not be compatible with the prevailing scale and appearance of the single-family development in the immediate area on Estudillo Avenue and Joaquin Avenue. The 13 foot tall fence, measured from the ground of the subject property, along a 239 foot segment of the 283.5 foot eastern side property line shared with the single-family residences at 643 Estudillo Avenue and 646 Joaquin Avenue would be out of scale and detract from the character of the single-family homes, where the maximum height of residential fencing is a maximum of seven feet tall along shared side property lines. The purpose of the 13 foot tall fence is to screen the twelve (12), six to seven foot tall parking lifts which could have vehicles up to six feet tall, totaling 13 feet tall, and facing the single-family properties at 643 Estudillo Avenue and 646 Joaquin Avenue. The proposed fence and/or the location of the parking lifts are incompatible with the adjacent development to the east.

Policy CD-5.4: Architectural Consistency. In established neighborhoods, protect architectural integrity by requiring infill housing, replacement housing, and major

additions or remodels to be sensitive to and compatible with the prevailing scale and appearance of adjacent development.

**Quality Construction and Design** (General Plan page 8-47)

GOAL CD-6: Ensure that new construction and renovation contributes to the quality and overall image of the community.

The Planning Commission finds that the rezoning would enable a proposal that would be non-cohesive and in conflict with the prevalent style of the established low density character and theme of the immediate area.

Policy CD-6.2: Recognizing Architectural Context. In areas without a well-established architectural aesthetic or consistent design palette, encourage contemporary and cutting edge design. In areas which have an established or more traditional design theme or rhythm, encourage infill development that increases architectural cohesion and reinforces the prevalent style or styles.

The Planning Commission finds that the rezoning would enable a boxy and massive proposal that fails to establish a high standard of design for a multi-family high density development, as it maximizes a building envelope with reduced amenities such as open space. Similar to the parking requirement, the rezoning would enable a reduced open space requirement in an area not intended for the City's highest density urban development. The total open space of 8,348 square feet (7,618 square feet for courtyard open space and approximately 730 square feet for eight private patios at grade), is less than the 14,600 square feet which is the basic requirement for open space for a multi-family residence in this location. The basic open space is at least 200 square feet per dwelling unit (Z.C. Section 2-558 A.).

Policy CD-6.3: Multi-Family Design. Establish high standards of architectural and landscape design for multi-family housing development. Boxy or massive building designs should be avoided, ample open space and landscaping should be provided, and high quality construction materials should be used.

The Planning Commission finds that the rezoning would enable a large multi-family building proposal that can be perceived to have large blank or solid walls as it is inherent for large buildings to have solid walls for shear strength, provide required fire-rated separations without openings, etc. The addition of a very high wall and parking stackers to separate the property from adjacent single family homes to the east further contributes to these factors.

Policy CD-6.7: Architectural Interest. Encourage new structures to incorporate architectural elements that create visual interest such as trellises, awnings, overhangs, patios, and window bays. Avoid solid or blank street-facing walls.

Furthermore, the Planning Commission finds that the proposed zoning map change is not consistent with the broad purposes of the Zoning Code which are to protect and promote the public health, safety, and general welfare, and to implement the policies



of the City of San Leandro General Plan (Z.C Section 1-104). More specifically, the Zoning Code is intended to:

- Foster convenient, harmonious, and workable relationships among land uses.
- Prevent excessive population densities and overcrowding of land or buildings.
- Require the provision of adequate off-street parking and loading facilities, and promote a safe, effective traffic circulation system.
- Conserve and enhance the City's architectural and cultural resources.

The rezoning would permit a proposal for multi-floor building development that would be large, bulky, and inharmonious and out of scale with the adjacent single-family residences that are only one- or two-stories tall. The rezoning would permit an excessive density on the subject property in comparison to the existing zoning. In addition the rezoning would permit an excessive density on the property in relation to the existing low-density character of the adjacent neighborhood. The rezoning would reduce the off-street parking requirement. This would result in an inadequate amount of off-street parking space which would negatively affect the immediate neighborhood with overflow parking on to the adjacent streets. The rezoning would result in development of bulky, large and tall building that would detract and interrupt the architectural character of the existing single-family development.

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

#### **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 Planning Commission finds that the proposed location of the multi-family residential project is not in accord with the objectives of this Code and the purposes of the District because the DA-3 designation is mostly found in the inner core of the Downtown rather than along outlying areas. The Zoning Code specifically provides that the purpose of the DA-3 to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy in areas adjacent to the Downtown retail core. Infill development shall respect the scale and fabric of the neighborhood while increased building height and higher residential densities are allowed (Z.C. Section 2-600). In addition, the Downtown San Leandro Transit Oriented Development Strategy defines the TOD Strategy study area applies to those properties located within the one-half mile radius circle around the intersection of East 14th and Davis Streets, whereas the proposed project is outside the limit of a qualifying radius (Downtown TOD Strategy page 2, Figure 1). Moreover, the proposed plan for the location is bulky, massive, and high density infill residential development that does not respect the form, pattern and scale of the existing Northeast San Leandro neighborhood.

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 Planning Commission finds that the proposed location and the proposed condition of the multi-family residential will not be consistent with the General Plan, as cited previously, the four-story apartment building would be tall, large and bulky, which would be out of scale and character of the adjacent single-family residences that are only one- or two-stories tall. The location of the high-density residential development is over four-tenths (4/10) of a mile from East 14th Street and three-quarter (3/4) mile from the Downtown BART station on San Leandro Boulevard. The General Plan states that the new multi-family development should be concentrated in nearer to the BART station and along major transit corridors such as East 14th Street. The location of the proposed infill development is bulky and massive in comparison to the existing adjacent and immediate homes which would not be compatible nor would it maintain the aesthetics of the neighborhood. Furthermore, the location of the 73-unit apartment building (i.e., multi-story, higher-rise, large footprint) would be an abrupt change from the exiting low density housing (low profile, smaller footprint with separation and spacing from each other) in the immediate neighborhood. The location of the proposed four-story building, separation wall, and outdoor parking stackers would be bulkier, larger and more massive. The placement of outdoor parking stackers adjacent to single family homes presents an audible and visual public nuisance. The placement of the proposed building, wall, and parking stackers result in altering access to sunlight and views of the sky, detrimental to properties in the vicinity. Moreover, the larger multi-story building and supporting accessory structures would disrupt panoramic or scenic views to the adjacent and nearby residences (across the street, Joaquin Avenue to the south).

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.**

Although the proposed use is intended to comply with the provisions of the Code related to DA-3 Downtown Area District, the Planning Commission finds that the proposed zoning map change (rezoning) from P Professional Office to DA-3(PD) is not appropriate because the Zoning Code specifically provides that the purpose of the DA-3 designation is to implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy in areas adjacent to the Downtown retail core (Z.C. Section 2-600). In addition, the Downtown San Leandro Transit Oriented Development Strategy defines the TOD Strategy study area applies to those properties located within the one-half mile radius circle around the intersection of East 14th and Davis Streets, whereas the proposed project is outside the limit of a qualifying radius (Downtown TOD Strategy page 2, Figure 1). Thus without the zoning map change the proposed use will not comply with the provisions of the P District provisions. The project would exceed the allowable density and would be

deficient in open space, parking, and in minimum setback requirements from the current P Professional Office District, which conditionally permits multi-family residential development to RM-1800 Residential Multi-Family District development standards.

- 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 Planning Commission finds that the proposed addition of 73 residential units would contribute to traffic and the capacity 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 Planning Commission finds that the Planned Development Project Plan does not provide a superior urban design in comparison with the development either under the P base district regulations or the DA-3 base district regulations. Under the P district regulations the project density of 58 units per acre would exceed the maximum allowable requirement of 24 units per acre. The 47- to 53-foot height would exceed the P District requirement that permits a maximum height of 30 feet. The 10 foot building setbacks from the street frontages would be less than the minimum requirement of 15 feet. The 146 off-street parking spaces would be less than the minimum requirement of 165 of-street spaces and this number is only accomplished through the use of parking stacker units, some of which are located unscreened along the eastern part of the outdoor parking area. The total open space of 8,348 square feet would be less than the minimum requirement of 14,600 square feet. Moreover, the proposed DA-3 District is outside the Downtown TOD Strategy Area; it is not adjacent to the Downtown retail core. The infill development project does not respect the scale and fabric of the adjacent single-family neighborhood with the increased building height and higher residential density. With its exceedances of maximum requirements, its shortfall of minimum requirements and with its physical impacts due to its bulky and large size, the project plan is too intensive and overdevelops the property, thus it does not provide superior urban design under the base district 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 the existing and planned systems.**

The adoption of appropriate conditions of approval are necessary to ensure the Planned Development Project includes adequate provisions for utilities, services and emergency vehicle access.

#### **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.**

Although the site plan elements are intended to comply with the provisions of the Code related to DA-3 Downtown Area District, the proposed zoning map change (rezoning) from P Professional to DA-3(PD) is not recommended for approval. Thus without the zoning map change the proposed site plan will not comply with the requirements of the P District. The project would exceed the allowable density and would be deficient in open space, in off-street parking, and in minimum setback requirements from the current P Professional District, which conditionally permits multi-family residential development to RM-1800 Residential Multi-Family District development 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. Visually incompatible elements, such as roof mounted utilities, are fully screened from public view.**

Without the zoning map change the proposed building will not comply with the existing P District. Thus the large noncomplying building cannot be found to have adequate articulation, it is without appropriate window placement, without use of detailing, and without acceptable changes in building planes to provide visual interest. The exterior materials, finishes, detailing, and colors are incompatible with those of surrounding structures.

- 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.**

Without the zoning map change the proposed landscaping cannot be found to complement the proposed project that does not comply with the zoning designation, and the same for the fences, signs, parking areas and driveways cannot be found to be consistent with the noncomplying architectural and landscape design. The Planning Commission finds that the landscaping design does not compliment the architectural design of the building because the project fails to provide an appropriate balance of landscaping and open space on a per unit basis. The project proposes 8,348 square feet of open space (7,618 square feet for the interior courtyard and approximately 730 square feet for eight private patios at grade), which is less than the 14,600 square foot requirement of open space for a multi-family residence of this size. The minimum open space requirement per dwelling unit is 200 square feet, but the project provides only 110 square feet per unit.

**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 Planning Commission finds that the proposed 13 foot tall fence, measured from the ground of the subject property, along a 239 foot segment of the 283.5 foot eastern side property line shared with the single-family residences at 643 Estudillo Avenue and 646 Joaquin Avenue would be out of scale and detract from the character of the single-family homes, where the maximum height of residential fencing is a maximum of seven feet tall along shared side property lines. The purpose of the 13 foot tall fence is to screen the twelve (12), six to seven foot tall parking lifts which could have vehicles up to six feet tall, totaling 13 feet tall, and facing the single-family properties at 643 Estudillo Avenue and 646 Joaquin Avenue. The proposed fence and/or the location of the parking lifts are incompatible with the adjacent single-family development to the east.

Without the zoning map change the proposed building will not comply with the existing P District. Thus the large noncomplying building cannot be found to have adequate articulation, it is without appropriate window placement, without use of detailing, and without acceptable changes in building planes to provide visual interest. The exterior materials, finishes, detailing, and colors are incompatible with those of surrounding structures. In addition, the landscaping cannot be found to complement the proposed project that does not comply with the zoning designation, and the same for the fences, signs, parking areas and driveways cannot be found to be consistent with the noncomplying architectural and landscape design.