

**City of San Leandro
Community Development Department
Planning Services Division**

RECOMMENDED FINDINGS OF FACT

**PLN18-0019
1166 Manor Boulevard, APN 80G-1372-2
K. Nguyen (Applicant)
M. Nguyen (Property Owner)**

The Board of Zoning Adjustments hereby approves PLN18-0019, subject to the following findings:

CONDITIONAL USE PERMIT

Per Zoning Code §2-604.C.13 a Conditional Use Permit is required for a mixed use residential use in the CN Commercial Neighborhood District.

- 1. The proposed location of the project conforms to the objectives of the Zoning Code as well as the purposes of the district in which the site is located.**

Mixed use residential is conditionally permitted in the CN Commercial Neighborhood District, which is an area zoned to provide sites for businesses serving the daily needs of nearby residential areas. While the proposed use would primarily be residential, a small commercial office use is proposed at the front, which also serves as the face of the structure. The subject location is also directly adjacent to single family residential zoning, and one residential unit would be an appropriate density at this location.

- 2. 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 harmful to the public health, safety or welfare of persons residing or working in, or nearby, to the neighborhood of the proposed use; and will not be detrimental to properties or improvements in the area or to the general welfare of the City.**

The General Plan designates this site within the Neighborhood Commercial area. This designation permits local-serving offices and other businesses that serve the daily needs of nearby residential areas, and considers residential and mixed use developments subject to a maximum density of 24.2 units per acre and a floor (FAR) limit of 0.5.

The proposed conversion of an existing retail services use into mixed use with one residential unit and a small front commercial office unit amounts to a density of 8.6 units per acre and an FAR of 0.36, which is consistent with the intended General

Plan designation. The existing building was built in 2013 and designed to be compatible with the adjacent single-story and single-family residential character.

The proposed project maintains the existing development at the front and adds a two-car garage in the rear, ensuring the street character remains aesthetically pleasing. Additionally, the project will provide adequate on-site parking and separate access for both the three-bedroom residential unit and the 189 square foot office unit.

The following General Plan policies are applicable to the proposed project:

- ***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.*
- ***LU-2.12 Off-Street Parking.*** *Ensure that a significant 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.*
- ***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 development, garden apartments, and medium to high density multi-family housing.*
- ***Policy LU-3.4 Promotion of Infill.*** *Encourage infill development on vacant or underutilized sites within residential and commercial areas.*

3. The proposed use will comply with the requirements of the Zoning Code, including any specific condition required in the district in which it will be located.

The proposed project lot size, though legal nonconforming in its front setback, meets the lot size, width, height, floor area ratio, coverage, and landscaping of the CN Commercial Neighborhood District. The development of the detached garage conforms to all CN District development standards for setbacks. The legal non-conforming front setback of the existing residence will not be expanded; rather the existing front covered porch will be removed to create additional setback between the face of the building and the front property line. Given its conformance, the proposed project will maintain adequate availability of light, area, and privacy for the development as well as its adjacent neighbors.

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

The existing site is adequately served by streets, sidewalks, utilities, and other public facilities. Off-street parking is provided on the site, conforming to the Zoning Code [§4-1704](#) for a three-bedroom residential unit and one 189 square foot office unit. The conversion of a nail salon into a mixed use development with one

residential unit and one small office unit will result in a less intensive use of the property and generate fewer vehicle trips.

The sidewalk was recently reconstructed in 2013 and remains in good condition. Staff from Alameda County Fire and the Engineering Department have reviewed the plans and found the circulation to be acceptable for emergency and regular vehicles.

CEQA ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under the California Environmental Quality Act pursuant to Article 19, Section 15301(a)(e) of the State CEQA Guidelines, as an Existing Facility with interior improvements and a minor addition.