



Legislation Details (With Text)

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Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1. Resolution, 2. Attachment 1 Exhibit A Project Plans, 3. Attachment 1 Exhibit B Inclusionary Housing Plan, 4. Attachment 2. Vicinity Map, 5. Attachment 3. Required Findings, 6. Attachment 4. General Plan Goals and Policies

Date	Ver.	Action By	Action	Result
6/6/2024	1	Planning Commission and Board	of Zoning Adjustments	

PLN22-0056; Consideration of a Conditional Use Permit (CUP), Administrative Site Plan Review (Admin. SPR), Administrative Exception (AE), and Fence Modification (FM) for the construction of a three-unit single-family residential development with associated site improvements at 98 and 100 Castro Street; Zoning District: DA-3, Downtown Area 3; APN: 77-550-11; Habitat for Humanity East Bay Silicon Valley Inc. (applicant and property owner).

SUMMARY AND RECOMMENDATION

The applicant, Habitat for Humanity East Bay Silicon Valley Inc. is requesting approval of a Conditional Use Permit (CUP), Administrative Site Plan Review (Admin. SPR), Administrative Exception (AE), and Fence Modification (FM) for the construction of a three-unit single-family residential development with associated site improvements on a vacant 7,500 square-foot parcel located at 98 and 100 Castro Street. All three residences would be deed-restricted affordable to moderate-income households.

Staff recommends that the Board of Zoning Adjustments (BZA) adopt the attached Resolution approving PLN22-0056 and determining the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), based on the recommended Findings of Fact and subject to the recommended Conditions of Approval.

BACKGROUND AND RELATIONSHIP TO SURROUNDING AREA

The project site is a vacant 7,500 square-foot parcel located on the north side of Castro Street, on the south edge of Downtown San Leandro. The subject site is currently vacant with several existing trees. The property was previously donated to the current property owners, Habitat for Humanity East Bay Silicon Valley Inc.

The property is zoned Downtown Area-3 (DA-3). Nearby parcels are zoned DA-1, DA-2, DA-3, Residential Multi-Family (RM-1800) and Community Commercial (CC). Surrounding land uses include multi-family apartment buildings on both sides of the project site and single-family, two-family and multi-family units across the street. Commercial uses (including a child day care facility, an automobile repair shop, a gas station, and a law office) are located on both ends of the block, on Washington Avenue and East 14th Street. The project site is approximately 0.4-miles east of the San Leandro BART station, and 0.5-miles south of the Bus Rapid Transit (BRT) line stop on Davis and E14th Street.

PROJECT PROPOSAL

The proposed project would allow for the construction of three single-family residences and associated site improvements. Each residence would be two stories, approximately 28 feet tall, and have one uncovered parking space. The floor area of the residences would range from 998 square feet to 1,700 square feet. There would be one two-bedroom unit, one three-bedroom unit and one four-bedroom unit. All three residences would be deed restricted affordable to moderate-income households. The new residences would be located on individual lots ranging from 1,594 square feet to 3,294 square feet in size. A driveway would provide vehicular access to the three new residences and three perpendicular and unenclosed parking spaces. Each residence would also have a trash refuse area where residential containers would be stored. The project plans are included as Exhibit A to Attachment 1.

STAFF ANALYSIS

Conditional Use Permit

In the DA-3 zoning district, a “Single-Family Residential” use is conditionally permitted and requires authorization from the BZA.

The applicant’s proposal was analyzed by staff to be appropriate for the site and compatible with the surrounding area. The proposed use would not impact surrounding uses because this is an infill development and the use would not create impacts that would disturb adjacent properties which are also either single-family, two-family or multi-family residential. The vacant site is suitable for residential use, and the site would be adequately served by utilities. The project would support various goals in the General Plan Housing Element to increase the supply of affordable housing and the Land Use Element to increase vitality in Downtown San Leandro.

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. Recommended conditions of approval from reviewing departments are included as part of the draft Resolution for the project (Attachment 1).

Administrative Site Plan Review

In the DA-3 zoning district, Admin. SPR is required for the development of new structures greater in size than 2,500 square feet. Since the proposed project's cumulative proposed square footage is 4,010 square-feet, the project requires approval of Admin. SPR.

Design Analysis

The development proposes a contemporary architectural style with varying colors, materials, and finishes which are compatible with surrounding buildings. The building elevations are well articulated with score lines. Window and doors framed by trim and silver asphalt shingles on the roof would provide visual interest. The rooflines, porch walls and porch columns would be decorated with cedar wood siding to add variation to visible facades. Solar panels would be installed on the roof of the buildings for increased energy efficiency.

Development Standards

The proposed site and development would be consistent with all applicable development standards except for minimum lot size and maximum fence height. The applicant has applied for an Administrative Exception and a fence modification to address those deficiencies, as discussed later in this report.

Parking: The proposed project is not subject to the off-street parking requirements in the Zoning Code because it is located within half a mile of a major transit station, which is the San Leandro BART station and the Tempo BRT bus line bus stop at the East 14th Street and Davis Street intersection. The applicant is proposing to voluntarily provide a total of three off-street parking spaces for the three single family residences.

Landscaping: Landscaping would be installed in the front yard of each of the new parcels. The landscape area on each of the new parcels would range from nine-percent to 47-percent of the lot, which exceeds the five-percent minimum landscape requirement in the Zoning Code. One of the two existing trees on site, a deodar cedar, would need to be removed in order to provide driveway access to the site. As a condition of approval, the tree would be replaced with one 24-inch box tree of a species and in a location approved by the Zoning Enforcement Official. The existing 45-inch diameter coast redwood near the rear of the parcel would be preserved as a major site feature of the development.

Other Development Standards: The project meets other applicable development regulations in the DA-3 zoning district, including minimum parcel width, minimum yard area, maximum height of structures, maximum lot coverage, maximum floor area ratio, and maximum density.

Inclusionary Housing: The applicant's Inclusionary Housing Plan (Attachment 1, Exhibit B) meets and exceeds the Inclusionary Housing requirements of Zoning Code Chapter 6.04 and advances the City's Housing Element goals aimed at increasing affordable housing production. Per Chapter 6.04, for-sale projects consisting of two to six units may satisfy inclusionary housing requirements by restricting one unit as affordable to moderate-income households. The applicant is proposing to exceed this requirement by restricting all three units as affordable to moderate income households. The Housing Division has reviewed the Inclusionary Housing Plan and determined that it is

consistent with all requirements of Chapter 6.04.

Administrative Exception

The applicant is seeking an Administrative Exception to the minimum lot size in the DA-3 zoning district per Section 2.08.304.A of the Zoning Code. An Administrative Exception may be approved to allow lot size less than the minimum of 5,000 square feet in the DA-3 zoning district if adequate shared ingress, egress and access to parking facilities can be provided to accommodate each proposed new lot. The City's Engineering Division has reviewed the proposal and determined that 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.

If the project is approved, as a condition of approval, the Property Owner/Applicant would be required to apply for a Parcel Map to subdivide the property. The Parcel Map would be required to conform with the design of the project, including the lot sizes established through the approval of the Administrative Exception.

Fence Modification

The applicant is seeking a Fence Modification because there are portions of proposed fencing that would exceed the maximum height permitted. Per Zoning Code Section 4.04.364.B.1, the maximum height of a fence shall be three feet in required front yards. In the required front yard areas of the project, a majority of fencing would be three-feet in height. However, a small portion of fencing is proposed to be four-feet tall where a trash enclosure is adjacent to the fencing. Staff recommends approval of the Fence Modification because the additional height would serve to better shield the trash enclosures from public view. Proposed fencing would not block driveway visibility of vehicles coming in and out of the driveway.

DOWNTOWN TOD STRATEGY CONFORMANCE

The project site is located in the DA-3 Zoning District. Per Zoning Code Section, 5.12.24.D, proposed developments in downtown area zoning districts shall be consistent with the Downtown San Leandro Transit-Oriented Development Strategy (TOD Strategy) which is a long-term plan adopted in 2007 that provides the land use and development framework for new development in the Downtown. The goals, policies and objectives of the TOD Strategy intend to bring more housing through projects designed to create a sense of arrival and place, reduce reliance on automobiles, maximize available transit options, and promote a pedestrian-oriented community.

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.

GENERAL PLAN CONFORMANCE

The proposed project is consistent with the General Plan's goals, policies and objectives. The project

site has a General Plan land use designation of Downtown Mixed Use. Chapter 3 of the General Plan states the purpose of the Downtown Mixed Use land use designation is to allow a range of uses which together create a pedestrian-oriented street environment. The proposed infill project would provide additional affordable housing near transit.

The proposal is consistent with the City's General Plan goals, policies, and actions. Potential specific goals and policies that support the proposed project are included in Attachment 4.

FINDINGS OF FACT

To approve the proposed Conditional Use Permit, Administrative Exception, and Fence Modification, the Board of Zoning Adjustments must make certain findings of fact pursuant to Zoning Code Sections 5.08.124, Chapter 5.06, and Section 4.04.364.D.3. Staff has analyzed the proposal and determined that the required findings in Attachment 3 can be made.

PUBLIC OUTREACH

A notice of public hearing was published for this project in the East Bay Times Daily Review newspaper, mailed to property owners within 500 feet of the subject property, and posted at the project site and at City Hall on May 24, 2024.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section [15303\(a\)](https://www.sanleandro.org/DocumentCenter/View/10139/CEQA-Guidelines---Categorical-Exemptions) [<https://www.sanleandro.org/DocumentCenter/View/10139/CEQA-Guidelines---Categorical-Exemptions>](https://www.sanleandro.org/DocumentCenter/View/10139/CEQA-Guidelines---Categorical-Exemptions), New Construction or Conversion of Small Structures, which exempts up to three new single-family homes in an urbanized area.

RECOMMENDATION

Staff recommends that the BZA adopt the attached Resolution approving PLN22-0056, a Conditional Use Permit (CUP), Administrative Site Plan Review (Admin. SPR), Administrative Exception (AE), and Fence Modification (FM) at 98 and 100 Castro Street and determining the project is categorically exempt from CEQA, based on the recommended Findings of Fact and subject to the recommended Conditions of Approval.

ATTACHMENTS

1. Resolution 2024-XXX with Recommended Findings of Fact and Conditions of Approval Approving PLN22-0056
 - Exhibit A: Project Plans
 - Exhibit B: Inclusionary Housing Plan
2. Vicinity Map
3. Required Findings of Fact
4. General Plan Goals and Policies

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Planning Division