



## Legislation Details (With Text)

<b>File #:</b>	21-674	<b>Version:</b>	1	<b>Name:</b>	BZA Reso 2021-011 MRSP 1106 Gardener
<b>Type:</b>	Board of Zoning Adjustments Resolution		<b>Status:</b>	Agenda Ready	
			<b>In control:</b>	Planning Commission and Board of Zoning Adjustments	
<b>On agenda:</b>	12/2/2021		<b>Final action:</b>		
<b>Enactment date:</b>			<b>Enactment #:</b>		
<b>Title:</b>	RESOLUTION 2021-011 of the Board of Zoning Adjustments of the City of San Leandro, approving a Major Site Plan Review at 1106 Gardener Boulevard				
<b>Sponsors:</b>	Tom Liao, Andrew Mogensen				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. PLN21-0003 Exhibit A				

Date	Ver.	Action By	Action	Result
12/2/2021	1	Planning Commission and Board of Zoning Adjustments		

**RESOLUTION 2021-011** of the Board of Zoning Adjustments of the City of San Leandro, approving a Major Site Plan Review at 1106 Gardener Boulevard

**WHEREAS**, Hien Nguyen (“Applicant”) submitted a Major Site Plan Review application for a 1,558 square-feet, second-story addition at 1106 Gardner Boulevard, within the RS, Residential Single-Family, Zoning District, (PLN21-0003) (“Project”); and

**WHEREAS**, 1106 Gardner Boulevard (“Property”), the subject site consists of an existing 982 square-foot, one-story, single-family dwelling and an existing 612 square-foot detached garage on an approximately 5,550 square-foot lot; and

**WHEREAS**, the Property is zoned RS, Residential Single-Family, District and has a General Plan designation of Low Density Residential; and

**WHEREAS**, Section 2.04.408.B.1.b of the Zoning Code requires a Major Site Plan review approval for an addition that exceeds 100 percent of the existing home’s floor area; and

**WHEREAS**, the Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 for Existing Facilities and Section 15303 New Construction or Conversion of Small Structures; and

**WHEREAS**, the Zoning Enforcement Official held a duly noticed public hearing regarding the proposed Project on November 16, 2021; and

**WHEREAS**, the Zoning Enforcement Official opened the public hearing and offered the

opportunity for public comment and testimony on the Project and, after receiving none, declared a potential conflict of interest and referred the Project to the Board of Zoning Adjustments for their consideration at the next available hearing; and

**WHEREAS**, the Board of Zoning Adjustments held a duly noticed public hearing regarding the proposed Project on December 2, 2021, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Board of Zoning Adjustments fully considered the Project application and entitlements, applicant's statements, staff report, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing; and

**WHEREAS**, the Board of Zoning Adjustments finds that the staff report, Categorical Exemption from CEQA, and standards for approval reflects the City's independent judgement and analysis of the Project; and

**WHEREAS**, the Board of Zoning Adjustments finds that the proposed Project does satisfy the requisite findings of fact necessary for approval as further explained in the staff report and the findings of fact associated with this Resolution; and

**WHEREAS**, the City's General Plan and the Zoning Code 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 and forgoing recitals are true and correct and made a part of this resolution.

**BE IT FURTHER RESOLVED THAT:** The Board of Zoning Adjustments of the City of San Leandro does hereby make the following findings required by Section 2.04.408.H of the City of San Leandro Zoning Code and determinations regarding the regarding the proposed Project:

1. **The residence's architecture is appropriate and consistently applied.** As proposed, the architecture of the new second story would be consistently applied because the new horizontal siding, composite roof shingles, and window and door trims would match the existing house finishes to result in a consistent and coherent design.
2. **The visual mass of the home is de-emphasized.** The new second story would be located behind the existing home and an existing seven-foot-tall fence along Wayne Avenue. This placement would make its visual mass less likely to be perceived by pedestrians or drivers walking or driving on Gardner Boulevard and Wayne Avenue. Additionally, the proposed hipped roof would reduce visual mass perceived by the neighbors, due to the reduced shadows resulting from this roof design.
3. **The neighborhood's existing visual character is valued.** The proposal for the two-story house would keep most of the elements of the front façade of the house such as the window and door trims, the horizontal siding, and the roof design. These elements are also reflected in

the design of the surrounding ranch style homes in the neighborhood. As such, the proposed architectural details would continue the character of neighborhood.

4. **The physical impacts to neighbors are minimized.** The new second story meets the Zoning Code regulations for height, setbacks, lot coverage, and floor-to-area ratio. The applicant has also provided a site plan to show that the adjacent homes are single-story structures and would not be impacted by the placement of windows on the new second floor. As such, impacts to neighbors are expected to be minimal.

Based on the above findings and determinations, the Board of Zoning Adjustments of the City of San Leandro does hereby approve Major Site Plan Review for PLN21-0003 for a second-story addition at 1106 Gardner Boulevard subject to the Conditions of Approval, as further set forth in "Exhibit A" attached hereto and incorporated herein by this reference.