

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2024-XXX

RESOLUTION FINDING THAT VESTING TENTATIVE TRACT MAP 8643 TO ESTABLISH 148 PARCELS EAST OF MONARCH BAY DRIVE BETWEEN MARINA BOULEVARD AND FAIRWAY DRIVE ON APPROXIMATELY 15.86 ACRES OF LAND FOR THE SHORELINE DEVELOPMENT PROJECT IS CONSISTENT WITH THE PROJECT ANALYZED IN THE 2022 ADDENDUM TO THE SAN LEANDRO SHORELINE DEVELOPMENT PROJECT ENVIRONMENTAL IMPACT REPORT, WHICH CONCLUDED THAT THE PROPOSED PROJECT WOULD NOT RESULT IN ANY NEW SIGNIFICANT IMPACTS OR SUBSTANTIALLY INCREASE THE SEVERITY OF ANY SIGNIFICANT IMPACTS IDENTIFIED IN THE CERTIFIED EIR (SCH# 2013072011); AND DETERMINING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED

WHEREAS, Monarch Bay For Sale Residential, LLC is the legal entity formed by developer Cal Coast Companies LLC, Inc. for the purchase and development of approximately 15.86 acres east of Monarch Bay Drive between Marina Boulevard and Fairway Drive at 13800 Monarch Bay Drive, identified as Alameda County Assessor's Parcel Numbers 79A-590-7 and 79A-590-8 (the "Single-Family Property"); and

WHEREAS, the Single-Family Property is zoned RM-2000(PD) and is designated RM, Medium Density Residential, in the General Plan; and

WHEREAS, on February 24, 2020, the City Council approved a Disposition and Development Agreement ("DDA") with Cal Coast Companies LLC, Inc. for the Shoreline Development Project, that includes significant residential, commercial, and recreational development, and the City Council approved General Plan and Zoning Map Amendments necessary for the Shoreline Development Project (the "Shoreline Project"); and

WHEREAS, on June 21, 2022, the City Council adopted Resolution No. 2022-085 approving a Planned Development Project and Site Plan Review for the Private Elements of the Monarch Bay Shoreline Development ("2022 Entitlements"):

1. A 210-room hotel with an attached restaurant, a detached 16,024 square foot two story restaurant/banquet facility, a 2,500 square foot market/café, and associated parking located north of Mulford Point Drive and west of Monarch Bay Drive;
2. A 285-unit multi-family apartment complex with associated parking located south of Pescador Point Drive and west of Monarch Bay Drive; and
3. A "for-sale" development of 144 detached single-family homes and 62 townhomes located on approximately 15.86 acres east of Monarch Bay Drive, south of Marina Boulevard, and north of Fairway Drive ("Single-Family Element"); and
4. Related site improvements.

WHEREAS, the City Council previously approved Parcel Map 11312 on September 6, 2022, which subdivided two City-owned parcels east of Monarch Bay Drive between Marina Boulevard and Fairway Drive to form 4 parcels, including the Single-Family Property, in order to facilitate the sale of the Single-Family Property for construction of the Single-Family Element; and

WHEREAS, the sale of the Single-Family Property to Monarch Bay For Sale Residential LLC, the legal entity formed by developer Cal Coast Companies LLC, Inc. for the purchase and development of the Single-Family Element, closed and was completed on December 30, 2022; and

WHEREAS, the proposed Vesting Tentative Tract Map 8643 would further subdivide the Single-Family Property into 148 parcels to facilitate future sale of single-family and townhome residential units (“Single-Family VTTM”); and

WHEREAS, the development of the City’s Shoreline area and the planned Shoreline Project are addressed extensively in the San Leandro 2035 General Plan; and

WHEREAS, the proposed Single-Family Vesting Tentative Tract Map is consistent with the San Leandro 2035 General Plan; and

WHEREAS, the proposed Single-Family Vesting Tentative Tract Map is necessary to implement the DDA, which includes the provision of significant community benefits, housing, commercial development, and parks and open space; and

WHEREAS, the proposed Single-Family Vesting Tentative Tract Map is a Subsequent Approval under the Development Agreement, which is a tool to implement the final policy decisions of the Shoreline Development Project Entitlements and is to be reviewed for substantial conformity with the vested project entitlements, applicable rules, and CEQA compliance; and

WHEREAS, on July 20, 2015, the City Council previously adopted Resolution No. 2015-125 certifying an Environmental Impact Report for the Shoreline Project entitled, “San Leandro Shoreline Development Project EIR (SCH #2013072011)”, and adopting a Mitigation Monitoring and Reporting Program for the project, incorporated herein by this reference; and

WHEREAS, the City Council approved an addendum to the San Leandro Shoreline Development Project EIR on February 24, 2020 (the “First Addendum”), incorporated herein by this reference; and

WHEREAS, the City Council approved a second addendum to the San Leandro Shoreline Development Project EIR on May 16, 2022 (the “Second Addendum”); and

WHEREAS, the City Council approved a third addendum to the San Leandro Shoreline Development Project EIR on June 21, 2022 (the “Third Addendum”); and

WHEREAS, Single-Family Vesting Tentative Tract Map 8643 is consistent with the 2022 Entitlements evaluated by the Third Addendum, it will not have any significant new impacts or substantially increase previously identified significant impacts, and further documents that no new information of substantial importance was identified, and no new mitigation measures would be necessary to reduce significant impacts; and

WHEREAS, the Third Addendum to the EIR is on file with the Community Development Department at San Leandro City Hall located at 835 East 14th Street; and

WHEREAS, the Planning Commission held a duly noticed public hearing regarding the proposed Single-Family Vesting Tentative Tract Map on October 3, 2024, and adopted a resolution recommending that City Council approve Vesting Tentative Tract Map 8643; and

WHEREAS, the City's General Plan, Zoning Code and Municipal Code are incorporated herein by reference, and are available for review at City Hall during normal business hours.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows: The above recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED THAT, the City Council of the City of San Leandro does hereby adopt the following findings regarding Vesting Tentative Tract Map 8643 to subdivide approximately 15.86 acres east of Monarch Bay Drive between Marina Boulevard and Fairway Drive into 148 lots for the Single-Family Element of the Shoreline Project, based on the staff report, the Third Addendum and the whole of the record related to the Shoreline Project:

1. Pursuant to CEQA and the CEQA Guidelines, the City Council finds, on the basis of substantial evidence set forth in the record, including but not limited to, the EIR, the First Addendum, the Second Addendum, the Third Addendum and all related information presented to the City Council, that the environmental effects of the Vesting Tentative Tract Map 8643 and Shoreline Project were sufficiently analyzed.

The City Council further finds that none of the circumstances described in the CEQA Guidelines requiring preparation of a subsequent or supplemental EIR exist because the proposed Vesting Tentative Tract Map 8643:

- will not result in substantial changes in the Shoreline Project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- will not result in substantial changes with respect to the circumstances under which the Shoreline Project is undertaken that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- does not present new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time the EIR was certified showing any of the following:
 - a. that the proposed Shoreline Project would have one or more significant effects not discussed in the previous EIR;
 - b. that significant effects previously examined would be substantially more severe than shown in the previous EIR;
 - c. that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the project proponents declined to adopt the mitigation measure or alternative; and

d. that mitigation measures or alternatives considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

2. Having considered the Third Addendum, the Second Addendum, the administrative record, the EIR, the First Addendum and all written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the proposed Vesting Tentative Tract Map 8643 and Shoreline Project were addressed within the EIR, the First Addendum, the Second Addendum, and the Third Addendum. The City Council finds that no new or additional mitigation measures or alternatives are required. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Shoreline Project may result in any significant environmental impacts beyond those analyzed in the EIR. The City Council finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Shoreline Project and reflects the independent judgment and analysis of the City Council.

Introduced by Councilmember _____ and passed and adopted this 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Kelly B. Clancy, CMC
City Clerk