

## EXHIBIT A

### **FINDINGS OF FACT AND DETERMINATIONS DEVELOPMENT AGREEMENT PLNs 21-0020, 21-0021, 22-0008**

#### **Monarch Bay Shoreline Development**

**APN's** 080G 0900 001 08, 080G 0900 004 01, 079A 0475 009 04, 079A 0590 001 05, 079A 0590 001 07, 079A 0590 002 00, 079A 0590 003 00, and 079A 0590 004 00  
Monarch Bay LLC (applicant) and City of San Leandro (owner)

#### **Development Agreement Findings**

- 1. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan, the San Leandro Zoning Code, and any applicable specific plan.**

The Development Agreement for the Project is consistent and in alignment with the City of San Leandro's General Plan goals, objectives, and policies related to the Marina Shoreline Area. The Project furthers the General Plan's goal of creating the San Leandro Shoreline as a regional destination for dining, lodging, entertainment, and recreation, while creating a new waterfront residential neighborhood. The location, land uses, operational conditions and design of the Project comply with the General Plan because it include a new hotel, restaurant/banquet facility, a large multi-family residential building, a new neighborhood with single family homes and townhomes, and other site improvements, in compliance with applicable requirements.

The Project is consistent with the General Plan, which anticipates and discusses proposed development of the Shoreline Area.

The following General Plan goals, policies, and actions apply (note: LU-Land Use; ED-Economic Development):

GOAL LU-9. Reinforce the San Leandro Shoreline as a regional destination for dining, lodging, entertainment, and recreation, while creating a new waterfront neighborhood with housing, retail, and office uses.

Policy LU-9.1 Waterfront Enhancement. Enhance the San Leandro waterfront as a distinguished recreational shoreline and conservation area, with complementary activities that boost its appeal as a destination for San Leandro residents and visitors. Future development at the Shoreline should be compatible with the area's scenic and recreational qualities.

Policy LU-9.3. Public Amenities in Shoreline Development. Ensure that future development at the Shoreline includes complementary amenities that benefit San Leandro residents and current shoreline users, such as improved park space, restaurants, pedestrian and bicycle paths, and access to the Bay Trail.

Policy LU-9.4. Land Use Mix. Strive for a mix of land uses in the San Leandro Shoreline area that requires little or no City investment and results in a Shoreline that is financially self-supporting. Development should be phased in a manner that is consistent with this policy, and should maximize the extent to which commercial development funds public amenities and services.

GOAL ED-5 Provide amenities that attract and retain businesses and encourage those working in San Leandro to also live in San Leandro.

Policy ED-5.1 Key Amenities. Support amenities that attract businesses and employees to the City, including a more vibrant downtown, walkable neighborhoods, better dining and entertainment options, quality education and public safety, and more diverse housing choices.

Policy ED-5.2 Housing Production. Substantially increase the production of a variety of housing types meeting the needs of persons at all income levels.

The following Housing Element actions, goals, and policies are relevant to the residential components of the Project:

GOAL 3 New Housing Opportunities. Provide housing opportunities and improve economic access to housing for all segments of the community.

Policy 3.02 Mix of Price Ranges. Encourage a mix of price ranges to provide housing choices for San Leandro residents of all incomes and ages. Opportunities to include affordable units and market rate units within the same development projects should be pursued.

Policy 3.09 Executive Housing. Encourage the provision of a significant amount of executive housing as part of an effort to maintain and diversify the City's economic base.

GOAL 53 Affordable Housing Development. Increase the supply of ownership and rental housing in San Leandro affordable to extremely low, very low, low, and moderate income households.

Action 53.03-C Affordable Housing Trust Fund. Maintain a local affordable housing trust fund that is capitalized with in-lieu fees from the inclusionary

housing program and condo conversion fees. *The fund should be used to leverage affordable housing development in San Leandro.*

The location and conditions under which the Project will be operated and maintained are consistent with the General Plan, which established a goal of creating the San Leandro Shoreline as a regional destination for dining, lodging, entertainment, and recreation, and the San Leandro Zoning Code.

**2. Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is located.**

The Development Agreement for the Project is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is located. Portions of the Project site have base zoning of RM-1800 (Planned Development), RM-2000 (Planned Development), and CC (Planned Development). The Project complies with the applicable provisions of the Zoning Code and the approved Planned Development Project, including the requirements of Zoning Code chapter 3.04. The Planned Development Project establishes specific development standards for this project, which ensure orderly and thorough planning that will result in high-quality urban design. The Project includes variety and avoids monotony in providing access, light, open space, and amenities. The various uses contained in the Project are allowed by applicable Zoning and General Plan designations. The Project complies with the City's Inclusionary Housing Ordinance through an Alternative Inclusionary Housing Plan, as allowed under San Leandro Zoning Code Section 6.04.132.

**3. Is in conformity with public convenience, general welfare and good land use practice.**

Adoption of the Development Agreement for the Project is in conformity with public convenience, general welfare and good land use practice. The Development Agreement for the Project is consistent with the General Plan's goals and policies for the Shoreline Area. The Development Agreement strengthens the public planning process, facilitates comprehensive planning, and reduces the economic costs and risks of development for a large multi-year Project in accordance with existing policies, rules and regulations in return for the provision of public benefits.

**4. Will not be detrimental to the health, safety and general welfare.**

The Development Agreement for the Project will not be detrimental to the public health, safety or welfare and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City because the Project was thoroughly evaluated through a comprehensive environmental impact report and three addenda, which included multiple technical studies. The Project is subject to a Mitigation Monitoring and Reporting Program (MMRP). The

Project will be subject to compliance with the City's uniformly applicable development policies, including the provisions of the General Plan, Zoning Code and Municipal Code, attached hereto and incorporated herein by reference, all of which contain policies and requirements to ensure that development in the City does not create a public nuisance or conditions detrimental to the public health, safety or welfare of the community.

**5. Will not adversely affect the orderly development of property or the preservation of property values.**

The Development Agreement for the Project will not adversely affect orderly development or the preservation of property values. The Project has been arranged to be harmonious, orderly and compatible within the Marina Shoreline Area because the project has been designed appropriately and because the project provides adequate features, amenities and services. The Development Agreement will ensure orderly and thorough planning that will result in high-quality urban design. The Project includes variety and avoids monotony in providing access, light, open space, and amenities.