

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2022-XXX

RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE A PLANNED DEVELOPMENT AND SITE PLAN REVIEW LOCATED AT 2824 HALCYON DRIVE (PLN21-0005).

WHEREAS, Chris Zaballos of D.R. Horton (“Applicant”) submitted an application for a Zoning Map Amendment, Planned Development, Site Plan Review, and Tentative Map to demolish four existing residential and accessory structures, rezone site from Industrial Park (IP) and Residential Single-Family (RS) to Residential Single-Family with a Planned Development Overlay (RS(PD)) zoning district, subdivide the single parcel into 18 lots and three parcels, and construct 18-single family residences with associated circulation and landscape installations on a 2.4-acre site at 2824 Halcyon Drive (PLN21-0005) (“Project”); and

WHEREAS, 2824 Halcyon Drive (“Property”) consists of two existing residential and two accessory structures to be demolished, located on a site comprising one parcel and approximately 2.4 acres in size; and

WHEREAS, in accord with the California Environmental Quality Act, an Infill Checklist was prepared; and

WHEREAS, the Property has a General Plan land use designation of RLM Low-Medium Density Residential and has a split zoning where the western portion of the site is zoned Industrial Park (IP) and the eastern portion is zoned Residential Single-Family (RS); and

WHEREAS, the Applicant concurrently requests approval of a Zoning Map Amendment to rezone the Project site from IP Industrial Park/ RS Residential Single-Family to RS(PD) Residential Single-Family with a Planned Development Overlay District; and

WHEREAS, a Planned Development establishes a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from application of zoning standards and procedures designed primarily for small parcels; and

WHEREAS, the Planned Development Project complies with the maximum density, side, corner side, and rear minimum yards, maximum height, daylight planes, maximum lot coverage, maximum floor area ratio (FAR), fences, off-street parking and loading, refuse storage areas, underground utilities, performance standards and landscaping and development regulation conditions required for approval under Section 3.04 of the Zoning Code; and

WHEREAS, the Planned Development Project includes adequate provisions for utilities, services, and emergency vehicle access; and that public service demands will not exceed the capacity of existing and planned systems; and

WHEREAS, the Planned Development Project contributes to the availability and affordability of much needed housing in the community, with provisions for market rate and affordable housing; and

WHEREAS, in accord with the San Leandro Municipal Code Chapter 7-1, the applicant is concurrently requesting approval of Tentative Tract Map 8592 to subdivide the parcel into 18

lots for 18 single-family residences and three parcels for two private courts and one privately owned open space accessible to the public; and

WHEREAS, pursuant to and in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.; herein referred to as “CEQA”), the State of California Guidelines for the Implementation of the California Environmental Quality Act (commencing with Section 15000 of Title 14 of the California Code of Regulations; herein referred to as the "CEQA Guidelines"), the City is the “lead agency” for the preparation and consideration of environmental documents for the Project; and

WHEREAS, in conformance with CEQA, including Public Resources Code Section 21094.5, and the CEQA Guidelines, including Section 15183.3, which establish eligibility requirements for projects to qualify as infill projects for streamlining procedures provided in CEQA Guidelines Section 15183.3, the City prepared an Infill Checklist for the Project to evaluate the environmental impacts of the Project. The Infill Checklist reviews the analysis in prior EIRs certified by the City to determine if the Project would result in new project specific effects or a substantial increase in the severity of significant impacts identified in prior EIRs, and whether uniformly applicable development policies would substantially mitigate these impacts; and

WHEREAS, pursuant to Section 15183.3 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared an Infill Environmental Checklist, dated March 2022 by Rincon Consultants, Inc. (Rincon) on behalf of the City. The Infill Checklist finds that, the proposed project qualifies as an Infill Project that would result in new specific effects. However, these effects would be substantially mitigated under uniformly applicable development policies and thus, no further environmental review is required; and

WHEREAS, on April 7, 2022, the Planning Commission, after consideration of all pertinent plans, documents, project application, Infill Checklist, entitlements, staff report, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing, by a 4-1-2 decision recommended to the City Council the approval of the Project; and

WHEREAS, the City Council held a duly noticed public hearing regarding the proposed Project on May 2, 2022, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council fully considered the Project application, Infill Checklist, entitlements, staff report, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing; and

WHEREAS, the City Council finds that the Project is exempt from further environmental review based on the analysis provided in the prepared Infill Checklist; and

WHEREAS, the City Council finds that the staff report and standards for approval reflects the City’s independent judgement and analysis of the Project; and

WHEREAS, the Council finds that the Project, subject to the Recommended Conditions of Approval, as identified in “Exhibit B”, does satisfy the requisite findings of fact necessary for approval, as further explained in the staff report and the recommended findings of fact and

determinations associated with this Resolution, as identified in “Exhibit A” attached hereto and incorporated herein by this reference; and

WHEREAS, the City’s General Plan, Zoning Code, and Municipal Code are incorporated herein by reference, and are available for review on the City’s website.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

1. The City Council hereby adopts the Recommended Findings of Fact and Determinations required by the City of San Leandro Zoning Code regarding the Planned Development and Site Plan Review (Project), as further explained in the staff report and set forth in “Exhibit A” attached hereto and incorporated herein by this reference.
2. Based on the findings and determinations, the City Council hereby adopts this Resolution to approve the Planned Development and Site Plan Review (Project) subject to the Recommended Conditions of Approval, as further set forth in “Exhibit B,” attached hereto and incorporated herein by this reference.

Introduced by _____ and passed and adopted this 2nd day of May 2022, by the following vote:

Members of the Council:

AYES:

NOES:

ABSENT:

ATTEST: _____
Kelly B. Clancy, Acting City Clerk