

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2024-XXX

**ORDINANCE OF THE CITY OF SAN LEANDRO CITY COUNCIL TO
ADOPT A ZONING MAP AMENDMENT TO REZONE A 12,588 SQUARE FOOT PARCEL
LOCATED AT 13489 EAST 14TH STREET FROM SA-2 (SOUTH AREA 2) TO SA-2(PD)
(SOUTH AREA 2, WITH A PLANNED DEVELOPMENT OVERLAY) (PLN22-0006)**

WHEREAS, Shoonya, LLC (“Applicant” and “Property Owner”), submitted an application for a Zoning Map Amendment and Planned Development (PD) to establish a PD Overlay District, Administrative Site Plan Review, and Tentative Tract Map (TTM) 8703 for the construction of a nine-unit townhome development on a 12,588 square-foot parcel (the “Project”), located at 13489 East 14th Street, Assessor’s Parcel Number: 077D-1405-001-01 (the “Property”); and

WHEREAS, the Property is zoned SA-2 (South Area 2) and has a General Plan land use designation of Mixed-Use Corridor (MUC); and

WHEREAS, the applicant has requested approval of a Zoning Map Amendment to change the zoning of the Property from SA-2 (South Area 2) to SA-2(PD) (South Area 2 with a Planned Development Overlay); and

WHEREAS, the City retained Rincon Consultants, Inc. to prepare a California Environmental Quality Act (“CEQA”) Compliance Memo pursuant to CEQA Guidelines Section 15183 to document consistency between the proposed project and the City of San Leandro General Plan, and to compare the environmental effects of the proposed project against those identified in the City’s 2023-2031 Housing Element and General Plan Update Supplemental Environmental Impact Report (SEIR); and

WHEREAS, the CEQA Compliance Memo supports a finding that the Project is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) was previously prepared and certified, and there are no project-specific significant effects which are peculiar to the project or its site; and

WHEREAS, on November 18, 2024, the City Council reviewed the proposed Project at a duly noticed public hearing, at which time all interested parties had the opportunity to be heard; and

WHEREAS, on October 3, 2024, the Planning Commission, after consideration of all pertinent plans, documents, project application, staff report, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing, voted 7-0 to adopt Planning Commission Resolution No. 2024-008, incorporated herein by reference, to recommend City Council approval of the Project based on the Recommended Findings of Fact and subject to the Recommended Conditions of Approval; and

WHEREAS, a City Council staff report dated November 18, 2024, and incorporated herein by reference, describes and analyzes the proposed Project, and reflects the City’s independent judgment and analysis of the Project; and

WHEREAS, on November 18, 2024, the City Council reviewed the proposed Project at a duly noticed public hearing, at which time all interested parties had the opportunity to be heard; and

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

WHEREAS, the City Council finds that the Project, subject to the Recommended Conditions of Approval, does satisfy the requisite findings of fact necessary for approval, as further explained in the staff report and herein; and

WHEREAS, on November 18, 2024, the City Council adopted Resolution No. , incorporated herein by reference, for a Planned Development, Administrative Site Plan Review, and Tentative Tract Map 8703 for the construction of a nine-unit townhome development at 13489 East 14th Street as shown on the submitted project plans attached as Exhibit A and incorporated herein, based on Findings of Fact and subject to Conditions of Approval; and

WHEREAS, the City Council desires to adopt a Zoning Map Amendment to rezone the Property from SA-2 to SA-2(PD); 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 and on the City’s website.

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

SECTION 1. RECITALS. The above recitals are true and correct and made a part of this ordinance.

SECTION 2. FINDINGS. The City Council hereby makes the following findings in support of adoption of this ordinance, based on the whole of the record:

Rezoning

1. The amendments to the Zoning Map will not be detrimental to the public interest, health, safety or welfare of the City.

2. The amendment to the Zoning Map is consistent with the City's General Plan and all specific plans and the purposes of the Zoning Code.

Planned Development

1. The proposed location of the Project use is in accord with the objectives of the Zoning Code and the purposes of the SA-2 (South Area 2) zoning district, in which the Property is located.
2. The proposed location of the Project and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing, or working in, or adjacent to, the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City.
3. The proposed Project will comply with the provisions of the Zoning Code, including all requirements for the proposed use in the SA-2 Zoning District in which it would be located.
4. The proposed Project will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities, which cannot be mitigated.
5. The Planned Development Project Plan will provide superior urban design in comparison with the development under the base district zoning regulations.
6. 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.

SECTION 3. ENVIRONMENTAL REVIEW. The Project is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) was previously prepared and certified, and there are no project-specific significant effects which are peculiar to the project or its site.

SECTION 4. AMENDMENT OF ZONING MAP. The San Leandro Zoning Map is hereby amended as shown in the attached "Exhibit A" and incorporated herein by reference.

SECTION 5. EFFECTIVE DATE AND PUBLICATION. This Ordinance shall take effect thirty (30) days after adoption. The title thereof shall be published once and a complete copy thereof shall be posted on the City Council Chamber bulletin board for five (5) days prior to adoption.

Introduced by Councilmember _____ and passed to print on the 18th day of November 2024, by the following called vote:

AYES: ()

NOES: ()

ABSENT: ()

ATTEST: _____
Kelly B. Clancy, CMC
City Clerk

DRAFT