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Staff Report for Proposed General Plan Land Use Diagram and Zoning Map Corrections and Clarifications Related to an Un-zoned Parcel at 555 Estudillo, four parcels west of Harrison Street and north of Chumalia Street, and two parcels at 100 Halcyon Drive.

SUMMARY AND RECOMMENDATIONS

This report addresses amendments to the General Plan Land Use Diagram and Zoning Map to correct and clarify the designations of three sites. The proposed amendments are “clean-up” corrections or clarifications following the recent adoption of the General Plan Land Use Diagram and Zoning Map in September 2016. Two of these sites are located near Downtown and the other is a portion of the former Kraft factory parcel at 100 Halcyon Drive.

The Planning Commission recommended City Council adoption of the proposed Zoning and General Plan Land Use Map corrections and clarifications on February 16, 2017.

BACKGROUND

In September 2016, the City of San Leandro adopted an updated General Plan including a revised Land Use Diagram. Concurrent with General Plan adoption, the City also adopted conforming revisions to the San Leandro Zoning Map. A few intended changes were inadvertently omitted from the General Plan Land Use Diagram and Zoning Map. The proposed action will rectify those omissions and provide the City with a Land Use Diagram and Zoning Map that are fully consistent with General Plan goals, policies and actions.

Analysis

The following three locations are affected:

Northwest Corner of Harrison at Chumalia

This correction affects both the General Plan Land Use Diagram and the Zoning Map. There are four parcels affected (APNs 77-450-2-1, 77-450-3, 77-450-5-1, and 77-450-4). The associated addresses include 170, 174, and 190 Chumalia Avenue and 1051, 1055, 1069, 1071, 1079, and 1085 Harrison Street. The combined area of the properties is about 39,000 square feet and the existing use on all parcels is rental housing. The General Plan and Zoning changes are in Attachment 1, consistent with the map exhibits to the attached Resolution and Ordinance.

The properties are under common ownership and part of a larger development of rental housing that occupies the block west of Harrison Street and north of Chumalia Avenue, extending to Hyde Street on the west and San Leandro Creek on the north. The block includes the Cecilia Court “cottages” as well as other rental housing units facing Harrison and Chumalia. The western part of this block was correctly re-designated from “High Density Residential” to “Downtown Mixed Use” as part of the 2016 General Plan Update and concurrently rezoned from RM-1800 to DA-1. The eastern part of the block was unintentionally omitted, retaining the previous General Plan designation and zoning.

The intent of the General Plan Land Use Diagram re-designation for Cecilia Court was to recognize long-term (20 year) opportunities for higher density and mixed use development on the property, because it is located one block from the proposed East 14th Street Bus Rapid Transit system, four blocks from BART, and adjacent to City-owned property currently planned for future development at East 14th Street and Chumalia. Since the property is in single ownership and part of the same development (despite being comprised of multiple parcels and structures), it should not have been “split” into multiple zones and General Plan designations.

The correction will extend the Downtown Mixed Use designation and the DA-1 zoning east to Harrison Street. The facing (east) side of Harrison Street north of Chumalia is currently developed with a four story multi-family housing development. Thus, the higher density designation is appropriate for the intervening properties between Cecilia Court and Harrison Street.

555 Estudillo Avenue

This is a Zoning Map correction only. No change to the General Plan is proposed, and no change in use is proposed. The location and proposed change are in Attachment 1, consistent with the map exhibit attached to the Ordinance.

The Zoning Map change affects a single 7,088 square foot parcel at 555 Estudillo Avenue currently developed with a small condominium project. The property is an area that was re-designated from “Office” to “Downtown Mixed Use” on the Land Use Diagram as part of the General Plan Update. Other parcels in this vicinity were similarly re-designated, recognizing the existing pattern of mixed residential and commercial uses along Estudillo Street on the east side of Downtown San Leandro, and the elimination of the “Office” category from the General Plan Land Use Diagram in 2016.

As part of the General Plan re-designation, this parcel and those around it were part of a proposed rezoning to “DA-2” in June 2016. However, following a series of community meetings and hearings, the proposal was dropped, and the existing zoning was left in place. Most of the other parcels in the vicinity retained their “P” (Professional Office) zoning. This particular parcel was the only one in the area that had been zoned “PHD” (Professional High Density), a zoning classification that allowed

office uses and conditionally allowed multi-family residential uses. The PHD zone became redundant because a concurrent zoning change allowed multi-family housing (up to 22 units per acre) as a conditionally permitted use in the “P” District. Other PHD parcels in San Leandro were rezoned to “P” as part of the 2016 Zoning Code amendments.

As part of the zoning changes adopted in September 2016, the PHD District was eliminated from the Zoning Code. This parcel should have been rezoned to “P” at that time, but was inadvertently omitted. With the elimination of the PHD district, this parcel is currently un-zoned.

The proposed amendment would assign “P” zoning to this parcel, matching the adjacent parcels. The existing uses would conform to this designation.

100 Halcyon Drive

This is a Zoning Map correction only. No change to the General Plan is proposed. The location of this property and the proposed change of zoning is shown in Attachment 1, consistent with the map exhibit attached to the Ordinance.

100 Halcyon Drive is the site of the former Kraft Plant at Halcyon Drive and Washington Street. The site is under common ownership but currently has a split zoning designation. The larger (27-acre) parcel (APN 77-C-1315-2), which contains the former manufacturing facility, is zoned Industrial General (IG). The smaller parcel, which has no structures, is part of the overall factory site. Historically, the smaller parcel has been used for parking and truck access from Halcyon to Kraft. It is currently zoned Industrial Park, Assembly Use Overlay, IP(AU). This parcel is APN 77C-1240-2 and is approximately 44,000 square feet. The proposed Zoning Map changes are shown below and in Exhibit D of Resolution 2017-001.

The proposed rezoning of this property would eliminate the Industrial Park zoning designation and designate the entire site as Industrial, General. This would match the existing zoning on the majority remainder of the property and remove any internal inconsistencies with allowable land uses. Although this would result in a situation where an Industrial, General designation directly abuts a Single Family Residential (RS) designation, the possibility of land use conflicts and compatibility issues are very low. The General Plan will continue to maintain an Industrial Park land use designation buffer adjacent to the Residential parcels, because that land use designation is conditionally compatible with the Industrial General land use designation (as noted in Table 3-2 of the General Plan). The adjacent residential properties are currently separated from this parcel by a 10’ block wall.

A planning application to redevelop the site has been submitted by Trammel Crowe. The plans include demolition of all current structures and replacement of the existing facility with Class A industrial buildings. The new facility as designed incorporates buffer features to protect the adjacent residential areas and the proposed project will require a Conditional Use Permit.

The change to Industrial General will achieve a single designation for the entire site and remove the split designations. This proposed zoning designation will make the land uses permitted by the IG (AU) zoning internally consistent on the site and provide flexibility for future employment uses on the property.

Previous Actions

The current General Plan and Zoning Map were adopted by the City Council on September 19, 2016 and took effect on November 3, 2016. It was noted in the staff report for the 2035 General Plan Update that staff would need to return to the City Council for consideration of the un-zoned parcel at 555 Estudillo Avenue.

Planning Commission Review and Action

The Planning Commission considered the proposed changes at its February 16, 2017 meeting and recommended City Council adoption by a 5-0 vote (1 commissioner was absent and the District 2 seat is currently vacant). Mr. Todd Fujinaga, representing the affected property owner of the Chumalia sites, spoke at the hearing and requested the Planning Commission delay its decision to allow for further community input on the proposed higher density re-zoning to DA-1. During deliberations, the Planning Commission expressed that delaying the action was unnecessary because any future project application on the property would require public consideration and that the clean-up item before the Commission was intended to correct a map oversight that left the property with a split land use and zoning designation. It was noted that concerns could be better addressed once an actual project is proposed. A complete audio recording of the Planning Commission's February 16, 2017 hearing can be downloaded online at:

http://sanleandro.granicus.com/MediaPlayer.php?view_id=2&clip_id=878

Environmental Review

The proposed amendments are exempt from environmental review under Section 15061(b)(3) of the CEQA Guidelines under the General Rule exemption that states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA. The categorical exemption in Section 15305, Minor Alteration in Land Use Limitations also applies. Any future project proposed on these properties will be evaluated under CEQA on a case-by-case basis.

Summary of Public Outreach Efforts

Notification of this meeting included a legal advertisement in the East Bay Times Daily Review and posting of a notice of the meeting at City Hall a minimum of 72 hours in advance of the Planning Commission meeting date. In addition, a courtesy notice was sent to property owners within a 500 foot radius of the three sites under consideration and all San Leandro homeowner associations.

Legal Analysis

The City Attorney reviewed the proposed corrections and clarifications and opines that they conform to the General Plan.

Fiscal Impacts

The proposed changes will have no fiscal impact on the City's General Fund.

ATTACHMENT(S)

Attachment(s) to Staff Report

- Attachment 1: Proposed map changes

Attachment(s) to Related Legislative File

- 17-106 Resolution: Updated General Plan Land Use Diagram
- 17-107 Ordinance: Updated Zoning Map

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