



Legislation Details (With Text)

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<b>Title:</b>	RESOLUTION of the City of San Leandro City Council Approving a Planned Development and Site Plan Review for 1388 Bancroft Avenue (PLN18-0046)				
<b>Sponsors:</b>	Tom Liao				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Recommended CC Findings Resolution Exhibit A, 2. Recommended CC COA Resolution Exhibit B				

Date	Ver.	Action By	Action	Result
9/21/2020	1	City Council	Adopted	Pass

**RESOLUTION** of the City of San Leandro City Council Approving a Planned Development and Site Plan Review for 1388 Bancroft Avenue (PLN18-0046)

**WHEREAS**, on June 14, 2018, Tom Silva of Eden Realty (“Applicant”) submitted an application for a Planned Development and Site Plan Review (PLN18-0046) proposing to redevelop a 1.27 acre property located at 1388 Bancroft Avenue with a 45 unit multifamily residential project and wireless telecommunications facility (“Project”); and

**WHEREAS**, the application was evaluated and deemed complete on October 12, 2018 and, in accord with the California Environmental Quality Act, an initial study was prepared shortly thereafter; 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 1.27 acre project site is the largest parcel zoned for Professional Office (P) in the City of San Leandro; and

**WHEREAS**, the Zoning Map currently designates the Project site as Professional Office (P) zoning district. The Applicant proposes to amend the Zoning Map to identify the Project site as P(PD) Professional Office, Planned Development Overlay District; and

**WHEREAS**, the Planned Development and Site Plan Review, pursuant to Sections 3-1012 (now codified as 3.04.300) and 5-2506 (now codified as 5.12.112) of the Zoning Code, respectively, satisfies all the requisite findings of fact and determinations as set forth in “Exhibit A” attached hereto and incorporated herein, and as further explained in the staff report associated with this Resolution,

incorporated herein by reference; and

**WHEREAS**, the Planned Development Project complies with the minimum area, residential unit density, performance standards, and development regulation conditions required for approval under Section 3-1012 (now codified as 3.04.300) of the Zoning Code; and

**WHEREAS**, the Planned Development Project provides superior urban design in comparison with development under the base district zoning regulations;

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

**WHEREAS**, the Planned Development Project is consistent with the adopted Land Use Element of the General Plan and other applicable policies of the General Plan and is compatible with surrounding development; 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**, the Planned Development Project includes a wireless communications facility consisting of a single monopole tower concealing internal antennae, fully screened equipment and internal conduit, and rooftop utility room; and

**WHEREAS**, the Planned Development Project is exempt from the California Housing Accountability Act because it requests special exceptions from the underlying development standards of the San Leandro Zoning Code; and

**WHEREAS**, pursuant to the California Environmental Quality Act of 1970, Public Resources Code § 21000, et seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively, "CEQA"), an Initial Study and Mitigated Negative Declaration (collectively, "Mitigated Negative Declaration" or "MND"), dated November 30, 2018, was prepared for the project by Michael Baker International (MBI) on behalf of the City. The Initial Study determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the incorporated mitigation measures and revisions in the project have been made by or agreed to by the project proponent and a Mitigated Negative Declaration was prepared and circulated for public and agency review and comment; and

**WHEREAS**, the City of San Leandro Planning Commission of the City of San Leandro did, hold a duly noticed Public Hearing for consideration of the Project on the 20<sup>th</sup> day of December, 2018 and, after consideration of the staff report and all pertinent plans, documents, comments and testimony provided at or prior to the hearing, recommended approval and adoption of the MND and the proposed Project to the City Council by a 4-2 decision; and

**WHEREAS**, on February 4, 2019, the San Leandro City Council held a duly noticed Public Hearing for consideration of the Project and, after consideration of the staff report and all pertinent plans, documents, comments and testimony provided at or prior to the hearing, directed the applicant to revise the project by reducing the number of units; and

**WHEREAS**, exactly one year later, on February 4, 2020, the applicant submitted a revised project application proposing to reduce the total number of units from 45 to 42 and removing the rooftop patio; and

**WHEREAS**, the revised application submitted on February 4, 2020 was reviewed in accord with the California Environmental Quality Act and it was determined that the revisions would not result in any new or significant impacts, and that recirculation of the Initial Study and Mitigated Negative Declaration would not be necessary under CEQA Guidelines Section 15073.5; and

**WHEREAS**, the City Council, after again giving all public notices required by State law and the San Leandro Zoning Code, held a duly noticed public hearing on \_\_\_\_\_ to consider a revised Project with 42 units; and

**WHEREAS**, at said public hearing the City Council considered all oral and written information, testimony and comments received, the staff report and presentation, Project plans and exhibits, supporting documents, the recommendation of the Planning Commission, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, the application of all mitigating measures, and all other materials and information contained in the record of proceedings relating to the Project, which are maintained at the City of San Leandro Community Development Department (collectively, "Project Information"); and

**WHEREAS**, location and custodian of the Project files, Mitigated Negative Declaration, and other documents that constitute a record of proceedings for the Project is the City of San Leandro, 835 East 14th Street, San Leandro, California 94577; and

**WHEREAS**, the Project files and 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 FOR THE CITY OF SAN LEANDRO RESOLVES THAT:** The forgoing recitals are true and correct and made part of this resolution.

**BE IT FURTHER RESOLVED THAT:** The City Council of the City of San Leandro does hereby make the following findings and determinations regarding the Project:

1. That the City Council hereby adopts the Recommended Findings of Fact, as set forth in Exhibit A attached hereto and incorporated herein by this reference to approve the Project.
2. Based on the findings and determinations, the City Council does hereby 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.