



Legislation Details (With Text)

File #: 15-445 **Version:** 1 **Name:** ORD Shoreline Rezoning
Type: Ordinance **Status:** Passed
In control: City Council
On agenda: 7/20/2015 **Final action:** 9/8/2015
Enactment date: 9/8/2015 **Enactment #:** Ordinance 2015-008
Title: ORDINANCE of the City of San Leandro Rezoning the Shoreline Development Project Site from CR-Commercial Recreation to RM-2000-Residential Multi-Family and CC-Community Commercial, Both with a PD-Planned Development Zoning District Overlay (PLN2012-00040)
Sponsors: Cynthia Battenberg

Indexes:

Code sections:

Attachments: 1. Attachment 1 Zoning Map Amendments

Date	Ver.	Action By	Action	Result
9/8/2015	1	City Council	Adopted	Pass
7/27/2015	1	City Council	Adopted	Pass
7/20/2015	1	City Council	Passed to Print	Pass

ORDINANCE of the City of San Leandro Rezoning the Shoreline Development Project Site from CR-Commercial Recreation to RM-2000-Residential Multi-Family and CC-Community Commercial, Both with a PD-Planned Development Zoning District Overlay (PLN2012-00040)

WHEREAS, as part of a public/private partnership, the City of San Leandro and Cal Coast Development, LLC propose to redevelop an approximately 75-acre area including 52 acres of land area and 23 acres of water area (both owned by the City) which encompasses the San Leandro Marina and surrounding properties. The Project proposes a mixed use development with residential, office, commercial and public recreational uses. The development would build new features including an approximately 150,000-square-foot office campus, a new 200-room hotel, an approximately 15,000-square-foot conference center, up to 354 housing units, 3 new restaurants totaling approximately 21,000 square feet, a new parking structure and related improvements. A variety of public amenities would be installed, including a new approximately 2,500-square-foot community library/community meeting space, an aquatic center/dock, bocce ball courts, outdoor recreational areas, picnic areas, a perched beach, pedestrian piers, two miles of public promenade, a natural shoreline element along the interior of the harbor basin, a pedestrian/bicycle bridge, a boardwalk/lookout pier, several small finger piers, and refurbishment of existing public restrooms on site. Implementation of the Project would remove several existing structures and uses, including the 462 existing boat slips, the El Torito restaurant building, the harbormaster’s office, and the San Leandro Yacht Club building, among others. The harbor would only be open to non-motorized watercraft, so the Project includes the construction of a small boat launch, a kayak storage building, and an aeration fountain in the harbor basin to aid in water circulation; and

WHEREAS, the Project includes applications 1) to amend the General Plan land use

designation from Parks and Recreation to Medium Density Residential for approximately 12 acres for proposed residences on the 9-hole golf course; 2) to rezone approximately 12 acres from Commercial Recreation to RM 2000(PD) Residential Multi-Family, Planned Development overlay consistent with the General Plan amendment, and rezone approximately 40 acres from CR Commercial Recreation to CC(PD) Community Commercial, Planned Development Overlay; 3) site plan review, tentative map, development plan and design guidelines; and 4) development agreement. The Project is being processed in two stages. The first processing stage will consider the General Plan amendment and rezoning applications; the second processing stage will consider the development permits at future hearings, including but not limited to site plan review, tentative map, and PD development plan. The development described above and related applications are collectively known as the "Project"; and

WHEREAS, the Project site is approximately 75 acres, generally located along both sides of Monarch Bay Drive between Marina Boulevard and Fairway Drive. The site includes Mulford Point to the north and Pescador Point to the south and the boat harbor, businesses, various structures and parking lot between; portions of the existing 9-hole Marina Golf Course; and the existing Mulford-Marina Branch public library; and

WHEREAS, the General Plan Land Use Diagram currently designates the Project site west of Monarch Bay Drive as Commercial General (CG) and the Project site East of Monarch Bay Drive as Parks and Recreation (PR). The adopted zoning map currently designates the Project site as CR-Commercial Recreation; and

WHEREAS, consistent with the companion General Plan amendment, the Project proposes to rezone approximately 12 acres of the existing golf course from CR-Commercial Recreation to RS-2000 (Residential Multi-Family) with a PD-Planned Development overlay for future development of single-family units and townhouses. The Project proposes no change to the rest of the golf course CR zoning. The Project proposes to rezone approximately 40 acres of the Project site west of Monarch Bay Drive from CR to CC-Community Commercial with a PD-Planned Development overlay for future development of a mixed-use community with recreational amenities. The proposed zoning is shown on Attachment 1, Shoreline Development Map Proposed Zoning Map Amendments; and

WHEREAS, the City prepared a Draft EIR and Final EIR, collectively "EIR", for the Project, including the proposed rezoning; and

WHEREAS, a staff report dated June 18, 2015 and incorporated herein by reference, described and analyzed the proposed rezoning for the Planning Commission; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the rezoning on June 18, 2015, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the EIR (including comments and responses) and all above-referenced reports, recommendations and testimony prior to making a recommendation on the rezoning. Following the public hearing, the Planning Commission adopted Resolution No. 2015-01, recommending that the City Council certify the Project EIR and Resolution No. 2015-02 recommending that the City Council approve the rezoning and related General Plan amendment. The resolutions are dated June 18, 2015 and incorporated herein by reference; and

WHEREAS, a staff report dated July 20, 2015 and incorporated herein by reference, analyzed the EIR for the Project, including the rezoning. On July 20, 2015, the City Council held a duly noticed

public hearing on the EIR and following the public hearing, the City Council adopted Resolution 2015-125, certifying the EIR, making required environmental findings and adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, which resolution is incorporated herein by reference; and

WHEREAS, a staff report dated July 20, 2015 and incorporated herein by reference, described and analyzed the proposed rezoning for the City Council; and

WHEREAS, the City Council held a noticed public hearing on the rezoning on July 20, 2015, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council considered the certified EIR and all above-referenced reports, recommendations and testimony prior to taking action on the rezoning and related General Plan amendment; and

WHEREAS, following the public hearing, the City Council adopted Resolution 2015-126 amending the General Plan land use designation for the proposed 12-acre residential portion of the existing golf course, which resolution is incorporated herein by reference.

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. ENVIRONMENTAL REVIEW. The City prepared an EIR for the Project, including the rezoning. On July 20, 2015, the City Council adopted Resolution 2015-125 certifying the EIR, adopting environmental findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program prior to approving the Project, including the rezoning. Resolution 2015-125 is incorporated herein by reference.

SECTION 3. FINDINGS. The City Council makes the following findings prior to adopting this ordinance.

A. Pursuant to Zoning Code section 5-2712.C, the proposed zoning map amendment is consistent with the policies of the General Plan. *The residential rezoning for the golf course site is consistent with the companion General Plan amendment as to residential uses and density and implements General Plan goals and policies to increase new housing opportunities in the City. The Community Commercial rezoning allows a mix of uses as anticipated in General Plan Marina Policy 9.02 and related Action 9.02-A, and is consistent with the existing General Commercial land use designation. The PD overlay further provides a mechanism for establishing site- and project-specific development details to implement General Plan and other applicable standards, as well as for reviewing how the Project will implement CEQA mitigation measures through project and site design, subject to future discretionary review in the Planned Development Project process.*

B. Pursuant to Zoning Code section 5-2712.A and B, the proposed rezoning is consistent with the notice and hearing provisions of Article 27 *in that noticed public hearings were conducted by both the Planning Commission and City Council.*

C. Pursuant to Zoning Code sections 3-1008. B and C, the Planned Development Concept Plan is consistent with the Land Use Element of the General Plan and other applicable policies of the General Plan and is compatible with surrounding development. *The Planned Development concept plan is shown in Figure 3-3 of the Draft EIR. The concept plan is consistent with the General Plan*

uses and densities, as amended by the Project for the proposed golf course residential use. The concept plan for the rest of the Project site is consistent with the General Plan land use designation of General Commercial, which allows for the array of mixed commercial, office, residential and other uses and amenities. The concept plan also implements existing General Plan policies for development of the Marina and provides housing, both in accordance with the Land Use Element. The flexibility provided by the PD zoning overlay also allows the concept plan to be tailored to ensure and improve compatibility with surrounding residential, recreational and other uses through a public review process when the Planned Development Project application is submitted. The Concept Plan for both PD overlay rezoning areas is also compatible with surrounding development in that existing adjacent residential uses will continue to be largely buffered from the Project by the existing golf course, while the Project's recreational uses around the harbor basin largely adjoin existing recreational uses to the south. Through the PD Project review, the Concept Plan will be tailored to refine project design to further ease the transitions to different adjacent uses.

SECTION 4. APPROVAL. The City Council hereby approves the rezoning shown in Attachment 1, which attachment is 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 Prola on this 20th day of July, 2015, and passed to print by the following called vote:

Members of the Council:

AYES: Councilmembers Cox, Lee, Lopez, Prola, Reed, Thomas; Mayor Cutter (7)

NOES: None (0)

ABSENT: None (0)