



Legislation Text

File #: 15-026, **Version:** 2

ORDINANCE Approving a Rezoning and a Planned Development to Construct s Subdivision Consisting of Four Detached, Two-Story, Single-Family Residences; an Unaddressed Parcel on Warren Avenue, Between 396 and 476 Warren Avenue; Alameda County Assessor's Parcel Number 77-572-10 (PLN 2014-00044)

RECITALS

WHEREAS, J. Cannizzaro, Cannizzaro Realty, Inc. (the "Applicant") and Jefferson Building, Inc. (the "Property Owner") submitted an application for a Rezone from RS Residential Single-Family District to RS(PD) Residential Single-Family, Planned Development Overlay District; and a Planned Development approval to construct a subdivision consisting of four detached, two-story, single-family residences that would comprise between 1,493-1,630 square feet of living area, which includes three bedrooms and three baths at an unaddressed parcel on Warren Avenue, between 396 and 476 Warren Avenue. The Project includes applications for an amendment to the Zoning Map (the "Zoning Map"), and a Planned Development; and

WHEREAS, the proposed site for the Project is an interior lot on the north side of Warren Avenue, between East 14th Street and Bancroft Avenue. It is relatively flat and has never been improved; and

WHEREAS, the proposed Project site is currently zoned RS Residential Single-Family District and has a General Plan designation of Low Density Residential "RL". The proposed Project site is surrounded by single-family residential development with the exception of condominium developments in the proximity to the north, fronting Sybil Avenue. Moreover, the Project site is south of the City's Downtown and east of the East 14th Street South Area Corridor; and

WHEREAS, the City determined that the proposed Project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Article 19, Categorical Exemption, Section 15332 In-fill Development projects; and

WHEREAS, the Planning Commission held a noticed public hearing regarding the proposed Project on December 18, 2014 and

WHEREAS, the Planning Commission reviewed the staff report and the Categorical Exemption from CEQA, and found that the staff report and CEQA findings reflect the City's independent judgment and analysis of the Project; and

WHEREAS, location and custodian of the Categorical Exemption, 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 Zoning Map currently designates the Project site as RS Residential Single-Family District. The Zoning Map should be amended to RS(PD) Residential Single-Family District, Planned Development Overlay District as set forth in Exhibit 1; and

WHEREAS, the Project also requires a Planned Development Approval, pursuant to 5-2212 and 3-1018 of the Zoning Code, respectively, and satisfies all the requisite findings as further explained in the staff report associated with this ordinance; and

WHEREAS, the City's General Plan and the Zoning Code are incorporated herein by reference, and are available for review at City Hall during normal business hours.

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

SECTION 1. ADOPTION OF THE ZONING MAP AMENDMENT. Based on the entirety of the record, as described above, the Property described as an unaddressed parcel on Warren Avenue, between 396 and 476 Warren Avenue, Assessor's Parcel Number 77-572-10, is hereby reclassified from its current designation on the Zoning Map of RS Residential Single-Family District to RS(DP) Residential Single-Family, Planned Development Overlay District, as further set forth in Exhibit 1, attached hereto and incorporated herein by reference, and filed in the office of the City Clerk on January 20, 2015.

SECTION 2. FINDINGS FOR THE PLANNED DEVELOPMENT. Based on the entirety of the record, as described above, and after the public hearing, the City Council finds and determines that the proposed single-family development and related improvements are in accord with the objectives of the Zoning Code; will be consistent with the General Plan; will not be detrimental to public health, safety, or welfare of persons in the immediate area; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City per sections 5-2212 and 3-1018; and the City Council approves the Planned Development subject to the Recommended Conditions of Approval as further set forth in Exhibit 2, attached hereto and incorporated herein by reference.

SECTION 3. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

Introduced by Councilmember Cox on this 2nd day of February, 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)