



Legislation Text

File #: 18-462, **Version:** 1

ORDINANCE of the City of San Leandro City Council to Approve a Rezoning of 342 Marina Boulevard, the subject property, from RM-1800, Residential Multi-family District, to RM-1800(PD) Residential Multi-family District, Planned Development Overlay District. Alameda County Assessor's Parcel Number 75-82-10 (PLN17-0049)

WHEREAS, G.K. Wong, GKW Architects, Inc. c/o property owner (the "Applicant") submitted an application (PLN17-0049) for a Rezone from RM-1800 Residential Multi-family District to RM-1800 (PD) Residential Multi-family District, Planned Development Overlay District; Planned Development, Site Plan Review, and Vesting Tentative Map Tract No. 8475 to construct two three-story townhouse condominium buildings comprising six units in total at 342 Marina Boulevard ("Project"). The Project includes applications for a Planned Development overly amendment to the Zoning Map (the "Zoning Map"), Site Plan Review, and a Vesting Tentative Map; and

WHEREAS, the proposed Vesting Tentative Map is to subdivide a single-lot into six condominium units and common areas; and

WHEREAS, the proposed site for the Project is an interior lot on the north side of Marina Boulevard, between Clarke Street and Washington Avenue, encompassing 12,000 square feet (0.28 acre), measuring 100 feet wide fronting Marina Boulevard, and 120 feet deep. It is relatively flat and has only been improved with a single-family home which is not a designated historic property, and has been modified over the years; and

WHEREAS, the proposed Project site is currently zoned RM-1800 Residential Multi-family District. It has a General Plan designation of Medium-High Density Residential, use "RMH". Adjacent to the northwest is a duplex and to the north is a four story, 28-unit apartment complex fronting Estabrook Street. To the west is a one-story, single-family residence and a two-story four-plex at the corner of Marina Boulevard and Clarke Street. To the south, across Marina Boulevard, is the Boys' and Girls' Club and single-family homes to the east. The Project site and the adjacent parcels to the west, north, and east are zoned RM-1800 Residential Multi-family District. Across the street, the Boys' and Girls' Club site is zoned PS(S) Public Semi-Public, Special Overlay District and the properties east of it are zoned RD Residential Duplex District; and

WHEREAS, the Zoning Map currently designates the Project site as RM-1800 Residential Multi-family District. The Applicant proposes to amend the Zoning Map to identify the Project site as

RM-1800(PD) Residential Multi-family District, Planned Development Overlay District as set forth in Exhibit A, attached hereto and incorporated herein by reference; 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 Exemptions, Section 15303(b), "New Construction or Conversion of Small Structures." In urbanized areas, this categorical exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units; and

WHEREAS, a staff report for the City of San Leandro Planning Commission dated August 16, 2018 and incorporated herein by reference, described and analyzed the proposed rezoning; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the rezoning on August 16, 2018, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the categorical exemption (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. 2018-003, recommending that the City Council approve the categorical exemption and the Project. The resolution is dated August 16, 2018 and incorporated herein by reference; and

WHEREAS, a staff report dated October 15, 2018 and incorporated herein by reference, analyzed the Project, including the rezoning. On October 15, 2018, the City Council held a duly noticed public hearing on the Project and following the public hearing, the City Council adopted Resolution No. 2018-_____, approving the Categorical Exemption from CEQA; and

WHEREAS, a staff report dated October 15, 2018 and incorporated herein by reference, described and analyzed the proposed rezoning for the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on the rezoning on October 15, 2018, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council considered the categorical exemption and all above-referenced reports, recommendations, and testimony prior to taking action on the rezoning (zoning map

amendment).

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. On October 15, 2018, the City Council adopted Resolution No. 2018-_____, approving the Categorical Exemption from CEQA, including the rezoning. Resolution No. 2018-_____ is incorporated herein by reference.

SECTION 3. FINDINGS. Based on the entirety of the record, the City Council hereby finds that the proposed Planned Development zoning overlay, as shown in the attached Exhibit A, is consistent with the 2035 General Plan adopted September 19 2016. The City Council further finds that consideration of the proposed Planned Development zoning overlay complies with the notice and hearing provisions of the Zoning Code.

SECTION 4. APPROVAL. The City Council hereby approves the Planned Development zoning overlay as shown in attached Exhibit A, 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.