



Legislation Text

File #: 16-681, **Version:** 1

RESOLUTION Approving a Modification of Planned Development; to construct a new kiosk for an attendant near the Lewelling Boulevard entry circle of the Heron Bay residential development; Alameda County Assessor's Parcel Numbers 80G-1325-5-1, 80G-1406-26, and 80G-1406-29 (PLN16-0009)

RECITALS

WHEREAS, J. Tepper (the "Applicant") and Heron Bay Homeowners Association c/o B. Ritter, HSS, Inc., and F. Simon Association President (the "Property Owner") submitted an application to construct a kiosk for an attendant on the Heron Bay Park site facing the Lewelling Boulevard circle and Bayfront Drive entry and to reconfigure Anchorage Drive to egress-only of standard vehicles, however maintaining ingress for emergency vehicles (PLN16-0009) ("Project") for the Heron Bay development which consists of 629 residential units on approximately 70 acres. The Project includes an application for a modification to the existing Planned Development (PD-91-3); and

WHEREAS, the residential community has existed as a non-gated community since it commenced construction approximately 19 years ago; and

WHEREAS, Bayfront Drive in the Project provides a public access connection to and from the western terminus of Lewelling Boulevard and the San Francisco Bay Trail and the City of San Leandro Shoreline Area; and

WHEREAS, the proposed Project site is currently zoned RS(PD) Residential Single-Family District, Planned Development Overlay District and has a General Plan designation of Low-Medium Density Residential "RLM". The Project site is surrounded by various open space, wetlands, the San Leandro Shoreline Area and the Bay Trail to the west and north; Southern Pacific Railroad right-of-way along the east and the Mission Bay Mobile Home Park, Sandev Mobile Home Park, and Washington Manor neighborhood beyond the railroad line; and San Lorenzo Creek and San Leandro and San Lorenzo industrial neighborhoods to the south; and

WHEREAS, the proposed project is categorically exempt from CEQA Guidelines in accordance with Section 15303(e) for New Construction of Small Structures; and

WHEREAS, the Planning Commission held a noticed public hearing regarding the proposed Project on October 20, 2016; and

WHEREAS, the Planning Commission reviewed the staff report, including public comments, 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, the Planning Commission did not find the proposed gate on Anchorage Drive

consistent with the General Plan. The gate is in conflict with General Plan Policy 2.10 Gated Communities: “Unless overriding public safety considerations exist, discourage the development of “gated” communities or the gating of already developed neighborhoods or subdivisions.” In addition, the Planning Commission found that the proposed reconfiguring of Anchorage Drive to egress only for standard vehicles and making Bayfront Drive ingress only for standard vehicles would create adverse impacts and create additional demands to streets in the subdivision serving southbound and eastbound traffic since all ingress traffic would be via Bayfront Drive. Specifically, all of the ingress traffic with destinations to the south, southeast, and east edge south of the Heron Bay development via Bayfront Drive, would create adverse impacts to the southbound and west-to-eastbound streets (i.e., Harbor Way, Oceanside Way, Cruiser Drive, Charter Way, Mariner Way, Regatta Way, Atlantus Avenue, and the south end of Anchorage Drive). Currently, ingress access is available via Bayfront Drive and Anchorage Drive; and

WHEREAS, the Planning Commission in its motion to the City Council removed the proposed Anchorage Avenue reconfiguration for an egress only gate arm and raised barrier for the reasons described above; 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 Project also requires a Planned Development Approval, pursuant to 5-2212 and 3-1018 of the Zoning Code, respectively, and satisfies all of the requisite findings as further explained in the staff report associated with this resolution; 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 RESOLVE as follows:

1. 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 kiosk is 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 Conditions of Approval as further set forth in Exhibit 1, attached hereto and incorporated herein by reference.