



Legislation Text

File #: 20-029, **Version:** 1

PLN19-0074; Consideration of a General Plan Text Amendment, General Plan Map Amendment, and Zoning Map Amendment to facilitate the future development of approximately 75 acres in the San Leandro Shoreline area as part of a public-private partnership proposed to result in up to 485 housing units, a 220-room hotel with attached restaurant, a 15,000 square foot two-story restaurant/banquet facility, a 3,000 square foot market/café, a redesigned nine-hole golf course, a new library building, a nine-acre community park, and related site improvements; and consideration of the Addendum to the Certified Final Environmental Impact Report prepared for the 2015 San Leandro Shoreline Development Project; Assessor's Parcel Numbers: 080G 0900 001 08, 080G 0900 004 01, 079A 0475 009 04, 079A 0590 001 05, 079A 0590 001 07, 079A 0590 002 00, 079A 0590 003 00, and 079A 0590 004 00; Monarch Bay LLC (applicant) and City of San Leandro (owner).

SUMMARY AND RECOMMENDATION

Staff recommends that the Planning Commission 1) hold a public hearing and recommend approval to the City Council on the matter of PLN19-0074, which includes a General Plan Text Amendment, General Plan Map Amendment, and Zoning Map Amendment to reflect the updated Shoreline Development Concept Plan for approximately 75 acres of City-owned land at the San Leandro shoreline as part of a public-private partnership with Cal-Coast Development; and 2) recommend the City Council determine that the proposed project was adequately analyzed pursuant to the California Environmental Quality Act (CEQA) by the Addendum to the Certified Final Environmental Impact Report.

BACKGROUND

Project Site

The Monarch Bay Shoreline area is bounded by Marina Blvd to the north, the San Francisco Bay to the west and Fairway Drive to the south. The proposed amendments would affect approximately 75-acres of City-owned property identified as Alameda County Assessor's Parcel Numbers: 080G 0900 001 08, 080G 0900 004 01, 079A 0475 009 04, 079A 0590 001 05, 079A 0590 001 07, 079A 0590 002 00, 079A 0590 003 00, and 079A 0590 004 00. The Shoreline site is located south of East Bay Regional Park District's Oyster Bay Regional Shoreline and is largely surrounded by single-family homes and multi-family residential units within the Mulford Gardens neighborhood. The site is located north of the City's Marina Park and Par Course, the Tony Lema Golf Course (part of the larger Monarch Bay Golf Club), the Seagate residential community, and the Marina Faire neighborhood.

Public-Private Partnership

In October 2008, the City entered into an Exclusive Negotiating Rights Agreement (ENRA) with Cal-Coast to negotiate agreements to redevelop the City's Shoreline area. From 2008 to 2015, Cal-Coast worked with City staff and various resident advisory committees to develop a Conceptual

Master Plan for the Shoreline area that would meet the following stated objectives:

- Provide complementary amenities to the residents of and visitors to the City of San Leandro,
- Connect the amenities with current Shoreline uses,
- Recognize the development value of a desirable regional location and how commercial development can fund public amenities and services,
- Address logical phasing of development,
- Require little or no City investment, and
- Result in a self-supporting Shoreline.

In 2015, the City Council certified an Environmental Impact Report (EIR) and approved a General Plan Map Amendment and Zoning Map Amendment (PLN2012-00040) to lay the ground work for a Shoreline Development Concept Plan that included:

- 150,000 square-foot office campus;
- 200-room hotel;
- 15,000 square-foot conference center;
- 354 housing units;
- Three restaurants totaling approximately 21,000 square feet;
- New Mulford-Marina Branch library;
- Three-story parking structure;
- Redesigned nine-hole golf course; and
- Related site improvements.

In 2017, Cal-Coast modified the Shoreline Development Concept Plan as a result of feedback from the San Francisco Bay Conservation and Development Commission (BCDC) and evolving market conditions. Most notably, the office campus and conference center were eliminated, the number of planned residential units increased from 354 to 485, and the proposed buildings were relocated closer to Monarch Bay Drive to accommodate sea level rise, freeing up land on the waterfront for a nine-acre community park on Mulford Point. The updated Shoreline Development Concept Plan includes:

- 220-room hotel with attached restaurant;
- 15,000 square foot two-story restaurant /banquet facility;
- 485 housing units;
- 3,000 square foot market/café;
- 9-acre community park on Mulford Point;
- New Mulford-Marina Branch library;
- Redesigned nine-hole golf course; and
- Related site improvements, including publicly accessible trails, landscaped areas, access drives, and parking lots throughout the project area.

PROPOSAL

The proposed amendments to the General Plan and Zoning Map reflect the updated Shoreline

Development Concept Plan and lay the groundwork for future planning approvals. These Amendments will be followed by more precise development plans to be considered by the Planning Commission and City Council in subsequent public hearings. The proposed changes are necessary to make the project more resilient to projected sea level rise, to prioritize housing over office space, and to expand parkland along the waterfront on Mulford Point.

General Plan Text Amendment

The proposed General Plan Text Amendment (Attachment 1) would update the Land Use Element to reflect the City Council's updated vision for the Shoreline area and ensure consistency with the proposed Land Use Map Amendments. The Shoreline section of the Land Use Element was drafted in 2016 as part of the 2035 General Plan Update and reflected the vision in place at that time. This section is proposed to be updated to reflect the evolution of the Shoreline Development Project that has occurred since 2016. Land Use Goal LU-9 and Action LU-9.4.A are also proposed to be updated to reflect the modified Concept Plan, which no longer includes Class A office space due to changing market conditions and physical site constraints.

General Plan Land Use Map Amendment and Zoning Map Amendment

The proposed General Plan Land Use Map Amendment, as shown in Attachment 2, would reduce the General Commercial (CG) designated area west of Monarch Bay Drive from 31 acres to 16 acres and replace it with an increased Parks and Recreation (PR) designation, from 7.2 acres to 15.5 acres. In addition, approximately 6.8 acres of land currently designated CG would change to High Density Residential (RH) to accommodate the proposed apartment use on the southern portion of the project site. East of Monarch Bay Drive, the PR area would be reduced from 30.7 acres to 24.4 acres in order to accommodate a revised 9-hole executive golf course and single-family/townhouse element within the Medium Density Residential (RM) acreage, proposed to be increased from 13.1 to 19.4 acres.

Similarly, as shown in Attachment 3, the proposed Zoning Map Amendment would reduce the Community Commercial (Planned Development) (CC(PD)) area west of Monarch Bay Drive from 38.2 acres to 16 acres. The Zoning Map Amendment would establish 15.5 acres of Commercial Recreation (CR) area west of Monarch Bay Drive to accommodate planned recreational areas, including a nine-acre community park on Mulford Point. Approximately 6.8 acres of land designated CC(PD) would be rezoned as Residential Multi-Family (24 dwellings per gross acre) (Planned Development) (RM-1800(PD)) to accommodate the proposed apartment building. East of Monarch Bay Drive, the 29.5-acre Commercial Recreation (CR) area would be reduced to 23.1 acres to accommodate the redesigned 9-hole golf course. The Residential Multi-Family (22 dwellings per gross acre) (Planned Development) RM-2000(PD) acreage east of Monarch Bay Drive would increase from 13.1 to 19.4 acres to accommodate the single-family/townhouse residential element.

The proposed Zoning Map Amendment would also expand the existing PD Overlay Zone by approximately 6.3 acres. The PD Overlay Zone was established to set forth a procedure for the development of larger parcels to reduce or eliminate the rigidity, delays, and inequities that could result from applying zoning standards and procedures designed primarily for smaller parcels. The PD overlay provides a valuable tool appropriate for the scale and unique setting of the Shoreline site and the City Council's vision for a self-sustaining, mixed-use development.

Future development of the Shoreline area will be subject to review of planning applications likely to include a Planned Development Project, Tentative Map, Site Plan Review, and Conditional Use Permit applications.

STAFF ANALYSIS

Pursuant to Government Code Sections 65353 and 65354, the Planning Commission is responsible for holding a public hearing and making recommendations on General Plan Amendments to the City Council. Pursuant to Government Code Section 65358, the City Council may amend the General Plan if such amendments are deemed to be in the public interest. Staff has prepared recommended findings of fact in support of the proposed amendments, deemed necessary to make the project more resilient to projected sea level rise, to prioritize housing needs over office space, and to expand parkland along the waterfront on Mulford Point.

General Plan Map Amendment

The proposed General Plan Map Amendment would align the General Plan Land Use designations for the Shoreline site with the City Council's updated vision for development of the area, as reflected in the Concept Plan included as Exhibit D to the attached draft resolution. The proposed General Plan Map Amendments are in the public interest as they lay the groundwork for future development of the Shoreline area with a self-sustaining mix of housing, recreation, public amenities, and hospitality consistent with the General Plan's stated goals and policies, including but not limited to:

Goal LU-9. Reinforce the San Leandro Shoreline as a regional destination for dining, lodging, entertainment, and recreation, while creating a new waterfront neighborhood with housing, retail, and office uses.

Policy LU-9.1 Waterfront Enhancement. Enhance the San Leandro waterfront as a distinguished recreational shoreline and conservation area, with complementary activities that boost its appeal as a destination for San Leandro residents and visitors. Future development at the Shoreline should be compatible with the area's scenic and recreational qualities.

Policy LU-9.3. Public Amenities in Shoreline Development. Ensure that future development at the Shoreline includes complementary amenities that benefit San Leandro residents and current shoreline users, such as improved park space, restaurants, pedestrian and bicycle paths, and access to the Bay Trail.

Policy LU-9.4. Land Use Mix. Strive for a mix of land uses in the San Leandro Shoreline area that requires little or no City investment and results in a Shoreline that is financially self-supporting. Development should be phased in a manner that is consistent with this policy, and should maximize the extent to which commercial development funds public amenities and services.

Further, the proposed amendments would add much needed market-rate and workforce housing to the city, as called for in Housing Element Action 53.01-D:

Housing Element Action 53.01-D: Shoreline Area Housing Opportunities.

Complete a planning study for the San Leandro Marina area which includes opportunities for

new housing at a variety of densities. Following consideration by the Planning Commission and City Council, make appropriate zoning changes which would enable the construction of additional housing units in this area.

General Plan Text Amendment

The proposed General Plan Text Amendment would include an updated Land Use narrative for the Shoreline area and would amend Goal LU-9 and Action LU-9.4.A to reflect the updated vision for the Shoreline. The amendments are necessary and in the public interest because they ensure internal consistency between the General Plan Land Use Element and Land Use map as well as facilitating development of the Shoreline area with a self-sustaining mix of land uses as called for in the General Plan.

Zoning Amendments

Zoning Code Section 5-2708 states that the Planning Commission shall make findings regarding consistency with the General Plan and purposes of the Zoning Code as outlined in Section 1-104 when making recommendations to the City Council on proposed Zoning Map Amendments.

The proposed Zoning Map Amendments are consistent with the proposed General Plan Map Amendments and relevant General Plan policies regarding the Shoreline site, including but not limited to Goal LU-9, Policy LU-9.1, Policy LU-9.3, and Policy LU-9.4 as stated above. The proposed Zoning Map Amendments are also consistent with the purposes of the Zoning Code contained in Section 1-104, including but not limited to:

- Guiding physical development in accord with the policies of the General Plan in order to:
 - Preserve the character and quality of residential neighborhoods and commercial and industrial areas consistent with the character of the development districts of the City;
 - Foster convenient, harmonious, and workable relationships among land uses; and
 - Achieve progressively the land development described in the General Plan.
- Conserving and enhancing key visual features of San Leandro's setting, including the hillsides and bay front, consistent with the General Plan.
- Providing for the elimination, over time, of land uses and structures that are inconsistent with the policies of the General Plan and adversely affect other property or uses.

Planned Development (PD) Overlay

In 2015, when the previous Shoreline General Plan Map Amendments and Zoning Map Amendments were approved, the full portion of the project site located west of Monarch Bay Drive was designated as CC with a PD Overlay Zone. At that time, the PD Overlay Zone was also applied to the approximately 13.1-acre RM-2000 area east of Monarch Bay Drive. The proposed Zoning Map Amendments would apply the PD Overlay to the proposed additional 6.3 acres of RM-2000 area to accommodate the updated vision for the single-family/townhome element.

Section 3-1008 of the Zoning Code specifies additional procedures for Zoning Amendments that include a proposed PD Overlay District. In addition to the required findings stated above, the Planning Commission's recommendation on a PD Overlay must also include a finding that a Planned

Development Concept Plan is consistent with the adopted General Plan Land Use Element and is compatible with surrounding development. The proposed Planned Development Concept Plan is included as Exhibit D to the attached draft resolution and has been analyzed for conformance with the proposed General Plan and Zoning Designations. The updated Concept Plan is also consistent with the General Plan's goals, policies, and actions, as amended by PLN19-0074.

The updated Shoreline Planned Development Concept Plan reflects compatibility with the surrounding neighborhoods. Adjacent residential land uses would be buffered by the golf course on the eastern portion of the site and the updated Concept Plan relocates proposed buildings closer to Monarch Bay Drive, increasing the distance between the new development and existing homes and efficiently conserving land for recreational purposes along the Shoreline. The proposed nine-acre community park and future Bay Trail spur would connect to existing recreational uses to the south. A Planned Development Project, outlining details of the specific project details is expected to be submitted for review and approval during the entitlements process.

Through the Planned Development Project review, the Shoreline Concept Plan will be tailored to further refine the project design and ensure compatibility with adjacent land uses. This will include more specific project details, such as those related to environmental sustainability, resiliency and design review. The Planning Commission and City Council will have an opportunity to consider the Planned Development Project along with subsequent planning approvals and will provide a precise guide for the physical development of the Shoreline in accordance with the policies of the General Plan and the Zoning Code.

Conclusion

As demonstrated above, the proposed General Plan and Zoning Amendments are in the public interest and would lay the foundation for development of the Shoreline area with a resilient and self-sustaining mix of housing, recreation, public amenities, and hospitality consistent with the vision in the General Plan. Future planning applications, including Planned Development Project, Tentative Map, Site Plan Review, Conditional Use Permit, and Development Agreement will provide additional opportunities for the Board of Zoning Adjustments/Planning Commission and City Council to review details related to site improvements, resiliency, energy-efficiency, livability, and architectural design.

ENVIRONMENTAL REVIEW

On July 20, 2015, the City Council adopted Resolution No. 2015-125 certifying an EIR entitled, "San Leandro Shoreline Development Project EIR (SCH # 2013072011)." In conjunction with the certification of the Certified EIR, a Mitigation Monitoring and Report Program (MMRP) was adopted for the Project.

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000, et seq., and the State CEQA Guidelines Section 15162 require that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time of the previous EIR was certified as complete shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Staff has reviewed the proposed project and analyzed it based upon Section 15162 of the CEQA Guidelines. Pursuant to CEQA and the CEQA Guidelines, the City of San Leandro completed an Addendum (Exhibit E to the draft Resolution) to the San Leandro Shoreline Development Project Final Environmental Impact Report (EIR). The Addendum includes an environmental analysis checklist, based on Appendix G of the CEQA Guidelines, which analyzed the changes to the Shoreline Development Project and whether the environmental effects from the proposed project would be any different from those disclosed in the Certified EIR. The Addendum concluded that the proposed project would not result in any new significant impacts or substantially increase the severity of any significant impacts identified in the Certified EIR. No new information of substantial importance was identified and no new mitigation measures would be necessary to reduce significant impacts. Applicable mitigation measures from the Certified EIR will be included as conditions of approval when the proposed project is processed for planning approvals.

PUBLIC OUTREACH

To date, the redevelopment of the Shoreline site has been the subject of over 75 public meetings, most recently including the following:

- January 15 - Shoreline Advisory Group Meeting
- January 21 - City Council Presentation
- January 28 - Community Informational Meeting

In accord with the statutory requirements for General Plan and Zoning Map Amendments, a legal advertisement for the Planning Commission public hearing was placed in the East Bay Times' Daily

Review newspaper on January 24, 2020 and the agenda item was posted in advance of the meeting.

Approximately 90 members of the public attended the Community Meeting on January 28. Staff will provide a summary of verbal and written comments received at recent public meetings to the Planning Commission at the hearing. Following public notice, no written comments were submitted specifically regarding this hearing item at the time of the filing of this report. This item is anticipated to be scheduled for consideration by the City Council on February 24, 2020.

RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution recommending that the City Council adopt a Resolution approving a General Plan Text Amendment and General Plan Map Amendment, adopt an Ordinance approving a Zoning Map Amendment, and adopt an Addendum to the San Leandro Shoreline Development Project EIR (SCH # 2013072011) for the proposed 75-acre Shoreline Development Project initiated by Monarch Bay LLC, as applicant, and the City of San Leandro, as property owner (PLN19-0074), based on the attached findings in support of these actions.

ATTACHMENTS

Attachments to Staff Report

1. Proposed General Plan Text Amendments (redlined)
2. Proposed General Plan Land Use Map Amendments
3. Proposed Zoning Map Amendments

Attachments to Planning Commission Resolution

- Exhibit A - General Plan Text Amendments (clean)
- Exhibit B - General Plan Land Use Map Amendments (clean)
- Exhibit C - Zoning Map Amendments (clean)
- Exhibit D - Planned Development Concept Plan
- Exhibit E - CEQA Addendum

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