



Legislation Text

File #: 19-562, **Version:** 1

ORDINANCE of the City of San Leandro City Council to approve a Zoning Amendment and Planned Development at 874 Lewelling Boulevard, the subject property, from RS Residential Single-Family to RM-3000(PD) Residential Multi-Family, Planned Development Overlay District. Alameda County Assessor's Parcel Number 80G-1114-3-2 (PLN17-0069)

The City Council of the City of San Leandro does **ORDAIN** as follows:

WHEREAS, GKW Architects ("Applicant") submitted an application (PLN17-0069) for a Zoning Amendment, Planned Development, Tentative Map, and Site Plan Review to construct a six-unit, two- and three-story townhome condominium development at 874 Lewelling Boulevard ("Project"). The Project includes applications for a Zoning Amendment and Planned Development overlay to the Zoning Map; and

WHEREAS, in accord with the San Leandro Municipal Code Chapter 7-1, the applicant is concurrently requesting approval of Tentative Tract Map 8542 to subdivide a single 0.48 acre site into six townhome condominium units; and

WHEREAS, the Property has a General Plan designation of Medium-High Density Residential and is currently zoned RS Residential Single-Family; and

WHEREAS, a Zoning Amendment is required to rezone the Property from RS Residential Single-Family to RM-3000(PD) Residential Multi-Family, Planned Development Overlay District in order to align the Zoning District with the General Plan land use designation, as identified in the attached "Exhibit A"; and

WHEREAS, the Planned Development Project complies with the minimum area, width, density, setbacks, height, coverage, landscaping, and parking standards required under the base district zoning regulations; and

WHEREAS, a Planned Development establishes a discretionary review process that enables consideration of a new development that is otherwise compatible with the existing neighborhood and complies with the General Plan, but may not meet all of the underlying zoning standards;

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines, Article 19, Sections 15303(b), the proposed project to construct six residential units in an urbanized area is categorically exempt from CEQA, as the project site has no value for endangered, rare or threatened species, the project would not result in any significant effects relating to traffic, noise, air or water quality, the existing residence to be demolished does not have value as a historic or cultural resource, and all required utilities and public services can adequately serve the site; and

WHEREAS, a staff report for the City of San Leandro Planning Commission dated October 3,

2019 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 October 3, 2019, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission fully considered the Project application and entitlements, including the staff report, tentative tract map for condominium purposes, findings of fact, conditions of approval, public comments, and all other testimony and evidence presented at the public hearing prior to making a recommendation on the zoning amendment and planned development. Following deliberations at the public hearing, the Planning Commission adopted Resolution No. 2019-010, recommending that the City Council approve the Project, dated October 3, 2019 and incorporated herein by reference; and

WHEREAS, a staff report dated November 4, 2019 and incorporated herein by reference, analyzed the Project, including the rezoning. On November 4, 2019, the City Council held a duly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council considered all referenced reports, recommendations, and testimony prior to taking action on the Zoning Amendment and Planned Development overlay.

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. Pursuant to California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15303(b), the project to construct six residential units is categorically exempt from CEQA.

SECTION 3. FINDINGS. Based on the entirety of the record, the City Council hereby finds that the proposed Zoning Amendment and Planned Development zoning overlay, as shown in the attached "Exhibit A" is consistent with the City of San Leandro 2035 General Plan adopted September 19, 2016, incorporated herein by reference. The proposed zoning of RM-3000(PD) Residential Multi-Family District with a Planned Development Overlay (PD) is conditionally compatible to the RMH land use category as identified in the General Plan, which allows for multi-family residential development, such as garden apartments and townhomes. The proposed project has a density of 12.5 units per acre, which is below the maximum allowable net density of 29 units per acre in the land use category. 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 Zoning Amendment and Planned Development overlay as shown in "Exhibit A" attached hereto and 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.