



Legislation Text

File #: 16-431, **Version:** 1

RESOLUTION 16-004 of the Planning Commission, Recommending that the City Council Adopt an Ordinance Amending Ordinance 2007-021 (to Create Special Review Criteria for Certain Properties within the Downtown Transit-Oriented Development Study Area Generally within ½ Mile Radius of the Intersection of East 14th Street and Davis Streets) to Remove Special Project Areas SP-1, Downtown South Gateway and SP- 8 BART/Westlake Properties; and to Modify the Special Review Criteria for SP-2, Washington Plaza Shopping Center and San Leandro Plaza; SP-3, Town Hall Square and Vicinity; and SP-5, North Alvarado Sites

WHEREAS, the City of San Leandro is considering a new General Plan, the 2035 General Plan, which states that “the San Leandro General Plan aspires to update its zoning regulations and zoning map to ensure consistency with the updated General Plan Map and Land Use categories. Furthermore, to comply with State General Plan Guidelines, the City has updated its General Plan to ensure that it remains relevant and reflects local physical and demographic patterns”; and

WHEREAS, the new 2035 General Plan “aspires to update wording pertaining to the “S” Overlay Zones in the Downtown TOD Areas identified as SP-1, Downtown South Gateway, SP-2, Washington Plaza Shopping Center and San Leandro Plaza Special Policies, SP-3, Town Hall Square and Vicinity Special Policies, ...SP-5, North Alvarado Sites Special Policies and SP-8, BART/Westlake Properties Special Policies to encourage development of additional City gateway features and undertake public improvements”; and

WHEREAS, on September 17, 2007, the City Council adopted Ordinance 2007-021, to implement the Downtown TOD Strategy. The ordinance adopted Special Review Criteria for eight specified areas subject to the S-Overlay for Special Project Areas, and made related changes to the zoning map. Ordinance 2007-021 is incorporated herein by reference; and

WHEREAS, the following goals and policies in the new General Plan are implemented with the amendments to the Special Review Criteria for the “S” Overlay Zones: Goal LU-6 Foster the development of Downtown San Leandro as a vibrant pedestrian oriented destination; Policy LU-6.1 Downtown Plans; Action LU-6.1.B TOD Strategy Update; Policy LU-6.2 Downtown Sub-Districts; Policy LU-6.4 Office Development; Policy 6.6 Downtown Housing Diversity; Policy LU-6.13 BART Station Area Transit Village; Action LU-6.13.C. BART Area Housing; Policy LU-6.14 Downtown Open Space; Action LU-6.14.A. Thrasher Park and San Leandro Creek; Action LU-6.14.B Town Square Park; Policy ED-1.8 Expand the Local Office Market; Goal ED-4 Create attractive, economically vibrant commercial areas; Policy ED-4.5 Downtown San Leandro; and

WHEREAS, the City of San Leandro Planning Division has been tasked with periodic updates to land use development ordinances; and the Zoning Code is required to be brought into conformity with the new 2035 General Plan. Accordingly, with respect to the S-overlay districts, staff prepared amendments to Ordinance 2007-021 text, as set forth in **Exhibit A**, attached hereto and incorporated herein by reference, and to the ordinance zoning map and City zoning map as set forth in **Exhibits B**

-E, attached hereto and incorporated herein by reference, all of which exhibits are incorporated herein by reference. All text and map provisions in Ordinance 2007-021 except those in Exhibits A and B would continue to be in effect; and

WHEREAS, the City prepared an Environmental Impact Report (EIR) for the new General Plan and related zoning amendments in compliance with the California Environmental Quality Act; and

WHEREAS, between May 27 and July 25, 2016, staff held community meetings with Industrial Transition property owners, Downtown Area property owners, the San Leandro Improvement Association, the Downtown Association, the Chamber of Commerce, the Estudillo Estates Homeowners Association, and other interested parties to present proposed zoning text and map changes related to the new General Plan, including amendments to the S-overlay districts, and to receive public comments on the proposed amendments; and

WHEREAS, on June 16, 2016, the Planning Commission held a work session to receive public comments on the draft amendments and to review and provide recommendations. The City Council held similar work sessions on July 5, 2016 and July 25, 2016; and

WHEREAS, a staff report dated August 25, 2016 and incorporated herein by reference, described and analyzed the proposed S-district amendments for the Planning Commission; and

WHEREAS, the Planning Commission reviewed the staff report and the proposed amendments to Ordinance 2007-021 and the City Zoning Map at a duly noticed public hearing on August 25, 2016, at which time all interested parties had the opportunity to be heard. In addition to legally required notice, the City also sent courtesy notices to property owners affected by the amendments and other interested parties; and

WHEREAS, following the public hearing, the Planning Commission adopted Resolution 2016-002 recommending City Council certification of the Final Environmental Impact Report, and adopted Resolution 2016-003 recommending City Council approval of the new General Plan, which resolutions are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt an ordinance to amend the Ordinance 2007-021 text as shown in attached **Exhibit A**, attached hereto and incorporated herein by reference, and to amend the Ordinance 2007-021 map and the City Zoning Map as shown in **Exhibits B-E**, attached hereto and incorporated herein by reference, based on the following findings:

1. The text and map amendments are consistent with the new General Plan, as further explained in the August 25, 2016 staff report, and as required by Government Code section 65855 and sections 5-2708 and 5-2712 of the Zoning Code.
2. The text and map amendments are desirable to update the existing S-overly district

provisions for the new General Plan, and to reflect existing development that occurred since Ordinance 2007-021 was adopted

BE IT FURTHER RESOLVED that the Planning Commission recommendation is made in the following voting sequence, as required by the California Fair Political Practices Commission (FPPC).

SEGMENT ONE: Approves the Ordinance 2007-021 map and City Zoning Map change as shown in **Exhibit B**, attached hereto and incorporated herein by reference;

PASSED, APPROVED, AND ADOPTED this 25th day of August, 2016 by the following vote:

AYES

NOES

ABSTAIN: _____ (Recused due to economic conflict of interest)

SEGMENT TWO: Approves the Ordinance 2007-021 map and City Zoning Map as shown in **Exhibit C**, attached hereto and incorporated herein by reference;

PASSED, APPROVED, AND ADOPTED this 25th day of August, 2016 by the following vote:

AYES

NOES

ABSTAIN: _____ (Recused due to economic conflict of interest)

SEGMENT THREE: Approves the Ordinance 2007-021 map and City Zoning Map as shown in **Exhibit D**, attached hereto and incorporated herein by reference;

PASSED, APPROVED, AND ADOPTED this 25th day of August, 2016 by the following vote:

AYES

NOES

ABSTAIN: _____ (Recused due to economic conflict of interest)

SEGMENT FOUR: Approves amendments of the text shown in **Exhibit A**, attached hereto and incorporated herein by reference, and all other Ordinance 2007-021 map and City Zoning Map amendments, as shown in **Exhibit E**, attached hereto and incorporated herein by reference.

PASSED, APPROVED, AND ADOPTED this 25th day of August, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

Ed Hernandez,
Planning Commission Chairperson

ATTEST:

—
Tom Liao,
Secretary to the Planning Commission