



Legislation Text

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Staff Report for a City of San Leandro City Council Resolution to Approve Parcel Map 10938; Summarily Vacate a Remnant of Public Right-of-Way on Marina Boulevard; and Reserve a Public Utility Easement for Pacific Gas & Electric Company. Property Owner and Applicant: East Bay F4, LLC

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council approve Parcel Map 10938 to accomplish three necessary subdivision mapping tasks in order to prepare the property for development as a Mazda Auto Dealership:

1. Merge six legal parcels into one according to California Government Code §66467, which allows a parcel map to effectuate a lot merger. The map also merges the parcels without reversion to acreage according to California Government Code §66499.20.2. The six legal parcels include:
 - 620 Marina Boulevard (APN 075-0105-012-01)
 - 680 Marina Boulevard (APN 075-0105-012-02)
 - 700 Marina Boulevard (APN 075-0105-013-07)
 - 718 Marina Boulevard (APN 075-0105-013-09) (see note below)
 - 754 Marina Boulevard (APN 075-0105-014-02)

Note that 718 Marina Boulevard includes two adjoining legal parcels, even though only one address and one assessor parcel number was assigned.

2. Summarily vacate a remnant of public right-of-way on the north side of Marina Boulevard in conformance with Ordinance 67-44 which established future right-of-way lines for Marina Boulevard to be implemented with the Master Plan of City Streets. The Summary Vacation process follows the procedure prescribed in California Streets and Highways Code §8334 et seq.
3. Reserve a Public Utility Easement (PUE) for Pacific Gas & Electric Company (PG&E) across the vacated right-of-way to connect Marina Boulevard to PG&E's existing easement that extends across the private property.

BACKGROUND

Parcel Map 10938 will merge six adjoining properties located on the north side of Marina Boulevard between Alvarado Street and the Union Pacific rail line. East Bay F4, LLC, currently owns the properties, and intends to refurbish the two existing buildings and surrounding pavement to develop a

proposed Mazda Auto dealership. The properties abut the Niles Subdivision rail line to the east, and a fast food restaurant to the west. The property to the north is vacant, and has recently been used for new vehicle storage by auto dealers in San Leandro. The site is zoned "IL", Industrial Limited, and received Site Plan Review (PLN18-0086) approval on May 2, 2019.

Analysis

San Leandro Municipal Code §7-1-515 and 7-1-520 require both a City Planner review and report, and a City Engineer's report to accompany a parcel map approval. These reports confirm conformance with various regulations associated with the subdivision of land in the absence of a tentative map; for Parcel Map 10938, these reports are not necessary for the following reason:

Conformance with the City's Zoning Code, Subdivision Ordinance, and California Government Code §66499.35 was previously documented by recordation of Certificates of Compliance as follows:

- Certificate of Compliance for Assessor's Parcel Number 075-0105-012-01 was recorded on 05/05/2018 as Instrument No. 2018089601 of Official Records of Alameda County;
- Certificate of Compliance for Assessor's Parcel Number 075-0105-012-02 was recorded on 05/05/2018 as Instrument No. 2018089600 of Official Records of Alameda County;
- Certificate of Compliance for Assessor's Parcel Number 075-0105-013-07 was recorded on 05/05/2018 as Instrument No. 2018089599 of Official Records of Alameda County;
- Certificate of Compliance for Assessor's Parcel Number 075-0105-013-09 was recorded on 05/05/2018 as Instrument No. 2018089598 of Official Records of Alameda County; and
- Conditional Certificate of Compliance for Assessor's Parcel Number 075-0105-014-02 was recorded on 05/05/2018 as Instrument No. 2018089597 of Official Records of Alameda County (see note below).

Note that a *Conditional* Certificate of Compliance was recorded for Assessor's Parcel Number 075-0105-014-02 because the property did not at the time conform to the Zoning Code. The condition stated that conformance would only be achieved once this parcel was merged with an adjoining parcel. Parcel Map 10938 accomplishes this merger thus satisfying the condition. There are no other conditions of approval associated with Parcel Map 10938.

Current Agency Policies

- Advance projects and programs promoting sustainable economic development, including transforming San Leandro into a center for innovation.

Previous Actions

- Ordinance No. 67-44 was adopted by the City Council on October 2, 1967, establishing right-of-way lines for Marina Boulevard between Neptune Drive and San Leandro Boulevard.

Applicable General Plan Policies

Policy LU-8.12; Improve the Marina Boulevard corridor as an east-west connector between Downtown San Leandro and the waterfront. This should include continued investment in regional

retail and Auto Mall development between I-880 and San Leandro Boulevard. It should also include the gradual transformation of the area between Merced and Doolittle from industrial to higher value retail, service, and other commercial uses, with accompanying changes to make the street more pedestrian and bicycle friendly. Marina Boulevard should be viewed as the "front door" into San Leandro a major gateway that communicates a positive impression of the city.

Permits and/or Variances Granted

- Site Plan Review (PLN18-0086) approval granted on May 2, 2019.

Summary of Public Outreach Efforts

- Staff corresponded with utility agencies affected by the summary vacation.

Fiscal Impacts

- There is no fiscal impact associated with this action.

ATTACHMENTS

Attachments to Staff Report

1. Agreement to Conditions for PLN18-0086
2. City of San Leandro's adopted Plan Line along Marina Boulevard
3. Certificate of Compliance for Assessor's Parcel Number 075-0105-012-01
4. Certificate of Compliance for Assessor's Parcel Number 075-0105-012-02
5. Certificate of Compliance for Assessor's Parcel Number 075-0105-013-07
6. Certificate of Compliance for Assessor's Parcel Number 075-0105-013-09
7. Conditional Certificate of Compliance for Assessor's Parcel Number 075-0105-014-02

Attachment to Resolution

1. Parcel Map 10938

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