



City of San Leandro

Meeting Date: December 1, 2014

Staff Report

File Number: 14-494 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.H.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Uchenna Udemezue
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a Resolution Approving Parcel Map 10236 for 274 Kenilworth Avenue; Assessor's Parcel Number 076-0299-039-00; Owner Kent Wai Lau; Subdivider and Applicant: George Sun

SUMMARY AND RECOMMENDATIONS

Staff recommends adoption of a resolution approving Parcel Map 10236 for 274 Kenilworth Avenue; Assessor's Parcel Number 076-0299-039-00; Owner Kent Wai Lau; Subdivider and Applicant: George Sun.

BACKGROUND

The subject property is located at 274 Kenilworth Avenue and consists of one parcel owned by Kent Wai Lau. The property currently runs the width of the block between Kenilworth Avenue to the west and Myers Court to the east and has one single family residence, located on its western half. To the north and south of the subject parcel, are single family residences, as is most of the surrounding neighborhood. The site is currently zoned as RS, Residential Single Family District and will remain as such.

Analysis

The subject parcel is approximately 0.22 acres and currently has double frontage on Kenilworth Avenue (west end) and Myers Court (east end). On the north and south sides of the subject parcel, there are single family residences. The lot is 48 feet in width and approximately 200 feet in depth.

Parcel Map 10236 creates two separate parcels. Parcel A will be approximately 4,605 square feet in area, and will contain the existing residence to remain. Parcel B will be approximately 5,000 square feet in area, and will be developed in the future as a single family residence.

Per City of San Leandro Zoning Code sections 2-530 and 2-532, the minimum width and lot

area for the RS zoning district is 50 feet and 5,000 square feet, respectively. Parcel A does not meet the requirements for both lot width and lot area, and Parcel B does not meet the requirements for lot width. However, on February 6, 2014, the Board of Zoning Adjustments approved Planning application, PLN2013-00061, granting a Variance to subdivide the subject parcel into two separate parcels. The Variance provided for two (2) parcels; Parcel A with a frontage on Kenilworth Avenue, comprising approximately 4,605 square feet (48 feet by 95.94 feet) and Parcel B with a frontage on Myers Court, comprising approximately 5,000 square feet (48 feet by 104.17 feet).

City Planner's Review: The City Planner has examined the Parcel Map in relation to the existing zoning, the proposed size and location of lots, the requirements of the General Plan, the applicable Specific Plans and like considerations per the attached City Planner's report.

City Engineer's Findings: The City Engineer has examined Parcel Map 10236 and found that it complies with California State Law and local ordinances and is satisfied that Parcel Map 10236 is technically correct.

Current Agency Policies

Title VII, Chapter 1 of the San Leandro Municipal Code and the Subdivision Map Act set forth the authority and procedure for processing parcel maps.

Applicable General Plan Policies

Parcel Map 10236 is consistent with the objectives, policies, land use and programs in the City of San Leandro's General Plan.

Permits and/or Variances Granted

On February 6, 2014, the Board of Zoning Adjustments approved Planning application PLN2013-00061, a Variance to subdivide the through-lot into two separate parcels.

Environmental Review

Parcel Map 10236 is categorically exempt from the environmental review requirements of CEQA under Class 15, Minor Land Subdivisions of Title 5, Chapter 1 of the San Leandro Administrative Code.

Fiscal Impacts

The costs for processing of Parcel Map 10236 will be charged to the applicant.

Budget Authority

All associated costs for processing of the Parcel Map shall be paid for by the applicant.

ATTACHMENTS

Attachment to Staff Report

- City Planner's Report

Attachments to Related Resolution

Parcel Map 10236


City Engineer's Report

PREPARED BY: Phillip Toste, Assistant Engineer, Engineering and Transportation
Department

**CITY OF SAN LEANDRO
MEMORANDUM**

DATE: March 31, 2014

TO: Keith Cooke, Principal Engineer
Nicole Noronha Castelino, Associate Engineer

FROM: Elmer Penaranda, Senior Planner 

SUBJECT: City Planner's Report on Parcel Map 10236 for 274 Kenilworth Avenue; K. W. Lau (Property Owner); B. Pierce, TransAmerican Engineers (Civil Engineer).

INTRODUCTION

Pursuant to Title VII, of Chapter 1 of the San Leandro Municipal Code, please accept this as the City Planner's Report on Parcel Map 10236 for 274 Kenilworth Avenue.

BACKGROUND

The subject site encompasses 9,600 square feet (0.22 acre). The front of the lot, which is developed with a single-family home, is located on the east side of Kenilworth Avenue, between Victoria Avenue to the south and Durant Avenue to the north. The back of this double frontage lot is located on Myers Court. The adjacent properties on all sides are developed with single-family homes.

The property owner proposes to subdivide the 9,600 square foot lot into two smaller lots to: 4,600 and 5,000 square feet. The existing lot is substandard in terms of lot width (48 feet wide where 50 is the minimum width required) thus the resulting lots would also be substandard in terms of width. The proposed subdivision would create two lots where the Kenilworth lot would be substandard in terms of site area (4,600 square feet where 5,000 square feet is the minimum required); the Myers Court lot would meet the minimum area requirement.

On February 6, 2014, after duly conducting a public hearing the Board of Zoning Adjustments (BZA) approved Planning application, PLN2013-00061, a Variance to subdivide the through-lot into two separate parcels. The Variance granted a parcel fronting Kenilworth Avenue comprising 4,600 square feet (48 feet wide by 95 feet, two inches deep; the existing single-family home will be retained on this lot) and a parcel fronting on Myers Court comprising a 5,000 square feet (48 feet wide by 104 feet, 10 inches deep; in the future, the parcel on Myers Court will be developed with a new two-story, single-family residence.). At its February 6 meeting the BZA also approved the Site Plan Review that permits construction of the new single-family residence.

DETAILS OF PROPOSAL

Parcel Map 10236 proposes to subdivide the single lot into two parcels described above, per the Variance approval by the BZA.

STAFF ANALYSIS

The Parcel Map conforms to the approved Variance (PLN2013-00061). In addition, the location of the existing residence on the Kenilworth lot maintains the minimum required setbacks from the front and rear property lines. The two sides have pre-existing setbacks that are one- to two-inches less than the required five feet; these are pre-existing conditions that are permitted to remain as legal-nonconforming setbacks. The proposed new construction on the Myers Court parcel will conform to the RS development requirements for front, rear and side setbacks, which are 20 feet, 15 feet and five feet, respectively.

SUMMARY AND RECOMMENDATION

1. Parcel Map 10236 is in conformance with the approved Variance (PLN2013-00061) to divide the single lot into two lots.
2. Parcel Map 10236 is in compliance with Title VII, Chapter 1 of the San Leandro Municipal Code (Subdivision Ordinance).
3. Parcel Map 10236 is in compliance with the Subdivision Map Act (California Government Code).
4. Parcel Map 10236 is consistent with the objectives, policies, land use and programs in the City of San Leandro's General Plan.

Subject to the comments above, it is recommended that Parcel Map 10236 for 274 Kenilworth Avenue be approved.



City of San Leandro

Meeting Date: December 1, 2014

Resolution - Council

File Number: 14-495

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Uchenna Udemezue
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION Approving Parcel Map 10236 for 274 Kenilworth Avenue;
Assessor's Parcel Number 076-0299-039-00; Owner: Kent Wai Lau;
Subdivider and Applicant: George Sun creates two separate single-family
parcels)

WHEREAS, a parcel map entitled "Parcel Map 10236" has been submitted to the City Council of the City of San Leandro; and

WHEREAS, the City Council finds that the proposed map, together with the provisions for its design and improvement, is consistent with the General Plan; and

WHEREAS, the City Engineer provides that said parcel map is technically correct, and that the sub-divider has complied with the provisions of Title VII, Chapter 1 of the San Leandro Municipal Code and with the provisions of the Subdivision Map Act; and

WHEREAS, the City Planner's Report for Parcel Map 10236 is incorporated herein by this reference.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That said Parcel Map 10236 is categorically exempt from the environmental review requirements of CEQA, under Title 5, Chapter 1 of the San Leandro Administrative Code; and
2. That said Parcel Map 10236 is hereby approved, subject to the conditions listed in Exhibit A attached hereto.

PARCEL MAP No. 10236

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY STATES THAT WE ARE THE OWNER OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES ON THE HEREIN EMBODIED MAP ENTITLED "PARCEL MAP NO. 10236". THAT SAID OWNER CONSENTS TO THE PREPARATION AND FILING OF THIS MAP.

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES, OR OF RECORD.

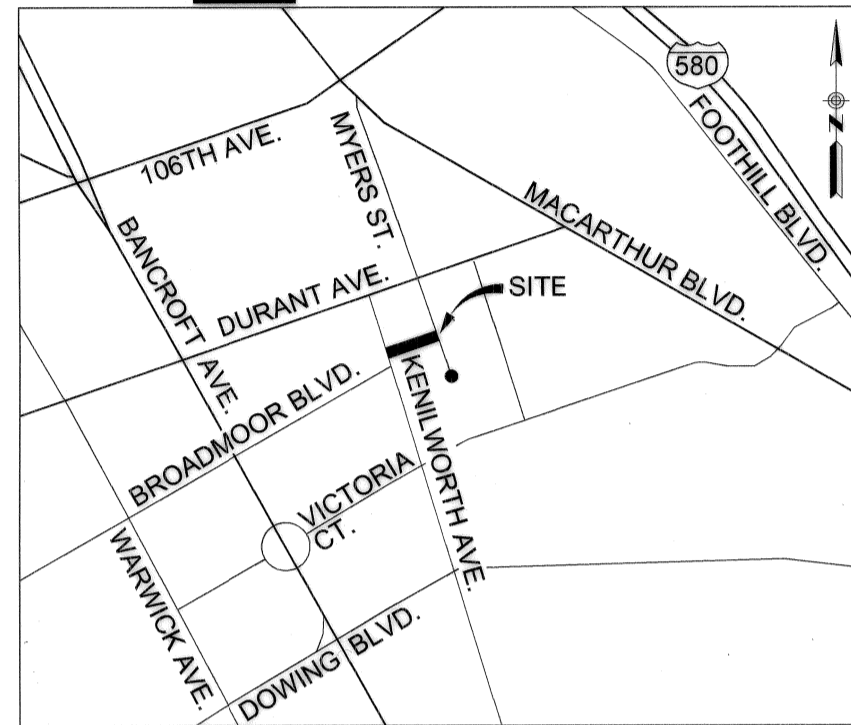
OWNER: KENT WAI LAU

BY: *Kent Wai Lau* DATE: Oct 30, 2014

BEING A TWO LOT SUBDIVISION OF THOSE PARCELS OF LAND DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED DECEMBER 3, 2012 OF THE SOUTHWESTERLY 48 FEET OF LOT 3 IN BLOCK 20 AS SAID LOT & BLOCK ARE SHOWN ON THE MAP ENTITLED "MAP OF BROADMOOR, ALAMEDA COUNTY" FILED JANUARY 30, 1908 IN BOOK 23 OF MAPS AT PAGE 68, ALAMEDA COUNTY REOCRDS (A.P.N.: 076-0299-39), UNDER INSTRUMENT NUMBER: 54605-1203811-12 (NAT), ALL OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF SAN LEANDRO - ALAMEDA COUNTY - CALIFORNIA
OCTOBER 2014

TRANSAMERICAN ENGINEERS
1390 Market St., Suite 201
San Francisco, CA 94102
Phone No. (415) 553-4092
Fax No. (415) 553-4071



VICINITY MAP

NOT TO SCALE

OWNER'S ACKNOWLEDGEMENT

STATE OF CALIFORNIA _____)
COUNTY OF Alameda) SS

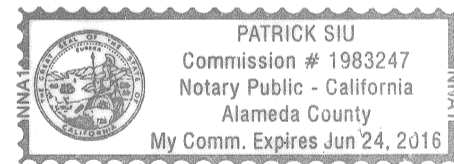
ON Oct. 30, 2014, BEFORE ME, Patrick Siu, Notary Public
(HERE INSERT NAME AND TITLE OF THE OFFICER)

PERSONALLY APPEARED Kent Wai Lau
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: *Patrick Siu*
PRINTED NAME: Patrick Siu
COMMISSION NUMBER: 1983247
COMMISSION EXPIRES: June 24, 2016
PRINCIPAL PLACE OF BUSINESS: Alameda COUNTY



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF KENT WAI LAU IN JULY 12, 2013. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY: *Barry A. Pierce* DATE: 10-1-14
BARRY A. PIERCE, P.L.S. 6975
LICENSE EXPIRES 09-30-2015



CITY SURVEYOR'S STATEMENT

I, FRANK C. BELLECCI, CITY SURVEYOR FOR THE CITY OF SAN LEANDRO, DO HEREBY STATE THAT I HAVE EXAMINED THE HEREIN EMBODIED PARCEL MAP ENTITLED "PARCEL MAP 10236, CONSISTING OF TWO (2) SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF, AND THAT THE SURVEY DATA SHOWN UPON SAID MAP IS TECHNICALLY CORRECT.

FRANK C. BELLECCI, L.S. 5399 DATE: _____
REGISTRATION EXPIRES: 9/30/2016
CITY SURVEYOR, CITY OF SAN LEANDRO,
ALAMEDA COUNTY, CALIFORNIA

CITY ENGINEER'S STATEMENT:

I, KENNETH JOSEPH, CITY ENGINEER OF THE CITY OF SAN LEANDRO, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE AS FOLLOWS:

- 1) THAT I HAVE EXAMINED THE HEREIN EMBODIED PARCEL MAP ENTITLED "PARCEL MAP 10236", CONSISTING OF TWO (2) SHEETS, THIS STATEMENT BEING ON SHEET ONE(1) THEREOF.
- 2) THE SUBDIVISION AS SHOWN UPON SAID PARCEL MAP IS SUBSTANTIALLY THE SAME AS SAID SUBDIVISION APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATION THEREOF.
- 3) ALL PROVISIONS OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND AMENDMENTS THERETO AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP. IF REQUIRED, HAVE BEEN COMPLETED WITH.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____ 20__

KENNETH C. JOSEPH R.C.E. NO. 34870 DATE: _____
REGISTRATION EXPIRES: 09-30-2015
CITY ENGINEER FOR THE CITY OF SAN LEANDRO,
ALAMEDA COUNTY, CALIFORNIA

CERTIFICATE OF CLERK OF BOARD OF SUPERVISOR:

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY CERTIFY, AS CHECKED BELOW THAT:

- AN APPROVED BOND HAS BEEN FILED WITH THE SUPERVISOR OF THE SAID COUNTY AND STATE IN THE AMOUNT OF \$ _____ CONDITIONED FOR PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOW A LIEN AGAINST SAID LAND OF ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID BOARD IN SAID AMOUNT.
- ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER TAX COLLECTOR OF THE COUNTY OF ALAMEDA/

ANIKA CAMPBELL-BELTON
CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA,
STATE OF CALIFORNIA DATE: _____

BY: _____
DEPUTY CLERK

CITY CLERK'S STATEMENT

I, MARIAN HANDA CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF SAN LEANDRO, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED PARCEL MAP ENTITLED " PARCEL MAP 10236", CONSISTING OF TWO (2) SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF, WAS PRESENTED TO SAID COUNCIL OF THE CITY OF SAN LEANDRO AS PROVIDED BY LAW, AT THE REGULAR MEETING HELD ON THE _____ DAY OF _____, 20__ AND THAT SAID DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____ 20__

MARIAN HANDA
CITY CLERK AND CLERK OF THE CITY COUNCIL
OF THE CITY OF SAN LEANDRO,
ALAMEDA COUNTY,
STATE OF CALIFORNIA

RECORDER'S STATEMENT

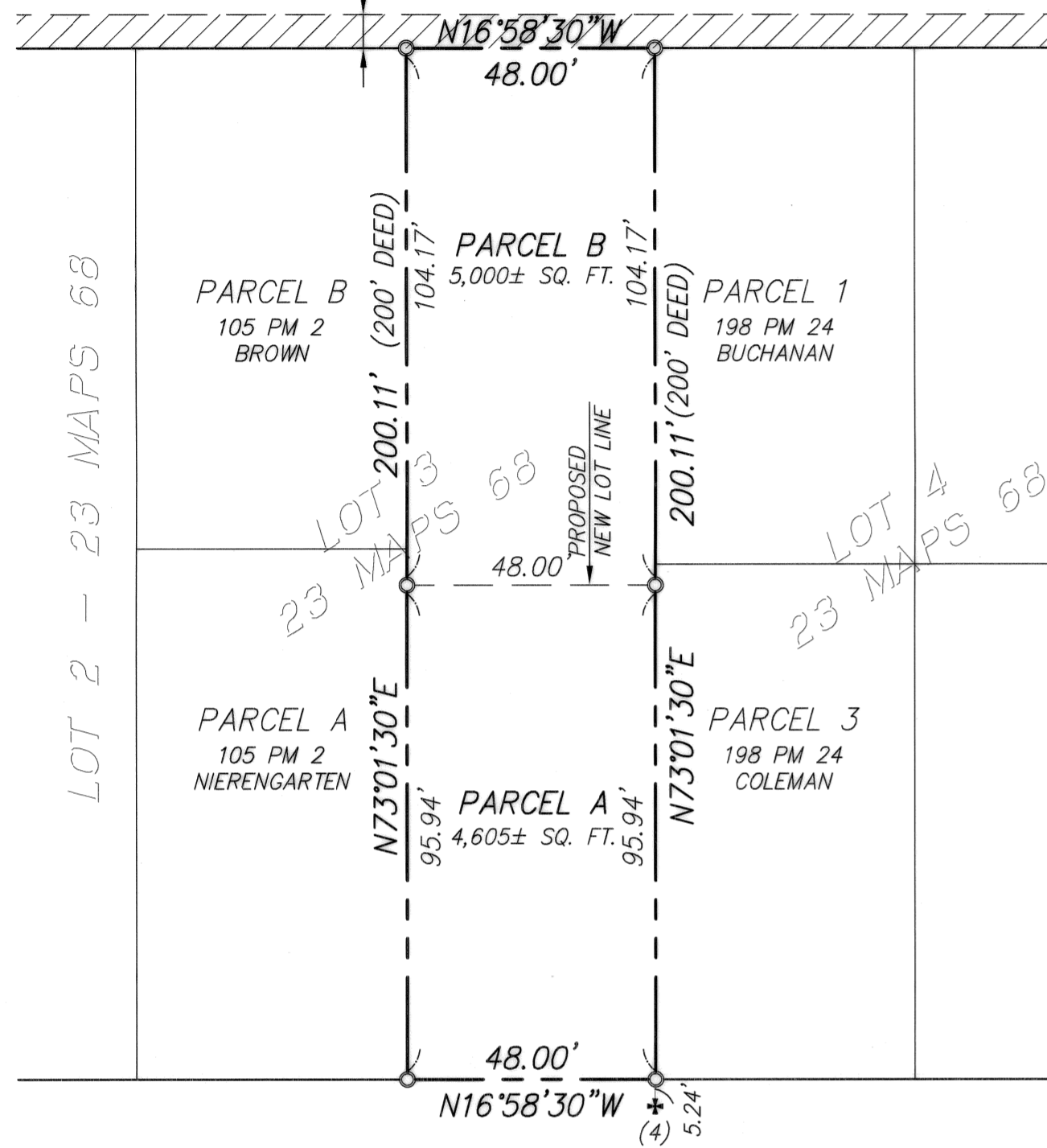
FILED THIS _____ DAY OF _____, 20__ AT _____ M.
IN BOOK _____ OF PARCEL MAPS, AT PAGES _____,
AT THE REQUEST OF _____

FEE: _____ SERIES NUMBER: _____
PATRICK O'CONNELL
COUNTY RECORDER IN AND FOR THE COUNTY
OF ALAMEDA, STATE OF CALIFORNIA

BY: _____
DEPUTY COUNTY RECORDER

MYERS COURT (50.00' WIDE)

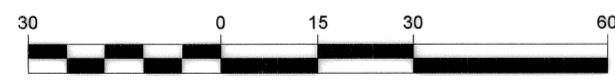
FORMER 6.50' WIDE RESTRICTED ACCESS EASEMENT (3)(4)
RELEASED PER 5202 O.R. 671 (3)



KENILWORTH AVENUE (60.00' WIDE)

SITE DETAIL

GRAPHIC SCALE



1 inch = 30 feet

LEGEND

---	SUBDIVISION LINE
---	PROPERTY LINE (OTHERS)
---	OLD LOT LINE
---	PROPOSED NEW LOT LINE
---	RIGHT OF WAY LINE
---	MONUMENT LINE
---	SURVEY LINE
●	FOUND CITY MONUMENT
+	FOUND CROSS CUT
○	SET REBAR
⊕	CENTERLINE

ABBREVIATIONS

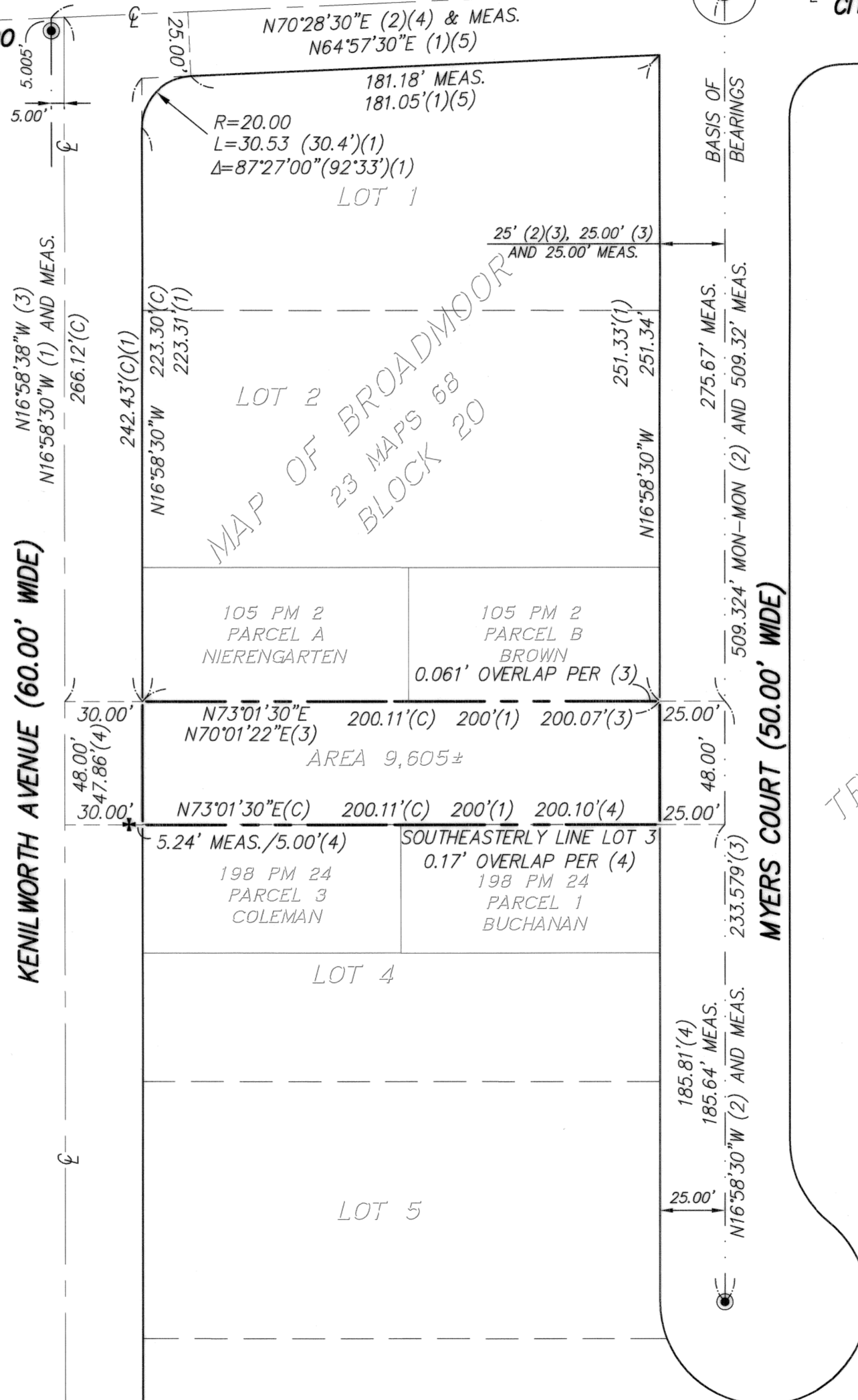
APN	ASSESSOR'S PARCEL NUMBER
LS	LAND SURVEYOR
MEAS	MEASURED
ML	MONUMENT LINE
MON	MONUMENT
PM	PARCEL MAP
(UO)	UNKNOWN ORIGIN
()	RECORD DATA
(C)	CALCULATED

BROADMOOR BLVD. (60.00' WIDE)

KENILWORTH AVENUE (60.00' WIDE)

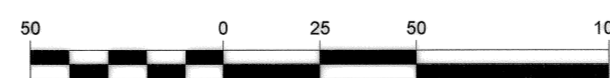
DURANT AVENUE (50.00' WIDE)

260.358' (4) ML-ML AND 260.37' MEAS.
N70°28'30"E (2)(4) & MEAS.
N64°57'30"E (1)(5)

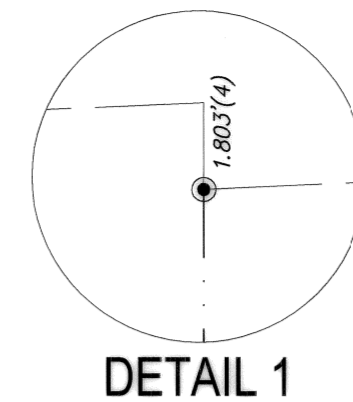


CONTROL DIAGRAM

GRAPHIC SCALE



1 inch = 50 feet



DETAIL 1

SPECIAL NOTES

1. THE SURVEY OF A.P.N.: 076-0299-039 HEREON WAS ESTABLISHED BY A FIELD SURVEY. SUCH SURVEY WAS BASED UPON THAT CERTAIN DEED, INSTRUMENT NO. 54605-1203811-12 AND IN CONFORMANCE WITH COMPELLING EVIDENCE OF OCCUPATION AND FIELD DATA SUCH AS OLD "L" CUTS, BUILDINGS, STRUCTURES, FENCES AND OFFICIAL CURBS AND SIDE WALKS.
2. ALL DIMENSIONS FROM THE BOUNDARIES OF THE PROPERTY IN QUESTION TO MONUMENT LINES OF THE MONUMENT MAP REFERRED TO HEREON ARE GIVEN FOR THE SOLE PURPOSE OF ITS RETRACEMENT. SUCH INFORMATION SHALL NOT BE USED FOR ANY OTHER PURPOSES.
3. ALL DEFLECTION ANGLES HEREON ARE 90 OR 45 DEGREES UNLESS EXPRESSLY OTHERWISE INDICATED.
4. ALL MEASURED DISTANCES ARE SHOWN HEREON IN FEET AND DECIMALS THEREOF. ALL OTHERS ARE SHOWN AS PER RECORDS AND NOTED AS SUCH.
5. AN EASMENT FOR SEWER & PUBLIC UTILITY PURPOSES AFFECTS A PORTION OF THE SUBJECT LOT.
6. AN EASMENT FOR SEWER, WATER, ELECTRICAL, & INCIDENTAL PURPOSES EXISTS PER DOCUMENT RECORDED MAY 12, 1910 IN BOOK 1746 AT PAGE 235 OF OFFICIAL RECORDS ALAMEDA COUNTY.

REFERENCES

- (1) MAP OF BROADMOOR - 23 MAPS 68
- (2) TRACT 2967 - 55 MAPS 68
- (3) PARCEL MAP No. 2156 - 105 PM²
- (4) PARCEL MAP No. 5977 - 198 PM²⁴
- (5) RESUBDIVISION OF BROADMOOR - 6 MAPS 47

BASIS OF BEARING

BASIS OF BEARINGS IS THE LINE BETWEEN TWO FOUND MONUMENTS ALONG MYERS COURT AS SHOWN ON TRACT 2967 (55 MAPS 68) AND TAKEN AS N 16° 58' 30" W.

PARCEL MAP No. 10236

BEING A TWO LOT SUBDIVISION OF THOSE PARCELS OF LAND DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED DECEMBER 3, 2012 OF THE SOUTHWESTERLY 48 FEET OF LOT 3 IN BLOCK 20 AS SAID LOT & BLOCK ARE SHOWN ON THE MAP ENTITLED "MAP OF BROADMOOR, ALAMEDA COUNTY" FILED JANUARY 30, 1908 IN BOOK 23 OF MAPS AT PAGE 68, ALAMEDA COUNTY REOCRDS (A.P.N.: 076-0299-39), UNDER INSTRUMENT NUMBER: 54605-1203811-12 (NAT), ALL OFFICIAL RECORDS OF ALAMEDA COUNTY.

CITY OF SAN LEANDRO - ALAMEDA COUNTY - CALIFORNIA
OCTOBER 2014



TRANSAMERICAN ENGINEERS
1390 Market St., Suite 201
San Francisco, CA 94102
Phone No. (415) 553-4092
Fax No. (415) 553-4071

JOB NO.: 6340

SHEET 2 OF 2 SHEETS

City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577
www.sanleandro.org



EXHIBIT A


CITY ENGINEER'S REPORT FOR PARCEL MAP 10236 274 Kenilworth Avenue

FINDINGS:

Pursuant to the provisions of Section 7-1-520 of the San Leandro Municipal Code, I have examined Parcel Map 10236 and find that it will be in compliance with Title VII, Chapter 1 of the San Leandro Municipal Code and the State Subdivision Map Act. There are no special conditions for the parcel map and development shall meet all of the requirements in the agreed upon Conditions of Approval, dated February 21, 2014.

Date: _____

11/13/2014



Kenneth Joseph, P.E., City Engineer

Stephen H. Cassidy, Mayor

City Council:

Pauline Russo Cutter
Jim Prola

Michael J. Gregory
Ursula Reed

Benny Lee
Diana M. Souza

