



City of San Leandro

Meeting Date: March 20, 2017

Staff Report

File Number: 17-103

Agenda Section: PUBLIC HEARINGS

Agenda Number: 5.B.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: Staff Report for Proposed General Plan Land Use Diagram and Zoning Map Corrections and Clarifications Related to an Un-zoned Parcel at 555 Estudillo, four parcels west of Harrison Street and north of Chumalia Street, and two parcels at 100 Halcyon Drive.

SUMMARY AND RECOMMENDATIONS

This report addresses amendments to the General Plan Land Use Diagram and Zoning Map to correct and clarify the designations of three sites. The proposed amendments are “clean-up” corrections or clarifications following the recent adoption of the General Plan Land Use Diagram and Zoning Map in September 2016. Two of these sites are located near Downtown and the other is a portion of the former Kraft factory parcel at 100 Halcyon Drive.

The Planning Commission recommended City Council adoption of the proposed Zoning and General Plan Land Use Map corrections and clarifications on February 16, 2017.

BACKGROUND

In September 2016, the City of San Leandro adopted an updated General Plan including a revised Land Use Diagram. Concurrent with General Plan adoption, the City also adopted conforming revisions to the San Leandro Zoning Map. A few intended changes were inadvertently omitted from the General Plan Land Use Diagram and Zoning Map. The proposed action will rectify those omissions and provide the City with a Land Use Diagram and Zoning Map that are fully consistent with General Plan goals, policies and actions.

Analysis

The following three locations are affected:

Northwest Corner of Harrison at Chumalia

This correction affects both the General Plan Land Use Diagram and the Zoning Map. There are four parcels affected (APNs 77-450-2-1, 77-450-3, 77-450-5-1, and 77-450-4). The associated addresses include 170, 174, and 190 Chumalia Avenue and 1051, 1055, 1069, 1071, 1079, and 1085 Harrison Street. The combined area of the properties is about 39,000 square feet and the existing use on all parcels is rental housing. The General Plan and Zoning changes are in Attachment 1, consistent with the map exhibits to the attached Resolution and Ordinance.

The properties are under common ownership and part of a larger development of rental housing that occupies the block west of Harrison Street and north of Chumalia Avenue, extending to Hyde Street on the west and San Leandro Creek on the north. The block includes the Cecilia Court “cottages” as well as other rental housing units facing Harrison and Chumalia. The western part of this block was correctly re-designated from “High Density Residential” to “Downtown Mixed Use” as part of the 2016 General Plan Update and concurrently rezoned from RM-1800 to DA-1. The eastern part of the block was unintentionally omitted, retaining the previous General Plan designation and zoning.

The intent of the General Plan Land Use Diagram re-designation for Cecilia Court was to recognize long-term (20 year) opportunities for higher density and mixed use development on the property, because it is located one block from the proposed East 14th Street Bus Rapid Transit system, four blocks from BART, and adjacent to City-owned property currently planned for future development at East 14th Street and Chumalia. Since the property is in single ownership and part of the same development (despite being comprised of multiple parcels and structures), it should not have been “split” into multiple zones and General Plan designations.

The correction will extend the Downtown Mixed Use designation and the DA-1 zoning east to Harrison Street. The facing (east) side of Harrison Street north of Chumalia is currently developed with a four story multi-family housing development. Thus, the higher density designation is appropriate for the intervening properties between Cecilia Court and Harrison Street.

555 Estudillo Avenue

This is a Zoning Map correction only. No change to the General Plan is proposed, and no change in use is proposed. The location and proposed change are in Attachment 1, consistent with the map exhibit attached to the Ordinance.

The Zoning Map change affects a single 7,088 square foot parcel at 555 Estudillo Avenue currently developed with a small condominium project. The property is an area that was re-designated from “Office” to “Downtown Mixed Use” on the Land Use Diagram as part of the General Plan Update. Other parcels in this vicinity were similarly re-designated, recognizing the existing pattern of mixed residential and commercial uses along Estudillo Street on the east side of Downtown San Leandro, and the elimination of the “Office” category from the General Plan Land Use Diagram in 2016.

As part of the General Plan re-designation, this parcel and those around it were part of a proposed rezoning to “DA-2” in June 2016. However, following a series of community

meetings and hearings, the proposal was dropped, and the existing zoning was left in place. Most of the other parcels in the vicinity retained their "P" (Professional Office) zoning. This particular parcel was the only one in the area that had been zoned "PHD" (Professional High Density), a zoning classification that allowed office uses and conditionally allowed multi-family residential uses. The PHD zone became redundant because a concurrent zoning change allowed multi-family housing (up to 22 units per acre) as a conditionally permitted use in the "P" District. Other PHD parcels in San Leandro were rezoned to "P" as part of the 2016 Zoning Code amendments.

As part of the zoning changes adopted in September 2016, the PHD District was eliminated from the Zoning Code. This parcel should have been rezoned to "P" at that time, but was inadvertently omitted. With the elimination of the PHD district, this parcel is currently un-zoned.

The proposed amendment would assign "P" zoning to this parcel, matching the adjacent parcels. The existing uses would conform to this designation.

100 Halcyon Drive

This is a Zoning Map correction only. No change to the General Plan is proposed. The location of this property and the proposed change of zoning is shown in Attachment 1, consistent with the map exhibit attached to the Ordinance.

100 Halcyon Drive is the site of the former Kraft Plant at Halcyon Drive and Washington Street. The site is under common ownership but currently has a split zoning designation. The larger (27-acre) parcel (APN 77-C-1315-2), which contains the former manufacturing facility, is zoned Industrial General (IG). The smaller parcel, which has no structures, is part of the overall factory site. Historically, the smaller parcel has been used for parking and truck access from Halcyon to Kraft. It is currently zoned Industrial Park, Assembly Use Overlay, IP(AU). This parcel is APN 77C-1240-2 and is approximately 44,000 square feet. The proposed Zoning Map changes are shown below and in Exhibit D of Resolution 2017-001.

The proposed rezoning of this property would eliminate the Industrial Park zoning designation and designate the entire site as Industrial, General. This would match the existing zoning on the majority remainder of the property and remove any internal inconsistencies with allowable land uses. Although this would result in a situation where an Industrial, General designation directly abuts a Single Family Residential (RS) designation, the possibility of land use conflicts and compatibility issues are very low. The General Plan will continue to maintain an Industrial Park land use designation buffer adjacent to the Residential parcels, because that land use designation is conditionally compatible with the Industrial General land use designation (as noted in Table 3-2 of the General Plan). The adjacent residential properties are currently separated from this parcel by a 10' block wall.

A planning application to redevelop the site has been submitted by Trammel Crowe. The plans include demolition of all current structures and replacement of the existing facility with Class A industrial buildings. The new facility as designed incorporates buffer features to protect the adjacent residential areas and the proposed project will require a Conditional Use Permit.

The change to Industrial General will achieve a single designation for the entire site and remove the split designations. This proposed zoning designation will make the land uses permitted by the IG (AU) zoning internally consistent on the site and provide flexibility for future employment uses on the property.

Previous Actions

The current General Plan and Zoning Map were adopted by the City Council on September 19, 2016 and took effect on November 3, 2016. It was noted in the staff report for the 2035 General Plan Update that staff would need to return to the City Council for consideration of the un-zoned parcel at 555 Estudillo Avenue.

Planning Commission Review and Action

The Planning Commission considered the proposed changes at its February 16, 2017 meeting and recommended City Council adoption by a 5-0 vote (1 commissioner was absent and the District 2 seat is currently vacant). Mr. Todd Fujinaga, representing the affected property owner of the Chumalia sites, spoke at the hearing and requested the Planning Commission delay its decision to allow for further community input on the proposed higher density re-zoning to DA-1. During deliberations, the Planning Commission expressed that delaying the action was unnecessary because any future project application on the property would require public consideration and that the clean-up item before the Commission was intended to correct a map oversight that left the property with a split land use and zoning designation. It was noted that concerns could be better addressed once an actual project is proposed. A complete audio recording of the Planning Commission's February 16, 2017 hearing can be downloaded online at: http://sanleandro.granicus.com/MediaPlayer.php?view_id=2&clip_id=878

Environmental Review

The proposed amendments are exempt from environmental review under Section 15061(b)(3) of the CEQA Guidelines under the General Rule exemption that states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA. The categorical exemption in Section 15305, Minor Alteration in Land Use Limitations also applies. Any future project proposed on these properties will be evaluated under CEQA on a case-by-case basis.

Summary of Public Outreach Efforts

Notification of this meeting included a legal advertisement in the East Bay Times Daily Review and posting of a notice of the meeting at City Hall a minimum of 72 hours in advance of the Planning Commission meeting date. In addition, a courtesy notice was sent to property owners within a 500 foot radius of the three sites under consideration and all San Leandro homeowner associations.

Legal Analysis

The City Attorney reviewed the proposed corrections and clarifications and opines that they

conform to the General Plan.

Fiscal Impacts

The proposed changes will have no fiscal impact on the City's General Fund.

ATTACHMENT(S)

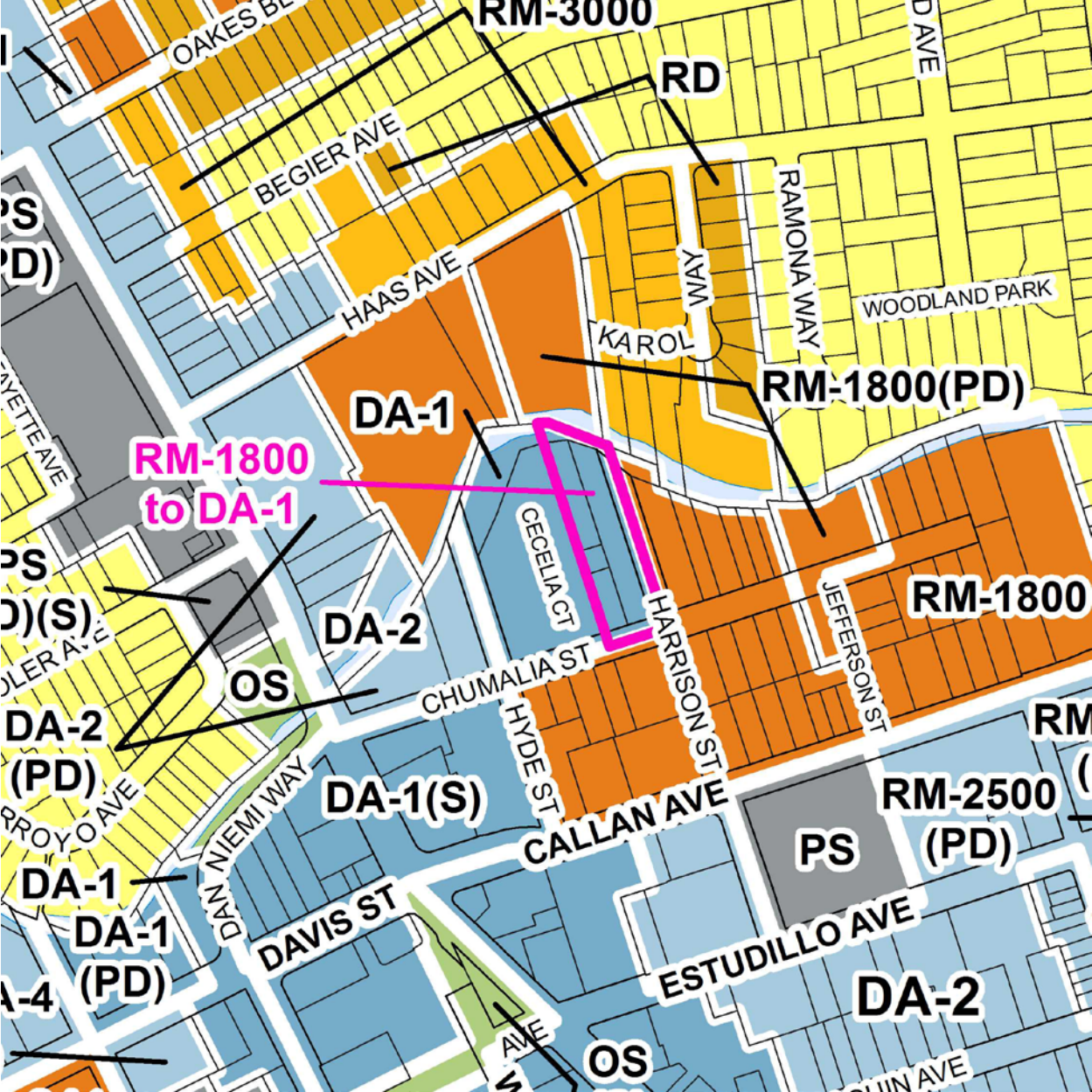
Attachment(s) to Staff Report

- Attachment 1: Proposed map changes

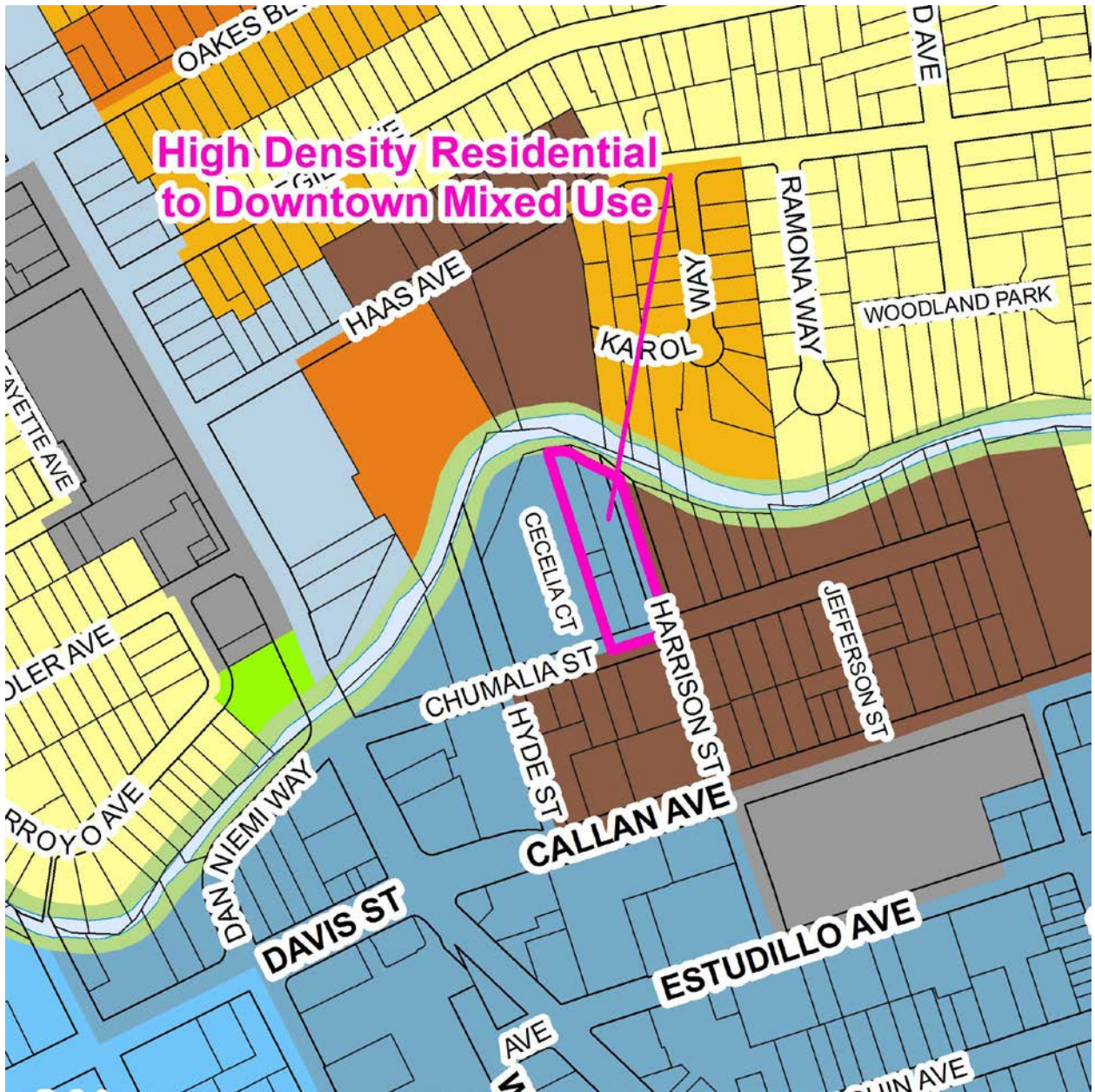
Attachment(s) to Related Legislative File

- 17-106 Resolution: Updated General Plan Land Use Diagram
- 17-107 Ordinance: Updated Zoning Map

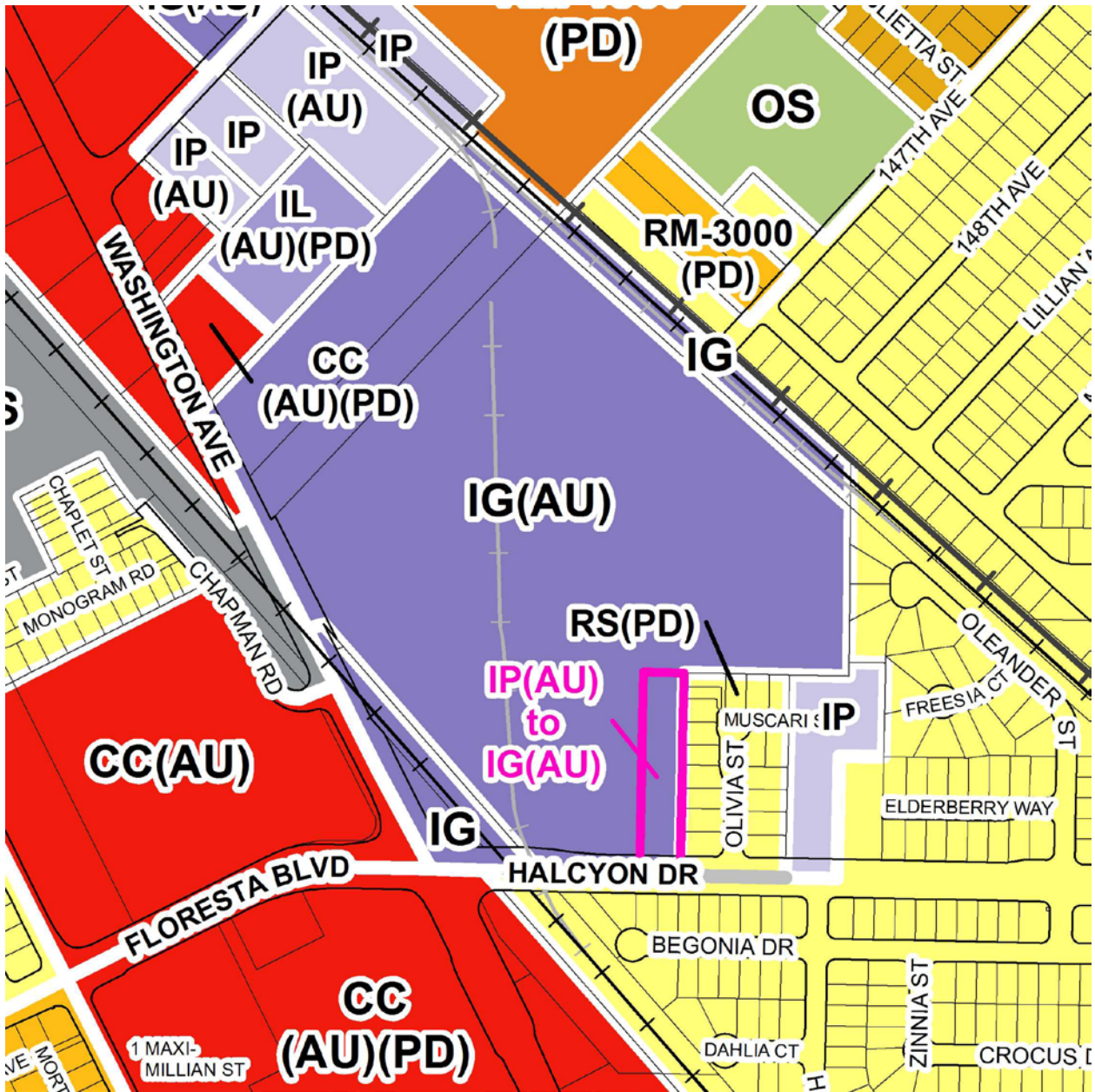
PREPARED BY: Barry Miller, FAICP, Planning Consultant
Andrew Mogensen, AICP, Planning Manager



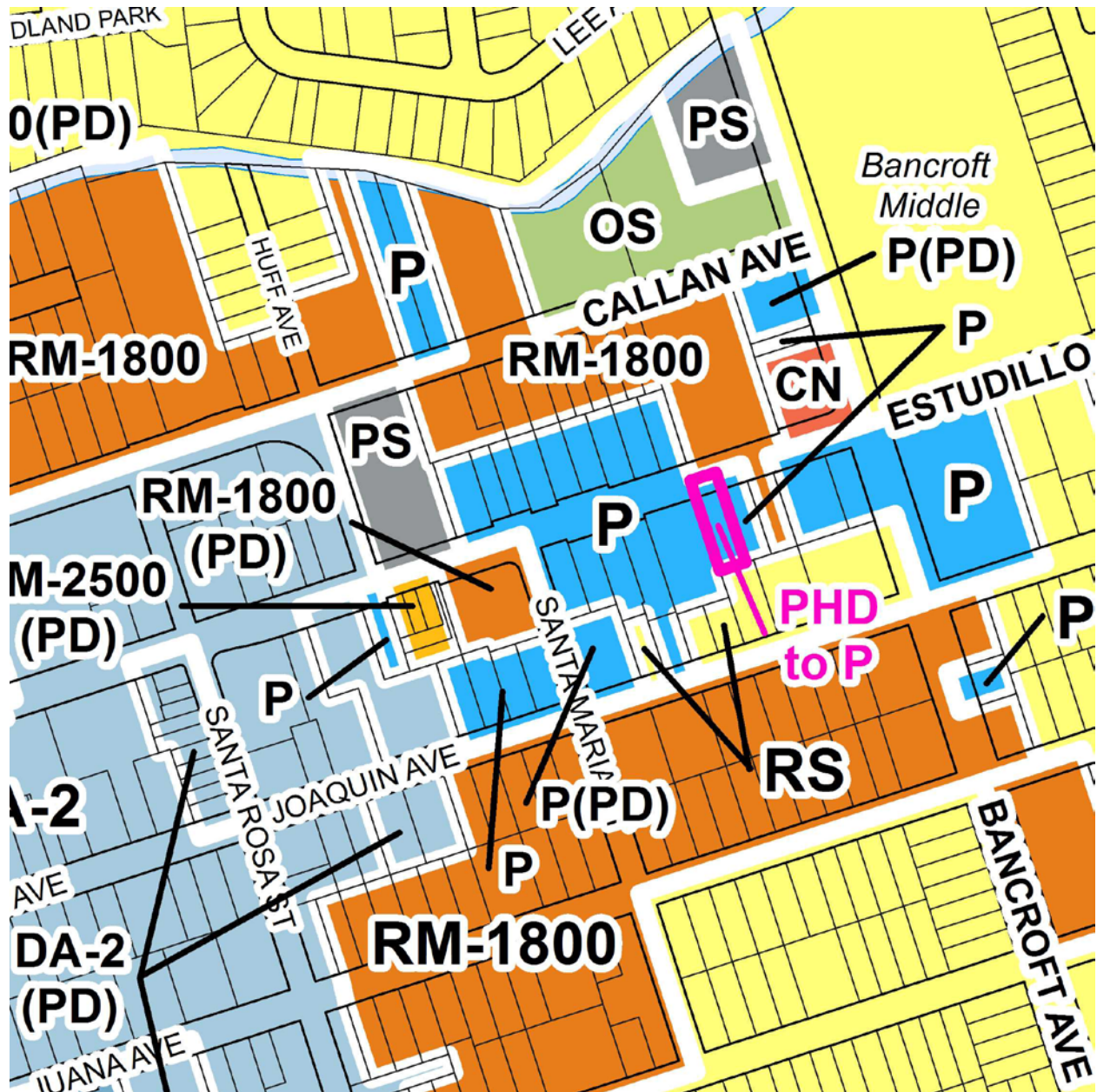
Proposed Zoning Change on existing developed property between Cecelia Ct and Harrison Street (zoning map clean-up)



Proposed General Plan Land Use Change on existing developed property between Cecelia Ct and Harrison Street (GP map clean-up)



Proposed Zoning Change to existing industrial property at 100 Halcyon Drive (consistency)



Assign Professional Office (P) zoning to an unzoned parcel located at 555 Estudillo Avenue (clean-up). This parcel has been unzoned since the General Plan and Zoning map took effect on November 3, 2016 and was zoned PHD prior to that time.



City of San Leandro

Meeting Date: March 20, 2017

Resolution - Council

File Number: 17-106

Agenda Section: PUBLIC HEARINGS

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: RESOLUTION adopting an Amendment to the 2035 San Leandro General Plan Land Use Diagram to Correct and Clarify a Map Designation at the Northwest Corner of Chumalia Avenue and Harrison Street

WHEREAS, the San Leandro City Council adopted a revised General Plan in September 2016, including a revised Land Use Diagram; and

WHEREAS, the City Council adopted concurrent Zoning Map amendments in September 2016, in order to achieve consistency between the General Plan and Zoning Maps; and

WHEREAS, the General Plan Land Use Diagram and Zoning Map may be periodically amended to incorporate clarifications and corrections to existing designations, as well as substantive changes; and

WHEREAS, a few Land Use Diagram and Zoning Map clarifications and corrections have become apparent in the months since the revised General Plan's adoption; and

WHEREAS, these changes are non-substantive and consistent with the goals, policies, and actions in the General Plan; and

WHEREAS, a concurrent and corresponding change is proposed to the Zoning Map for the location referenced in this Resolution's title; and

WHEREAS, the Planning Commission considered the proposed Amendment to the 2035 San Leandro General Plan Land Use Diagram at a public hearing held on February 16, 2017 and, after considering the staff report and public testimony, recommended City Council approval of the Amendment in Planning Commission Resolution 2017-001; and

WHEREAS, on March 10, 2017, the Community Development Department published

notice in the East Bay Times' Daily Review that a public hearing would be held by the San Leandro City Council at its March 20, 2017 regular meeting regarding the proposed Amendments; and

WHEREAS, these changes have been further determined to be exempt from the California Environmental Quality Act, since they depict the uses intended under the 2016 General Plan, the impacts of which were previously addressed by an Environmental Impact Report adopted in September 2016.

NOW, THEREFORE IT IS RESOLVED THAT the forgoing recitals are true and correct and made part of this Resolution.

NOW THEREFORE BE IT FURTHER RESOLVED THAT: The City Council adopts a Resolution to amend the General Plan Land Use Diagram from High Density Residential to Downtown Mixed Use as shown in the attached Exhibit A, to correct a split designation on an existing rental housing development on property located at the northwest corner of Harrison Street and Chumalia Avenue, more specifically described as Assessor's Parcel Numbers (APNs) 77-450-2-1, 77-450-3, 77-450-5-1, and 77-450-4555.



Exhibit A, San Leandro General Plan Land Use Map

City of Oakland

Lake Chabot

Ashland

San Lorenzo

San Francisco Bay

Land Use

RESIDENTIAL

- Garden Density Residential
- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential

COMMERCIAL

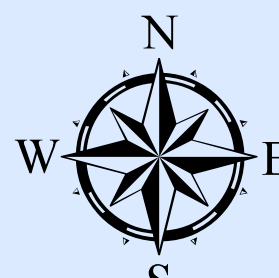
- Neighborhood Commercial
- General Commercial
- Downtown Mixed Use
- Corridor Mixed Use
- Transit-Oriented Development Mixed Use
- Bayfair Transit-Oriented Development

INDUSTRIAL

- Light Industrial
- General Industrial
- Industrial Transition

PUBLIC/OPEN SPACE

- Public/Institutional
- Parks and Recreation
- Resource Conservation



**Official General Plan Land Use Map
of the City of San Leandro,
adopted by the City Council
on March 20, 2017**



City of San Leandro

Meeting Date: March 20, 2017

Ordinance

File Number: 17-107

Agenda Section: PUBLIC HEARINGS

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: ORDINANCE Amending the San Leandro Zoning Map to Clarify and Correct Map Designations at 555 Estudillo Avenue, the Northwest Corner of Chumalia Avenue and Harrison Street, and 100 Halcyon Drive

WHEREAS, the San Leandro City Council adopted a revised General Plan in September 2016, including a revised Land Use Diagram; and

WHEREAS, the City Council adopted concurrent Zoning Map amendments in September 2016, in order to establish consistency between the General Plan and Zoning Maps; and

WHEREAS, the General Plan Land Use Diagram and Zoning Map may be periodically amended to incorporate clarifications and corrections to existing designations, as well as substantive and non-substantive changes; and

WHEREAS, the need for a few Land Use Diagram and Zoning Map clarifications and corrections have become apparent in the months since the revised General Plan's adoption; and

WHEREAS, these Amendments rezone certain parcels located at the northwest corner of Harrison Street and Chumalia Avenue from RM-1800 to Downtown Area District 1 (DA-1), designate an un-zoned parcel at 555 Estudillo Avenue as Professional Office (P), and rezone a portion of a property located at 100 Halcyon Drive from Industrial Park, Assembly Overlay (IP-AU) to Industrial General, Assembly Overlay (IP-AU) as shown in attached Exhibit A, incorporated herein by reference; and

WHEREAS, these changes are non-substantive and consistent with the goals, policies, and actions in the General Plan; and

WHEREAS, the Planning Commission considered the proposed Amendments to the

San Leandro Zoning Map at a public hearing held on February 16, 2017 and, after considering the staff report and public testimony, recommended City Council approval of the Amendments by adopting Planning Commission Resolution 2017-001; and

WHEREAS, on March 10, 2017, the Community Development Department published a public hearing notice in the East Bay Times Daily Review for the San Leandro City Council March 20, 2017 regular meeting regarding the proposed Amendments; and

WHEREAS, these changes were previously evaluated and addressed by an Environmental Impact Report adopted in September 2016 for the 2035 General Plan.

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. CEQA. The changes are exempt from the California Environmental Quality Act, since they depict the uses intended under the 2016 General Plan, the impacts of which were previously addressed by an Environmental Impact Report adopted by the City Council in September, 2016;

SECTION 3. Findings. Based on the entirety of the record, the City Council hereby finds that the proposed Zoning Map Amendments as shown in attached Exhibit A are consistent with the 2035 General Plan adopted in September, 2016. The City Council further finds that consideration of the proposed Zoning Map Amendments complied with the notice and hearing provisions of the Zoning Code.

SECTION 4. Approval. The City Council hereby approves the Amendments to the City Zoning Map as shown in the attached Exhibit A, incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 6. Publication and Effective Date. This Ordinance shall take effect thirty (30) days after adoption. The City Clerk of the City of San Leandro shall cause this Ordinance to be published in accordance with Section 36933 of the Government Code of the State of California.



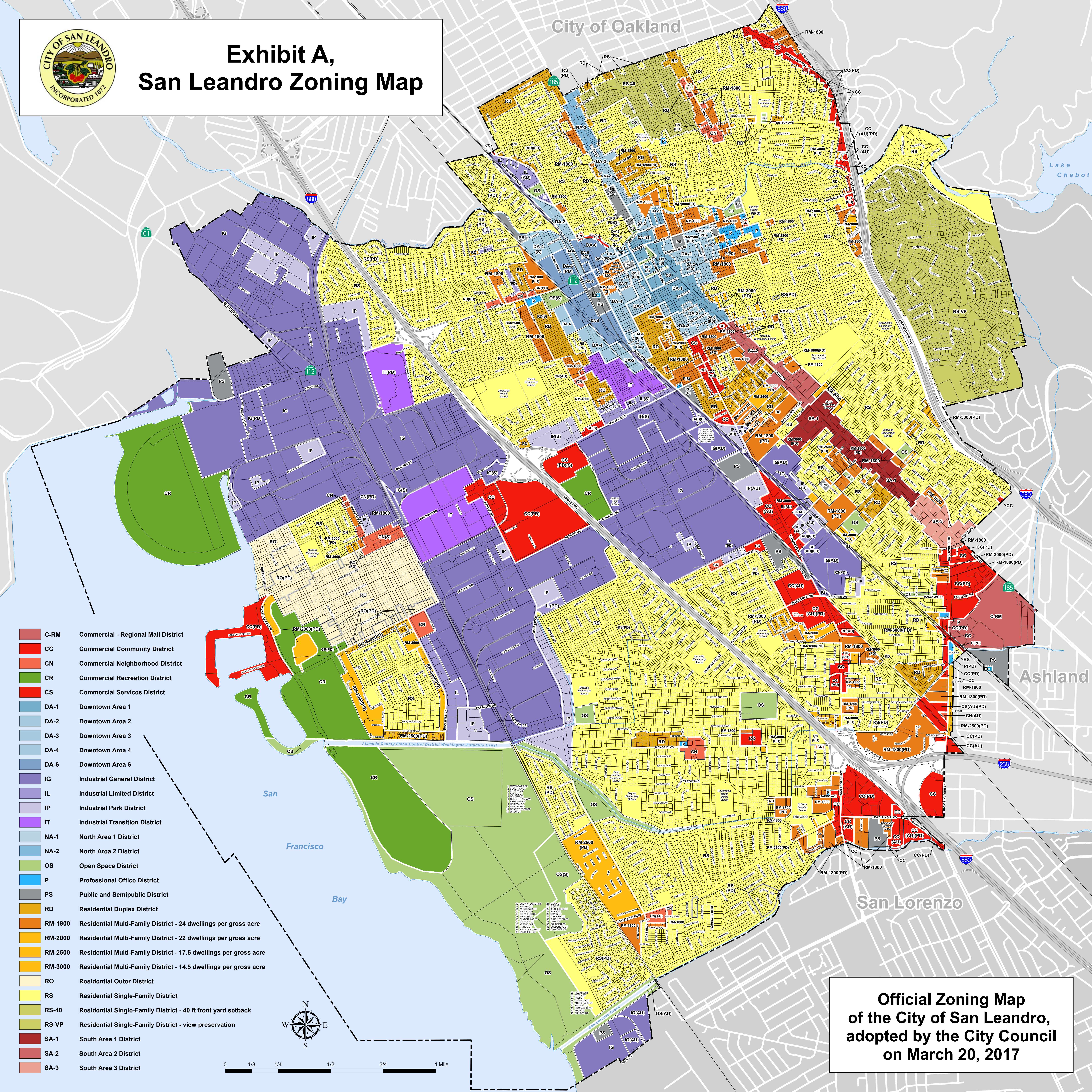
Exhibit A, San Leandro Zoning Map

City of Oakland

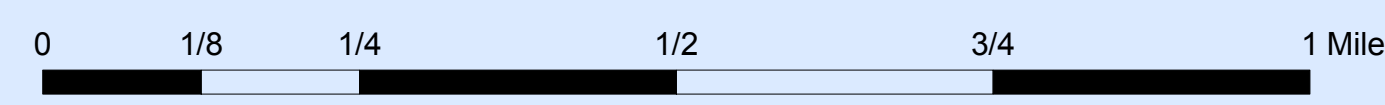
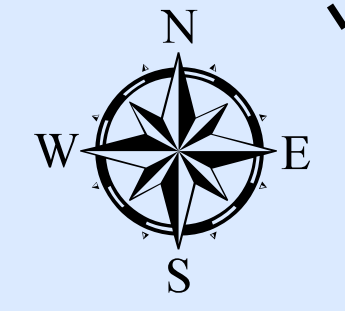
Lake Chabot

Ashland

San Lorenzo



- C-RM Commercial - Regional Mall District
- CC Commercial Community District
- CN Commercial Neighborhood District
- CR Commercial Recreation District
- CS Commercial Services District
- DA-1 Downtown Area 1
- DA-2 Downtown Area 2
- DA-3 Downtown Area 3
- DA-4 Downtown Area 4
- DA-6 Downtown Area 6
- IG Industrial General District
- IL Industrial Limited District
- IP Industrial Park District
- IT Industrial Transition District
- NA-1 North Area 1 District
- NA-2 North Area 2 District
- OS Open Space District
- P Professional Office District
- PS Public and Semipublic District
- RD Residential Duplex District
- RM-1800 Residential Multi-Family District - 24 dwellings per gross acre
- RM-2000 Residential Multi-Family District - 22 dwellings per gross acre
- RM-2500 Residential Multi-Family District - 17.5 dwellings per gross acre
- RM-3000 Residential Multi-Family District - 14.5 dwellings per gross acre
- RO Residential Outer District
- RS Residential Single-Family District
- RS-40 Residential Single-Family District - 40 ft front yard setback
- RS-VP Residential Single-Family District - view preservation
- SA-1 South Area 1 District
- SA-2 South Area 2 District
- SA-3 South Area 3 District



**Official Zoning Map
of the City of San Leandro,
adopted by the City Council
on March 20, 2017**