



Legislation Text

File #: 18-1606, Version: 2

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 3/21/2018

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

SUBJECT:

1. City Council consideration of Resolution No. 2018-002 denying (1) General Plan Amendment 17-001 to change the land use designation from Medium Density Residential (6-15 dwelling units/acre) to High Density Residential (15-36 dwelling units/acre) on 2.14 acres, (2) Change of Zone 17-002 to change the zone to R-3 (Multiple Family Residential) from R-1-7.2 (Single Family Residential) on 1.9 acres and R-2 (Low Density Multiple Family Residential) on .24 acres, and (3) CUP17-004 to establish senior housing apartments consisting of 64 units on 2.14 acres located on the east side of Buena Vista Avenue approximately 480 feet north of Bollero Place and north of State Route 91. (Applicant: Rowdy Williamson on behalf of Pete Nyiri); or,
2. City Council direct staff to re-advertise for a public hearing a revised version of the project, as may be directed.

RECOMMENDED ACTION:

That the City Council:

1. Consider Resolution No. 2018-002 denying (1) General Plan Amendment 17-001 to change the land use designation from Medium Density Residential (6-15 dwelling units/acre) to High Density Residential (15-36 dwelling units/acre) on 2.14 acres, (2) Change of Zone 17-002 to change the zone to R-3 (Multiple Family Residential) from R-1-7.2 (Single Family Residential) on 1.9 acres and R-2 (Low Density Multiple Family Residential) on .24 acres, and (3) CUP17-004 to establish senior housing apartments consisting of 64 units on 2.14 acres located on the east side of Buena Vista Avenue approximately 480 feet north of Bollero Place and north of State Route 91; or,
2. Direct staff to re-advertise for a public hearing a revised version of the project.

ANALYSIS:

The City Council at its meeting on December 20, 2017, held a public hearing for GPA17-001 and CZ17-002 and in addition reviewed CUP17-004. At the close of the public hearing and by a majority vote of the City Council, staff was directed to prepare a resolution with the findings denying GPA17-001, CZ17-002 and CUP17-004 and bring back the resolution to the City Council for adoption.

The City Council at its meeting on January 17, 2018 continued the consideration of Resolution 2018-002 denying GPA17-001, CZ17-002 and CUP17-004 to the March 21, 2018 meeting. Additionally, the City Council recommended the project be discussed at the Infrastructure Committee prior to the continued City Council meeting.

COMMITTEE ACTION:

The Infrastructure Committee at its meeting on March 7, 2018 discussed the revisions made to the project since the City Council meeting and was updated on the applicant's discussion with the property owners of 153 Buena Vista Avenue and 155 Buena Vista Avenue regarding possible acquisition of the properties. Based on the comments provided by the City Council at its meeting on December 20, 2017, the following revisions were made to the project demonstrated by CUP17-004.

- Building Height. The applicant lowered the finished floor elevation of the project site and lowered the height of the roof to match the rooftop elevation of the two story apartment building located south of the project site. The two story building to the south has a pad elevation of 616 feet with the top of roof at an elevation of 644 feet. The finished floor of the project site was revised from an elevation of 612 feet to an elevation of 609.75 feet at the south end. The top of the roof rests at an elevation of 644 feet. The finished floor is lowered further to an elevation of 608.5 feet as the building progresses north. The building is still three stories with the overall height at 35'-3" and matches the rooftop elevation of the two story building to the south.

The building's finished floor elevation is 608.5 feet across from the adjacent single family properties at 155 N. Buena Vista Avenue and 609.75 feet from 153 N. Buena Vista Avenue. The cross section provided in Exhibit 5 shows how the project site will be lowered adjacent to the single family properties with a retaining wall provided along the shared property line to accommodate a raised landscape planter for screen trees.

- Parking (Eliminated Two units). The applicant reduced the number of units from 64 to 62. The mix contains 51 one bedroom units and 11 two bedroom units. The project would provide 106 parking spaces which is 12 additional parking spaces from the minimum requirement and eight additional parking spaces from the initial proposal.
- Revised First Floor Footprint. The first floor footprint at the entrance to the outdoor recreation space was revised to not encroach in the 50 foot building setback.
- Minimum Age Restriction. The conditions of approval for the project required the applicant to record an Agreement and Deed Restriction on the property to operate only senior citizen housing. The applicant is proposing to increase the minimum age from 55 years to 60 years.

- Outreach to Property Owners at 153 and 155 N. Buena Vista Avenue. The applicant commissioned a third party real estate agent to negotiate the possible purchase of the two properties. The agent provided the property owners with the comps of the property values in the area. The applicant also offered to pay for appraisals to be done on the properties and would use an appraiser chosen by the homeowners. As of the Infrastructure Committee, the applicant had not been contacted by the residents.

REQUEST FOR COUNCIL RECOMMENDATION:

- 1) Consider Resolution No. 2018-002 denying (1) General Plan Amendment 17-001 to change the land use designation from Medium Density Residential (6-15 dwelling units/acre) to High Density Residential (15-36 dwelling units/acre) on 2.14 acres, (2) Change of Zone 17-002 to change the zone to R-3 (Multiple Family Residential) from R-1-7.2 (Single Family Residential) on 1.9 acres and R-2 (Low Density Multiple Family Residential) on .24 acres, and (3) CUP17-004 to establish senior housing apartments consisting of 64 units on 2.14 acres located on the east side of Buena Vista Avenue approximately 480 feet north of Bollero Place and north of State Route 91; or,
- 2) Direct staff to re-advertise for a public hearing the review of the revised project.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

Not applicable.

ENVIRONMENTAL ANALYSIS:

Pursuant to Section 21080 (b)(5) of the California Public Resources Code, projects that a public agency rejects or disapproves are exempt from CEQA. However, if the City Council chooses to reconsider the project, the initial study and mitigated negative declaration prepared for the project would be considered at that time.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of November 6, 2017, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Norton/Jones) and carried unanimously Chair Carrillo absent, that the Planning and Housing Commission recommend adoption of the Mitigation Negative Declaration and Mitigation Monitoring Plan, and approval of GPA17-001 the City Council, based on the findings contained in the staff report, and adopt Resolution No. 2505 granting GPA17-001 as part of Cycle 2 of the General Plan Amendments for 2017.

Motion was made, seconded (Jones/Ruscigno) and carried unanimously Chair Carrillo absent, that the Planning and Housing Commission recommend approval of CZ17-002 the City Council, based on the findings contained in the staff report.

Motion was made, seconded (Ruscigno/Norton) and carried unanimously Chair Carrillo absent, that the Planning and Housing Commission adopt Resolution 2506 granting CUP17-004, based on the

findings contained in the staff report and conditions of approval.

PREPARED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Exhibits:

1. City Resolution No. 2018-002.
2. Revised Site Plan for CUP17-004.
3. Revise Floor Plan.
4. Building Elevations.
5. East and West Cross Section.
6. North and South Cross Section.