



Legislation Details (With Text)

File #: 19-1186
Type: Consent Calendar **Status:** Passed
File created: 11/20/2019 **In control:** City Council/Public Financing Authority
On agenda: 2/18/2020 **Final action:** 2/18/2020
Title: Approve Zoning Map Amendment (ZMA) No. 18-002 by adopting Ordinance No. 4191 to amend the zoning designation from CG (Commercial General) to RM (Residential Medium Density) Approved for introduction February 3, 2020 - Vote: 7-0
Attachments: 1. Att #1 Findings for Approval ZMA 18-002, 2. Att #2 Draft City Council Ord No. 4191, 3. Att #3 Vicinity Map, 4. Att #4 Existing and Proposed Zoning, 5. Att #5 Project Narrative, 6. Att #6 PC Notice of Action, 7. Att #7 PC Staff Report, 8. Sup Com-03Feb - PPT Utica Townhomes

Date	Ver.	Action By	Action	Result
2/18/2020	2	City Council/Public Financing Authority	approved	Pass
2/3/2020	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Ursula Luna-Reynosa, Director of Community Development

Subject:

Approve Zoning Map Amendment (ZMA) No. 18-002 by adopting Ordinance No. 4191 to amend the zoning designation from CG (Commercial General) to RM (Residential Medium Density) Approved for introduction February 3, 2020 - Vote: 7-0

Statement of Issue:

Ordinance No. 4191 approved for introduction on February 3, 2020, requires adoption.

Financial Impact:

No fiscal impact.

Recommended Action:

Adopt Ordinance No. 4191, "An Ordinance of the City of Huntington Beach Amending District Map 2 (Section Map 2-6-11) of the Huntington Beach Zoning and Subdivision to Rezone the Real Property Located at 712 Utica Avenue from Commercial General (CG) to Residential Medium Density (RM) (Zoning Map Amendment No. 2018-002)."

Alternative Action(s):

The City Council may take the following alternative motion(s):

- 1) Continue Zoning Map Amendment No. 18-002 and direct staff to return with findings for denial.
- 2) Continue Zoning Map Amendment No. 18-002 and direct staff accordingly.

Analysis:

A. PROJECT PROPOSAL:

Applicant: Mark Tran, 12601 Sweetbriar Drive, Garden Grove, CA 92840

Property Owner: Van Nguyen, 1814 Main Street, Huntington Beach, CA 92648

Location: 712 Utica Avenue, 92648 (south side of Utica Avenue, between Florida Street and Beach Boulevard)

Zoning Map Amendment No. 18-002 represents a request to amend the existing zoning designation from CG (Commercial General) to RM (Residential Medium Density) to be consistent with the General Plan Land Use Element designation pursuant to Chapter 247 - Amendments of the Huntington Beach Zoning and Subdivision Ordinance.

The proposed zoning map amendment is requested to facilitate the construction of a three-unit, three-story, for-sale condominium development.

B. PROJECT ANALYSIS:

The project site is located on an approximately 9,000 sq. ft. lot located on the south side of Utica Avenue between Florida Street and Beach Boulevard. Existing onsite is a commercial building, which will be demolished with the construction of the proposed three-unit, three-story condominium development. The current zoning designation on the property is CG (Commercial General) and the General Plan land use designation is RM (Residential Medium Density). The applicant is proposing to amend the zoning designation to be consistent with the General Plan, which is RM with a maximum density of 15 units per acre (Attachment No. 3).

The surrounding multi-family residential properties have a zoning designation and General Plan land use designation of RM, with the exception of the adjacent property to the east, which also has a General Plan land use designation of RM and a zoning designation of CG; however, a single-family residence exists on that property. The recent General Plan update (adopted in 2017) foresaw this area to remain as RM. Therefore, the proposal to amend the zoning map from CG to RM is consistent with the goals and policies of the General Plan and is consistent with the land use designation within the surrounding area.

The proposed project is consistent with the goals, policies, and objectives of the City's General Plan because the zoning map amendment will bring the zoning designation into consistency with the General Plan land use designation. Furthermore, the new construction of three-unit, three-story townhomes will continue the land use pattern of multi-family residential uses in the

surrounding area and assist in meeting the overall housing needs of the community. The project supports infill development, as the project is located on an underutilized lot with a dated and distressed commercial building that will be demolished with the construction of the proposed three-unit, three-story townhome project. In addition, the proposed three units are attached and compatible in proportion, scale, and character of the surrounding neighborhood because similar attached multi-family units to the north, south, and west surround the site. Lastly, the attached townhomes will provide a mix of housing types to meet the diverse economic, social, and housing needs of the community.

C. PLANNING COMMISSION MEETING AND RECOMMENDATION

On November 12, 2019, the Planning Commission held a public hearing on the proposed project. There was one speaker who is the property owner of a single-family residence on the east of the project site. The speaker indicated concerns to the proposed height and potential shadow impacts to her existing one-story, single-family residence. The proposed building meets the maximum height limit of 35 feet and all other zoning code development standards such as setbacks. Therefore, the Planning Commission recommended but did not require through a condition of approval that the applicant work with the adjacent neighbor to revise the project layout and switch the building to the west side of the lot to minimize potential shadow impacts to the one-story, single-family residence to the east. Since the meeting, the applicant and the adjacent neighbor met with staff and the applicant has agreed to revise the layout to locate the building on the west side of the lot to reduce any shadow impacts to the single-family residence. The revisions to the plans do not require further review by the Planning Commission.

The Planning Commission approved the development entitlements on November 12, 2019. No appeals of the Planning Commission's action on the development entitlements were filed within the 10-day appeal period that ended on November 22, 2019. The development entitlements were conditioned so they do not become effective until the zoning map amendment is approved and in effect.

Planning Commission Action on November 12, 2019

THE MOTION MADE BY KALMICK, SECONDED BY SCANDURA, TO APPROVE ZONING MAP AMENDMENT NO. 18-002 AND FORWARD TO THE CITY COUNCIL AND APPROVE TENTATIVE TRACT MAP NO. 19-028 AND CONDITIONAL USE PERMIT NO. 18-041 WITH FINDINGS CARRIED BY THE FOLLOWING VOTE:

AYES: Grant, Kalmick, Garcia, Mandic, Perkins, Ray, Scandura

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

Environmental Status:

The project will not have any significant effect on the environment and is exempt from the provisions in the California Environmental Quality Act (CEQA) pursuant to Section 15183. Section 15183 applies to projects that are consistent with an adopted General Plan for which an Environmental Impact Report (EIR) was prepared and certified and where there are no potential environment effects peculiar to the proposed project. The project meets all criteria under Section 15183 and does not require additional environmental review. The City's General Plan was updated and adopted and the EIR was certified on October 2, 2017. The General Plan update and EIR considered the type and intensity of development, including the assignment of the RM land use designation for the project site parcel and the adjacent area. The project will not result in any potential environmental impacts peculiar to the site because the project is consistent with the development standards in the proposed zoning designation of RM such as parking, density, and access and is consistent with the adopted General Plan and analyzed in the certified EIR.

Strategic Plan Goal:

Enhance and maintain high quality City services

Attachment(s):

1. Findings for Approval Zoning Map Amendment No. 18-002
2. Draft City Council Ordinance No. 4191 for ZMA 18-002
3. Vicinity Map
4. Existing and Proposed Zoning Map Amendment
5. Project Narrative Received and Dated July 31, 2019
6. Planning Commission Notice of Action for ZMA 18-002, CUP 18-041, and TTM 19-028
7. Planning Commission Staff Report dated November 12, 2019