Legislation Details (With Text)

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File created:	8/26/2021	**In control:**	Planning Commission
On agenda:	9/28/2021	**Final action:**	

Title: GENERAL PLAN AMENDMENT (GPA) NO. 20-002, ZONING MAP AMENDMENT (ZMA) NO. 20-002, TENTATIVE TRACT MAP (TTM) NO. 19136, CONDITIONAL USE PERMIT (CUP) NO. 20-024, MITIGATED NEGATIVE DECLARATION (MND) NO. 20-002 (GISLER RESIDENTIAL)

REQUEST:
To amend the land use designation from Public-Semipublic (underlying Residential Low Density) (PS (RL)) to Residential Low Density (RL); to amend the zoning designation from Public-Semipublic (PS) to Residential Low Density; to subdivide a 13.9 gross acre site into a Planned Unit Development project with 85 single family residential numbered lots with reduced size and width and 15 lettered lots for private streets, open space, and landscaping; to allow retaining walls over 2 feet tall topped with a 6 foot tall wall/fence; to analyze the potential environmental impacts of the proposed project.

LOCATION:
21141 Strathmoor Lane (west side, south of Bluefield Drive)

Attachments: 1. Att #1 -Suggested Findings and Conditions of Approval for MND 20-002 ZMA No. 20-002 TTM 19136 CUP 20-024, 2. Att #2 - Draft City Council Resolution for GPA 20-002, 3. Att #3 - Draft City Council Ordinance for ZMA 20-002, 4. Att #4 - Vicinity Map, 5. Att #5 - Project Narrative dated 8.27.21, 6. Att #6 - Existing and Proposed General Plan Land Use and Zoning Maps, 7. Att #7 - Project Entitlement Plans 7.14.21 and 8.27.21, 8. Att #8 - Code Requirements Letter 9.16.21, 9. Att #9 - Letters in Opposition or Support, 10. Att #10 - Responses to Comments Draft MND No. 20-002, 11. Att #12 - Applicant's Response to Planning Commission Study Session Questions, 12. Att #13 - Mitigation Monitoring and Reporting Program, 13. Att #14 -Supplemental Communication, 14. Att #15 - Supplemental Communication

Date	Ver.	Action By	Action	Result
9/28/2021	1	Planning Commission	approved with conditions	Pass

PLANNING COMMISSION STAFF REPORT

TO: **Planning Commission**
FROM: **Ursula Luna-Reynosa, Community Development Director**
BY: **Ricky Ramos, Senior Planner**

SUBJECT:
GENERAL PLAN AMENDMENT (GPA) NO. 20-002, ZONING MAP AMENDMENT (ZMA) NO. 20-002, TENTATIVE TRACT MAP (TTM) NO. 19136, CONDITIONAL USE PERMIT (CUP) NO. 20-024, MITIGATED NEGATIVE DECLARATION (MND) NO. 20-002 (GISLER RESIDENTIAL)

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85 single family residential numbered lots with reduced size and width and 15 lettered lots for private streets, open space, and landscaping; to allow retaining walls over 2 feet tall topped with a 6 foot tall wall/fence; to analyze the potential environmental impacts of the proposed project.

LOCATION:

21141 Strathmoor Lane (west side, south of Bluefield Drive)

APPLICANT:

Derek Spalding, Brookfield Residential, 3200 Park Center Drive, Suite 1000, Costa Mesa, CA 92626

PROPERTY OWNER:

Huntington Beach City School District, 8750 Dorsett Drive, Huntington Beach, CA 92646

BUSINESS OWNER:

Not applicable

STATEMENT OF ISSUE:

1. Is the GPA necessary for the changing needs and orderly development of the community and consistent with other elements of the General Plan?

2. Are the proposed GPA and ZMA designations compatible with the surrounding area?

3. Does the project satisfy all the findings required for approval of a ZMA, TTM, CUP, and MND?

4. Is the MND adequate and complete in that it has identified all significant effects of the project and any applicable mitigation measures?

RECOMMENDATION:

That the Planning Commission take the following actions:

A) Recommend approval of Mitigated Negative Declaration No. 20-002 with findings (Attachment No. 1) and mitigation measures; and

B) Recommend approval of General Plan Amendment No. 20-002 by approving draft City Council Resolution (Attachment No. 2) and Zoning Map Amendment No. 20-002 with findings (Attachment No. 1) by approving draft City Council Ordinance (Attachment No. 3); and

C) Approve Tentative Tract Map No. 19136 and Conditional Use Permit No. 20-024 with findings and suggested conditions of approval (Attachment No.1)

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

A) Deny Mitigated Negative Declaration No. 20-002, General Plan Amendment No. 20-002, Zoning Map Amendment No. 20-002, Tentative Tract Map No. 19136, and Conditional Use Permit No. 20-024 with findings for denial.

B) Continue Mitigated Negative Declaration No. 20-002, General Plan Amendment No. 20-002, Zoning Map Amendment No. 20-002, Tentative Tract Map No. 19136, and Conditional Use Permit No. 20-024 and direct staff accordingly.

PROJECT PROPOSAL:

The applicant is proposing to subdivide and redevelop the approximately 13.9 gross acre former Gisler School site into 85 two story single-family residences (Attachment No. 5). The project includes the following requests:

General Plan Amendment (GPA) No. 20-002 - To amend the land use designation from Public-Semipublic (underlying Residential Low Density) (PS(RL)) to Residential Low Density (RL).

Zoning Map Amendment (ZMA) NO. 20-002 - To amend the zoning designation from Public-Semipublic (PS) to Residential Low Density.

Tentative Tract Map (TTM) No. 19136 - To subdivide a 13.9 gross acre site into a Planned Unit Development (PUD) project with 85 single family residential numbered lots with reduced size and width and 15 lettered lots for private streets, open space, and landscaping.

Conditional Use Permit (CUP) No. 20-024 - To allow retaining walls over 2 feet tall topped with a 6-foot tall wall/fence.

Mitigated Negative Declaration (MND) No. 20-002 - To analyze the potential environmental impacts of the proposed project.

Background:

Gisler Middle School operated from 1973 to 1986. Subsequently, Brethren Christian School entered into a lease in 2001 and operated at the site until June 2019. On October 15, 2019, the Board of Trustees of the Huntington Beach City School District adopted a resolution declaring the school as surplus property with the intent to sell. Brookfield Residential submitted the winning bid and entered into a purchase and sale agreement to develop the proposed project.

Study Session:

The proposed project was introduced to the Planning Commission at a study session on September 14, 2021. Some discussion took place regarding the need for a traffic light, a second entrance, retaining walls, recognizing the Gisler family name on site, the Design Review Board recommendation, and AYSO field use. The applicant has prepared their own response to the Planning Commission questions (Attachment No. 12).

ISSUES AND ANALYSIS:

Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	PS(RL) (Public-Semipublic with an underlying designation of Residential Low Density)	PS (Public-Semipublic)	Closed Gisler School
North and West of Subject Property:	RL (Residential Low Density)	RL (Residential Low Density)	Single Family Residences
East of Subject Property:	RL, OS-P (Open Space Park)	RL, OS-PR (Open Space -Park and Recreation)	Single Family Residences, City parking lot
South of Subject Property:	P (Public)	RL	Gisler Park/Edison Right of Way

General Plan Conformance:

The applicant proposes to amend the subject site's General Plan land use designation of PS (RL) (Public-Semipublic with an underlying designation of Residential Low Density) to RL (Residential Low Density). The underlying RL designation indicates the preferred land use designation in the event the site permanently transitions to another use. It allows single-family residential units at a maximum density of 7 dwelling units per acre and is an extension of the designation found on the surrounding single-family residences. The request is also consistent with other closed school sites that have redeveloped to residential use in the recent past such as Wardlow, Lamb, Lebard, and Franklin schools. The project is consistent with the goals and policies of the General Plan as follows:

A. Land Use Element

Goal LU-1 - New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1A - Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1B - Ensure new development supports the protection and maintenance of environmental and open spaces resources.

Policy LU-1C - Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU-1D - Ensure that new development projects are of compatible proportion, scale and character to complement adjoining uses.

Policy LU-2D - Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

Policy LU-2E - Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.

Goal LU-4 - A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy LU-4D - Ensure that single-family residences are of compatible proportion, scale and character to surrounding neighborhoods.

Goal LU-6 - Neighborhood school sites adapt over time to meet the changing needs of the community.

The proposed project is consistent with the RL designation in terms of land use and density. It will redevelop the closed school site into a single-family residential development that is compatible with the character of the neighborhood and meets the changing needs of the community. The proposed residential plans include three architectural styles that are in keeping with the proportion, scale, and character of the neighborhood and consistent with the development standards of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The project provides enhanced landscaping areas along street corners, street side yards, and mid-block. The project will maintain open space resources by improving Gisler Park as a community benefit in association with the request for reduced lot size and width.

B. Housing Element

Policy 1.1 - Preserve the character, scale and quality of established residential neighborhoods.

Policy 2.4 - Utilize surplus publicly owned land for residential use where appropriate and consistent with the City's General Plan.

Policy 3.4 - Explore collaborative partnerships with non-profit organizations, developers, the business community and governmental agencies in the provision of affordable housing.

Goal 4: Reduce potential governmental constraints to housing production and affordability.

The project is located on surplus publicly owned land that is appropriate for residential use. The project is required to meet the City's affordable housing requirement of 10 percent of the proposed dwelling units. The project is proposed as a PUD, which allows for reduced lot size and width with the provision that the developer provides mutual community benefits for the enjoyment of the residents and the public. As such, flexibility with the development standards such as reduced lot size and width provides a mechanism to accommodate additional housing.

Zoning Compliance:

Zoning Map Amendment

The proposed zoning designation for the subject site of RL is in conformance with the proposed General Plan designation and is an extension of the zoning found in the surrounding single-family residences. Development standards require a minimum parcel size of 6,000 square feet, lot width of 60 feet, maximum building height of 35 feet, and lot coverage of 50 percent, unless alternative lot sizes/widths are approved as a PUD with community benefits above and beyond minimum code requirements. Additional development standards are identified in Chapter 210 (Residential Districts).

The adoption of the ZMA will be in conformity with public convenience, general welfare and good zoning practice because the proposed zoning will implement the proposed General Plan land use designation and is compatible with the surrounding neighborhood.
A community need is demonstrated for the change proposed because it will allow a surplus school site to be redeveloped into a residential development that is consistent with the character of the area and will add to the housing stock.

Tract Map/Site Layout/Compatibility

The subdivision is designed so that seven homes will be accessed directly off Strathmoor Lane to continue the existing street scene and foster a connection with the existing residential neighborhood. The remaining homes will have access through private streets that loop through the project and connect to one access point at Strathmoor Lane (located just north of one of the school parking lot driveways) while emergency access is proposed on Bluefield Drive. The private streets comply with the City's standard residential street width of 40 feet curb to curb, which allows parking and sidewalk on both sides. Although no landscape parkway along the curb edge is provided, the project's pedestrian and vehicular access and circulation are adequate.

The existing pedestrian access at end of Panacea Drive shown as Lot B that was dedicated in fee to the City on Tract Map 6893 will no longer be needed for access to the school but will be retained by the City in the interim until vacated in the future. Besides the private streets, other common areas will include an open space lot (Lot A) that will serve as a water quality and detention facility for the project and landscaped areas throughout. To enhance the aesthetics of the development, the project will include landscaped areas along all street side yards, at street corners, mid-block, and along most of the north side of the development next to existing homes.

The applicant has submitted three residential floor plans that are two stories, under 30 feet tall, and range from about 2,800 to 3,200 square feet with up to 4 and 5 bedrooms and 2- and 3-car garages (Attachment No. 7). The proposed homes will be compatible with the homes located in the vicinity by complying with all development standards including building height, lot coverage, setbacks, landscaping, and parking. Furthermore, the new homes minimize overall building mass and scale by incorporating façade breaks, upper floor setbacks, and roof variations into the design of each plan. The project proposes three residential plan types with three architectural styles (Adobe Ranch, Coastal Cottage, and Transitional Farmhouse) that include a variety of traditional architectural elements such as tile roof, stucco, board and batten, siding, brick, awnings, shutters, pot shelfs, corbels, and a color palette compatible with the surrounding area.

The only place where new homes will abut existing homes is along the west side of the development. However, the project provides a good buffer with setbacks of at least 25 feet up to 37 feet, which exceed the minimum required rear setback of 10 feet. Either a street, landscaping, or Gisler Park separates the rest of the new homes from other existing homes.

Planned Unit Development

The project is proposed as a PUD because it includes residential lots with reduced size and width in lieu of minimum 6,000 square feet and 60 feet wide required in the RL zone. PUDs allow for flexibility in development standards to encourage innovative land use development. The proposed residential lots (average 4,952 square feet and 50 feet wide) are larger than most recent examples of other

closed school sites that redeveloped to residential communities with a similar PUD request. The lot sizes range from 4,661 to 9,241 square feet with the most common lot size at 4,750 square feet (50 by 95 feet). The largest lots are proposed along the western boundary where they abut existing homes. Project density is 6.23 dwelling units per net acre, consistent with the proposed RL designation, which permits up to 7 units per acre. Although the request includes reduced lot size/width, the project is designed to meet all development standards such as building height, lot coverage, setbacks, landscaping, and parking.

Closed School Sites with PUD Request		
Project	Average Lot Size	Range of Lot Size
Lamb School (81 homes)	3,600 sq. ft.	3,659 - 6,695 sq. ft.
Wardlow School (49 homes)	4,250 sq. ft.	4,152 - 5,864 sq. ft.
LeBard School (15 homes)	7,216 sq. ft.	6,000 - 10,070 sq. ft.
Franklin School (51 homes)	4,787 sq. ft.	3,870 - 5,835 sq. ft.
Gisler School (85 homes)	4,952 sq. ft.	4,661 - 9,241 sq. ft.

Community Benefits

In accordance with HBZSO Section 210.12 (Planned Unit Development Supplemental Standards and Provisions), the project is required to provide mutual community benefits for the new residents as well as the general public that exceed the minimum infrastructure improvements required for the project itself. The mutual benefits proposed by the applicant include improvements to Gisler Park located immediately south of the project site (Attachment No. 7). The Gisler Park property is owned by Edison but the City has a license agreement to use it for park purposes. The applicant is proposing to:

- Replace the existing tot lot area and construct a new combined play area with new play equipment, benches, and planter areas;
- Replace over 3,500 linear feet of walking path with a 10 foot wide grey concrete path;
- Provide a new walking path in certain sections;
- Replace existing trash cans; and
- Contribute $250,000 towards the installation of sports field lights on a Huntington Beach City School District Property and allow access by a non-profit(s) for recreational use. The money shall be paid to the City prior to issuance of building permits and will be held in an escrow account for two years until the School District is ready to use the funds for the lighting project. The City will have the right to use the funds for another community benefit project if the School District does not complete the lighting project within two years of City Council approval of the project.

These benefits provide a basis for supporting the proposed reduction in lot size and width by providing the City with park and recreation improvements. Community Services staff has had preliminary discussions with Edison about the Gisler Park improvements and does not anticipate Edison taking issue with the improvements.

Conditional Use Permit

The site currently slopes down slightly from east to west. Project grading will require some cut and fill with a net import estimated at approximately 35,000 cubic yards. A more conservative estimate of 50,000 cubic yards was analyzed in the MND in case actual grading were to exceed the current estimate in the conceptual grading plan. Grading which involves soil import/export of over 25,000 cubic yards requires Planning Commission review and approval. The amount of grading proposed and the retaining walls described below are typical of large developments. Staff has reviewed the grading and utility plan to make sure that elevations and retaining walls have been minimized to the greatest extent feasible while allowing the site to function and drain properly.

The project will have retaining walls not exceeding 2 feet tall along most of the project site perimeter and between some proposed residential lots and will be topped with a 6 foot tall wall/fence. The few retaining walls over 2 feet tall topped with a 6 foot tall wall/fence and subject to CUP approval are located primarily along the western corners of the project site on four lots (Lots 14, 15, 25, and L) adjacent to Gisler Park and a couple of existing residences and one location on the northeast corner of the development along the side of Lot 78. The tallest retaining wall is 4.4 feet topped with a 6-foot wall and located on the northwest corner of the project site behind 5 feet of common area landscaping that the applicant intends to convey to the abutting property owners. The rest are buffered by Gisler Park or common area landscaping to soften their appearance and not be a detriment to the neighborhood.

Quimby Act and Affordable Housing

The Community Services and Library Department has determined that additional public park area within the project area is not needed. Therefore, the project will pay park and recreation in lieu fees to satisfy Quimby Act requirements pursuant to Chapter 254 of the HBZSO.

Pursuant to HBZSO Section 230.26, the project is required to comply with affordable housing requirements and provide 10 percent of the 85 dwelling units proposed (8.5 units) to income qualifying households. The restricted income units may be provided on-site with the new development or off-site at another location controlled by the applicant. The applicant typically proposes how they intend to meet the affordable housing obligations upon submittal of their entitlement applications. However, the Planning Commission recently recommended approval of a revised affordable housing ordinance that would allow all for sale projects, like Gisler Residential, to pay in lieu fees, which is what the applicant is proposing to do. The City Council is set to consider the updated ordinance on September 21, 2021. If the updated ordinance is not adopted to allow the applicant to pay in lieu fees, then the applicant would be required to comply with the affordable housing requirements in another way (e.g. on-site or off-site affordable units).

Residential Privacy Standards

The project complies with the City's Residential Privacy Standards, which requires bedroom and bathroom windows above the first floor to be offset from bedroom and bathroom windows above the first floor on existing adjacent single-family residences. The project proposes new homes that will abut six existing homes generally on the west side of the project. However, only one of the existing homes has an upper story window and it will face the rear yard on Lot 15. Upper story balconies must be oriented toward the subject home's front and rear yards, a public street, or permanent open space. None of the residential plans proposed for this project include a balcony.

Urban Design Guidelines Conformance:

The project, as modified by suggested conditions, is in substantial conformance with the Urban Design Guidelines, Chapter 2 (Single-Family Detached Residential) by providing:

- Ornamental landscaping and enhanced paving at the project entrance;
- Landscaping throughout the development that frames, softens, and enhances the quality of the development;
- Architecture that is compatible with the surrounding buildings and meets or exceeds the standards of quality, which have been set by surrounding development;
- Architectural elements such as windows, doors, cornice elements, etc. that create a rhythmic composition;
- Varied building design with significant difference in the massing and composition of each adjacent house;
- Elevations that are architecturally enhanced;
- Roof designs that complement qualities of the neighboring residential structures such as type, slope, size, materials, and colors;
- Through streets that provide access to all lots with parking and sidewalk on both sides;
- Open space in close proximity to every dwelling; and
- Walls and fences with enhanced materials such as masonry with pilasters and raised planters along the most visible segments.

Environmental Status:
A Mitigated Negative Declaration (MND) was prepared for the project (Attachment No. 11) and concludes that no significant impacts are anticipated with implementation of mitigation measures in the areas of biological resources, cultural resources, geology, noise, transportation, and tribal cultural resources. The MND was available for a 20-day public review period from July 22 to August 10, 2021. A response to the six comment letters received (Attachment No. 10) is attached for Planning Commission review prior to action on the project.

Coastal Status:
Not applicable.

Design Review Board:
The Design Review Board reviewed the design, colors, and materials of the project at their August and September 2021 regular meetings and recommended approval with modifications to incorporate additional enhancements to the architecture of the homes and the design of the tract wall. These modifications have been incorporated in the TTM and CUP suggested conditions of approval.

Other Departments Concerns and Requirements:
Public Works, Building, Fire, Police, and Community Services staff reviewed the proposed project and identified code requirements applicable to the project (Attachment No. 8). The Public Works Department has identified some conditions that have been incorporated into the suggested conditions of approval (Attachment No. 1)

Community Meetings:
The applicant conducted community meetings in August 2020, January 2021, and August 2021 to explain the project, provide updates, and respond to questions and concerns.

Public Notification:
Legal notice was published in the Huntington Beach Wave on Thursday, September 16, 2021 and notices were sent to property owners of record within a 1,000 ft. radius of the subject property,

individuals/organizations requesting notification (Community Development Department's Notification Matrix), and applicant. Written communications received as of September 21, 2021 are attached to this staff report (Attachment No. 9).

Application Processing Dates:

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
August 16, 2021	MND - Within 180 days of complete application GPA/ZMA/TTM/CUP - None

SUMMARY:

Staff recommends the Planning Commission recommend approval of GPA No. 20-002 and ZMA No. 20-002 with findings (Attachment No. 1) to the City Council and approve MND No. 20-002, TTM No. 19136, and CUP No. 20-024 with findings and conditions (Attachment No. 1).

This recommendation is based on the following:

- The MND is adequate, complete, and has identified all significant effects of the project and any applicable mitigation measures.
- The GPA, ZMA, TTM, and CUP are consistent with the General Plan and its goals and policies.
- The GPA, ZMA, TTM, and CUP are compatible with the surrounding area.
- The proposed homes will be compatible with surrounding residential development with respect to height, setbacks, and architecture.
- The proposed project complies with the provisions of the HBZSO with the exception of the reduced residential lot size and width.
- The project adds to the City's housing stock.
- The project will be developed as a PUD and provide mutual community benefits including improvements to Gisler Park and a $250,000 contribution towards the installation of sports field lights on a Huntington Beach City School District Property and allow access by a non-profit(s) for recreational use.

ATTACHMENTS:

1. Suggested Findings of Approval for MND No. 20-002, ZMA No. 20-002, TTM No. 19136, and CUP No. 20-024
2. Draft City Council Resolution for GPA No. 20-002
3. Draft City Council Ordinance for ZMA No. 20-002
4. Vicinity Map
5. Project Narrative received and dated Aug. 27, 2021
6. Existing and Proposed General Plan Land Use and Zoning Maps
7. Project Entitlement Plans dated July 14, and August 27, 2021
8. Code Requirements Letter (for informational purposes only) dated September 16, 2021
9. Letters in Opposition/Support
10. Response To Comments Draft MND No. 20-002
11. Draft MND No. 20-002 - available at <https://www.huntingtonbeachca.gov/government/departments/planning/major/major-projects-view.cfm?
12. Applicant's Response to Planning Commission Study Session Questions
13. Mitigation Monitoring and Reporting Program