



Legislation Details (With Text)

File #:	24-339	Version:	1	Name:	
Type:	Consent Item	Status:		Agenda Ready	
File created:	4/8/2024	In control:		Planning Commission	
On agenda:	4/17/2024	Final action:			
Title:	SUBJECT: Accept the Modified Resolution Recommending Denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, and Adopt a Resolution of Denial for Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02.				

ACTION

PLANNING COMMISSION:

Accept the Modified Resolution Recommending Denial for:

- 1) Environmental Review #23-45 (Mitigated Negative Declaration)
- 2) General Plan Amendment #23-05
- 3) Zone Change #434
- 4) Establishment of Planned Development (P-D) #81

Accept the Modified Resolution of Denial for:

- 1) Environmental Review #23-45 (Mitigated Negative Declaration)
- 2) Conditional Use Permit #1276
- 3) Site Plan Review Permit #538
- 4) Minor Use Permit #24-02

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #23-45 (Mitigated Negative Declaration)
- 2) General Plan Amendment #23-05
- 3) Zone Change #434 (on appeal)
- 4) Establishment of Planned Development (P-D) #81
- 5) Conditional Use Permit #1276 (on appeal)
- 6) Site Plan Review Permit #538 (on appeal)
- 7) Minor Use Permit #24-02 (on appeal)

SUMMARY

On April 3, 2024, the Planning Commission held a public hearing and voted unanimously (7-0) to recommend denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, and associated environmental review, and to deny Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and associated environmental review. Staff modified the draft resolutions and findings, based on the reasons provided by the Planning Commission, and is asking the Planning Commission to accept the modified resolutions. The draft resolutions are attached for consideration and action at Attachments A and B.

RECOMMENDATION

Planning staff recommends accepting the modified resolution recommending denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, found at Attachment A of Staff Report #24-339, subject to modified Findings as described in the Planning Commission Resolution at Attachment A. Planning staff also

recommends accepting the modified Resolution of Denial for Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02 found at Attachment A of Staff Report #24-339, subject to the modified Findings as described in the Planning Commission Resolution at Attachment B.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - PC Resolution #4129.pdf, 2. Attachment B - PC Resolution #4130.pdf, 3. Attachment C - Appeal Letter.pdf

Date	Ver.	Action By	Action	Result
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Planning Commission Staff Report

Report Prepared by: Francisco Mendoza-Gonzalez, Senior Planner, Development Services Department

SUBJECT: Accept the Modified Resolution Recommending Denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, and Adopt a Resolution of Denial for Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02.

ACTION

PLANNING COMMISSION:

Accept the Modified Resolution Recommending Denial for:

- 1) Environmental Review #23-45 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-05
- 3) Zone Change #434
- 4) Establishment of Planned Development (P-D) #81

Accept the Modified Resolution of Denial for:

- 1) Environmental Review #23-45 (*Mitigated Negative Declaration*)
- 2) Conditional Use Permit #1276
- 3) Site Plan Review Permit #538
- 4) Minor Use Permit #24-02

CITY COUNCIL:

Approve/Disapprove/Modify:

- 1) Environmental Review #23-45 (*Mitigated Negative Declaration*)
- 2) General Plan Amendment #23-05
- 3) Zone Change #434 (on appeal)
- 4) Establishment of Planned Development (P-D) #81
- 5) Conditional Use Permit #1276 (on appeal)
- 6) Site Plan Review Permit #538 (on appeal)

7) Minor Use Permit #24-02 (on appeal)

SUMMARY

On April 3, 2024, the Planning Commission held a public hearing and voted unanimously (7-0) to recommend denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, and associated environmental review, and to deny Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and associated environmental review. Staff modified the draft resolutions and findings, based on the reasons provided by the Planning Commission, and is asking the Planning Commission to accept the modified resolutions. The draft resolutions are attached for consideration and action at Attachments A and B.

RECOMMENDATION

Planning staff recommends accepting the modified resolution recommending denial to the City Council for General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81, found at Attachment A of Staff Report #24-339, subject to modified Findings as described in the Planning Commission Resolution at Attachment A. Planning staff also recommends accepting the modified Resolution of Denial for Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02 found at Attachment A of Staff Report #24-339, subject to the modified Findings as described in the Planning Commission Resolution at Attachment B.

DISCUSSION

On April 3, 2024, the Planning Commission held a public hearing and voted unanimously to recommend denial to the City Council for General Plan Amendment #23-05, Zone Change #434, Establishment of Planned Development (P-D) #81, and associated environmental review, and denying Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and associated environmental review.

As shown at Attachments A and B, the Planning Commission's basis for recommending denial for certain entitlements to the City Council and denying certain entitlements for this project (both unanimously by a vote of 7-0) includes concerns about the loss of land available for housing; traffic concerns, especially with large vehicles; neighborhood compatibility; and the site being better suited for housing than a self-storage facility.

On April 9, 2024, the applicant filed an appeal to the City Council regarding the Planning Commission's recommendation of denial to the City Council for General Plan Amendment #23-05, Zone Change #434, Establishment of Planned Development (P-D) #81, and associated environmental review. Under the same appeal letter, the applicant also appealed the Planning Commission's denial of Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and associated environmental review (Attachment C).

Findings/Considerations

Please refer to the Draft Planning Commission Resolutions at Attachments A and B

ATTACHMENTS

- A. Modified Planning Commission Resolution Recommending Denial to the City Council for - General Plan Amendment #23-05, Zone Change #434, and Establishment of Planned Development (P-D) #81
- B. Modified Planning Commission Resolution of Denial for - Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02
- C. Letter of Appeal from the Applicant to the City Council