

CITY COUNCIL MEETING AGENDA STAFF REPORT

Agenda Item No. 8. B. (2)

Department: Community Development

Meeting Date: 10/22/2019

Ordinance No. 1808

Resolution Nos. 6405, 6406, and 6412

AGENDA TITLE: PUBLIC HEARING: ADOPTION OF GENERAL PLAN AMENDMENT AND ZONE CHANGE, AND CALL FOR REVIEW OF PLANNING COMMISSION ACTION APPROVING SITE PLAN REVIEW (SPR #11-18) AND TENTATIVE TRACT MAP (TTM #6-18), ALL RELATING TO A 114-UNIT TOWNHOME COMMUNITY LOCATED AT 1515 W. 178TH STREET AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR ALL ACTIONS AND ADOPTION OF A MITIGATION MONITORING PROGRAM FOR THE TENTATIVE TRACT MAP AND SITE PLAN REVIEW (APNs: 6106-013-040 and 6106-013-041)(EA #20-18)

- a) RESOLUTION NO. 6405, Adopting a Mitigated Negative Declaration for a General Plan Amendment (GPA #2-18), Zone Change (ZC #3-18), tentative tract map (TTM #6-18), and site plan review (SPR #11-18) relating to the property located at 1515 W. 178th Street and Mitigation Monitoring Program for the Tentative Tract Map and Site Plan Review
- b) RESOLUTION NO. 6406, Approving a General Plan Amendment (GPA #2-18) from Industrial with a Mixed Use Overlay to High Density Residential, relating to the 5.63 acre property located at 1515 W. 178th Street
- c) ORDINANCE NO. 1808, Approving a Zone Change from General Industrial (M-2) with a Mixed Use Overlay (MUO) to High Density Multiple-Family Residential (R-4) for the property located at 1515 W. 178th Street
- d) RESOLUTION NO. 6412, Acting upon the call for review and approving a Tentative Tract Map (TTM #6-18, TTM #82390) and Site Plan Review (SPR #11-18) all relating to the property located at 1515 W. 178th Street

RECOMMENDATION:

Staff respectfully recommends that Council:

- 1. Open the Public Hearing;
- 2. Adopt Resolution Nos. 6405, 6406, and 6412; and
- 3. Introduce Ordinance No. 1808.

PROJECT DESCRIPTION:

On December 5, 2018, the applicant, Melia Homes, filed an application to develop a 114-unit residential project consisting of attached townhomes in 22 buildings on two parcels located at 1515 West 178th Street (the "Property"). The Project site is 5.6 gross acres consisting of two

properties located on the north side of 178th Street between Western Avenue to the west and Normandie Avenue to the east. The project site's topography is relatively flat and the dimensions of the subject property are approximately 447 feet deep by 551 feet wide. The site is fully improved and developed with a 105,036-square-foot industrial building and surface parking lot. The site is currently used as an industrial trucking and distribution facility, including maintenance and storage of trucking vehicles and trailers. The applicant *originally* proposed the following (see Attachment 4, Exhibits B and C):

- 287 parking spaces (228 parking spaces in garages and 59 guest parking spaces);
- A total of 15,937 square feet of private open space via ground level patios and 7,220 square feet of private balconies;
- A total of 48,579 square feet of common and general open space via courtyards, paseos, a swimming pool area, pocket park, and other recreational and open space areas; and
- Landscaping throughout the development.

Vehicular and pedestrian access is proposed from 178th Street via a two-way driveway and pedestrian walkway and main gate. A secondary driveway is proposed in the western portion of the project site for emergency purposes only. All garages are located away from public view. Eight buildings will be located along 178th Street with the remaining buildings located behind the frontage buildings. The interior units will front a courtyard area and pedestrian walkways creating a village-like feel. The entire development will be surrounded by perimeter walls.

As modified in accordance with Planning Commission direction (Attachment 10) the project now provides:

- 294 parking spaces (228 parking space in garages and 66 guest parking spaces); and
- A total of 48,868 square feet of common and general open space.

The project site is bounded to the north by commercial (C-3 zone), to the east by general industrial (M-2 zone), to the south by industrial (M-1 zone), and to the west by medium-density residential within a mixed use overlay (R-3, MUO).

BACKGROUND:

An Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring Program (MMP) were prepared by the City's Consultant, and the documents were circulated for a 20-day review period. A public hearing was noticed for the September 17, 2019 Planning Commission meeting.

During the public hearing the Planning Commission raised issues relating to the deficiency of park land in that portion of the City. Additionally, public comments were raised regarding General Plan consistency, traffic, and parking (Attachment 8). Letters addressed to the Planning Commission were received after the fact complaining about these and other issues (Attachment 9).

At the close of the hearing, the Planning Commission adopted PC Resolution No. 16-19 (Attachment 6), which approved the MND and adopted the Mitigation Monitoring Reporting Program for the Tract Map and Site Plan Review and recommended that the City Council approve the MND for the General Plan Amendment and Zone Change; and adopted PC Resolution No.

17-19 (Attachment 7) which approved the Tract Map and Site Plan Review with direction to the applicant to work with the City to create more usable open space on the project site, and recommended that the City Council approve the General Plan Amendment and Zone Change.

On September 24, 2019, an email was received from a neighborhood resident indicating the desire to appeal the project (the “Haase Appeal”; Attachment 10). The Haase Appeal again raised the issues of General Plan consistency, traffic in the residential neighborhood, and parking issues. Before the Haase Appeal could be perfected by filing the proper form with an appeal fee, on September 24, 2019, Council Member Henderson called for review so that the City Council could see the entire Project.

After the Planning Commission meeting, the applicant submitted a revised sheet showing the reconfigured open space areas to make the portion along the north side more usable (Attachment 11). The change resulted in an increase of an additional 289 square feet of open space as well as the addition of seven more parking spaces as discussed in more detail below.

	Reviewed by Planning Commission	“Reprogrammed” Plan	Difference
Total Parking	287 sps.	294 sps.	+7 sps.
Garage Parking	228 sps.	228 sps.	No change
Guest Parking	59 sps.	66 sps.	+7 sps.
Total Common OS	48,579 SF	48,868 SF	+289 SF
Rear Portion OS	11,792 SF	12,081 SF	+289 SF
TOTAL OS	71,736 SF	72,025 SF	+289 SF
OS/Unit (600 SF/Unit req'd)	629 SF/Unit	632 SF/Unit	+3 SF/Unit

The Planning Commission’s staff report supporting approval for the Project and resolutions of approval are attached hereto to provide further detail on the Project (Attachments 5-7). This staff report concentrates on the issues raised since the time of the Planning Commission report’s preparation as well as nuisance issues in the neighborhood.

NUISANCE ISSUES

The Project site is immediately adjacent to a mobile home park consisting of 202 units. The project site is fully improved and developed with a 105,036-square-foot industrial building and surface parking lot. The site is currently used as an industrial trucking and distribution facility for RoadEx and includes the maintenance and storage of trucking vehicles and trailers.

Throughout the years the City has received numerous complaints from the mobile home park residents regarding noise, late night operations, odors, fumes, truck idling, trucks parking on the street blocking traffic, and trash. The majority of the complaints are related to trucking activity, particularly loud noise often occurring late at night or early morning. A common complaint involves the beeping noise when trucks back up, and trucks idling or parking in the middle of the street, including the “no parking” zone, obstructing traffic. (See Attachment 12.) As such, staff finds that

the trucking use is not compatible with the adjacent residential neighborhood and the property would be better suited for pure residential development.

GENERAL PLAN/ZONING CONSISTENCY ISSUES

The current General Plan land use designation is Industrial with a Mixed-Use Overlay. The zoning is General Industrial (M-2) with a Mixed-Use Overlay (MUO). Under both the General Plan and zoning, residential development of up to 30 units per acre is allowed on this property and the minimum density is required to be 20 units per acre in compliance with the State Department of Housing and Community Development's directive on a past Housing Element.

The Project could have been developed under the existing General Plan and zoning except for the fact that the Mixed-Use Overlay requires a live-work or commercial component. As the Project site lies mid-block with residential uses to the west and south and industrial to the east, the site is not conducive to commercial uses.

In 2006 a previous residential project had been proposed for the site and the General Plan Amendment and zone change had been denied. Based on such denial, the property owner sought other industrial users for the property. The current trucking use came into existence in 2011 and the nuisance complaints started in 2014 (see Attachment 12), showing the industrial use is not compatible with the adjoining properties.

In the intervening years the housing crisis in California has worsened and housing has become a top priority for the State. This development offers a range of two, three, and optional four bedroom units. The development also provides amenities that are not available at other residential developments within the City. Additionally, with the change to a vehicles miles travelled analysis (VMT) the State is now pushing infill type of developments in order to reduce greenhouse gas impacts. With the passing time and the change in circumstances, the project is now considered to be consistent with the General Plan.

The Proposed project is consistent with the housing that was contemplated for the area and will implement a number of General Plan Goals and Policies as follows:

- LU 1.1: Promote sound housing and attractive and safe residential neighborhoods.
 - The proposed project will provide 114 attached condominium units in a well-designed, gated townhome community.
- LU 1.2: Protect existing sound residential neighborhoods from incompatible uses and development.
 - The proposed project will be compatible with the mobilehome park to the west and residential neighborhood further south.
- LU 1.4: Locate new medium- and high-density residential developments near neighborhood and community shopping centers with commensurate high levels of community services and facilities.
 - The proposed project will be in close proximity to commercial shopping centers to the north and the Harbor Gateway Transit Center to the east.
- LU 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multifamily residential developments.

- The proposed project will include a swimming pool, tot lot, recreational open space area, off-street parking, and pedestrian walkways in a multifamily condominium community.
- *LU 1.6: Ensure residential densities are compatible with available public service and infrastructure systems.*
 - The project site is located in a developed area where there is adequate public service from police and fire and adequate water, sewer, electrical, and gas systems.
- *LU 1.8: Minimize through-traffic on residential streets.*
 - The proposed project will provide a main driveway and a secondary driveway for emergency purposes only. All traffic will take ingress and egress from 178th Street, and the majority of vehicles will be from Normandie Avenue to the east and Western Avenue to the west. Traffic onto the residential streets to the south is expected to be minimal.
- *LU 1.11: Design infill development to be compatible and consistent with the existing low-density character of residential neighborhoods.*
 - The proposed project is for an infill development that includes the demolition of an industrial building and construction of a condominium townhome community. The proposed project is consistent with the mobilehome park to the west and the residential neighborhood further south. Furthermore, the proposed project helps satisfy a continued need for housing within the City.
- *LU 1.12: Require infill development to provide adequate amenities to minimize the impact of such development on the immediate neighborhood and on City services generally, including off-street parking to meet the additional demand placed on street parking.*
 - The proposed project will provide 228 garage parking spaces and 66 guest parking spaces for a total of 294 spaces. The guest parking is nine spaces in excess of the required guest spaces. The proposed project will include a swimming pool, tot lot, and recreational open space areas.
- *DS 2.2: Ensure that new and remodeled dwelling units are designed with architectural styles, which are varied and are compatible in scale and character with existing buildings and the natural surroundings.*
 - The proposed buildings will have a contemporary design that includes a variety of materials and colors. The scale and character of the buildings are consistent with a three-story townhome development. Units will be accessed via a courtyard and parking will be accessed via a rear driveway.
- *DS 2.3: Encourage a variety of architectural styles, massing, floor plans, color schemes, building materials, façade treatments, elevation and wall articulations.*
 - The proposed project will have three types of building designs and four floor plans. The buildings will be articulated using a variety of colors and materials.
- *DS 2.10: Provide landscape treatments (trees, shrubs, groundcover, and grass areas) within multi-family development projects in order to create a “greener” environment for residents and those viewing from public areas.*
 - Landscaping includes a variety of trees, shrubs, and groundcover. Interior buildings will be separated by landscaped courtyards. Recreational and passive open space areas will be provided in the northern portion of the lot.

- *DS 2.11: Incorporate quality residential amenities such as private and communal open spaces into multi-unit development projects in order to improve the quality of the project and to create more attractive and livable spaces for residents to enjoy.*
 - The proposed project includes 15,937 square feet of private patios, 7,220 square feet of balconies, and 48,868 square feet of common open space. In total, the project provides 72,025 square feet of common and private open space or approximately 632 square feet of open space per unit, which is more than the 600 square feet of open space required.
- *DS 2.12: Provide well-designed and safe parking areas that maximize security, surveillance, and efficient access to building entrances.*
 - The proposed project will be gated with a single entry from 178th Street. Two garage spaces are provided for each unit and all guest parking will be behind the gate. Additionally, a homeowners association will be established that will handle the maintenance and security of the community in the future.
- *DS 2.14: Require design standards be established to provide for attractive building design features, safe egress and ingress, sufficient parking, adequate pedestrian amenities, landscaping, and proper signage.*
 - The proposed project has been attractively designed with various architectural features. The project provides safe egress and egress onto 178th Street to the south. There is sufficient resident and guest parking onsite. Pedestrian amenities include walkways, a swimming pool area, and recreational open space areas. The project will be landscaped throughout and adequate directional signage will be provided.
- *PS Goal 3 – Protect public health, safety and the environment from exposure to hazardous materials and other dangers.*
 - The proposed residential use is more compatible with the existing residential neighborhood than the existing trucking facility. Hence, the proposed project will further protect the public health, safety and the environment from exposure to hazardous materials and other dangers that are associated with industrial uses. Additionally, as documented in the Initial Study/Mitigated Negative Declaration, the soil on a portion of the property is contaminated. Prior to being allowed to build any residential units, the Property will be remediated to the satisfaction of the responsible County agency.

OPEN SPACE CONCERNS

The Planning Commission raised concerns regarding the lack of open space in the general area for future residents.

Under the Zoning Code, the Project must provide 600 square feet of open space per unit, divided between private and common. Had a project been developed under the Mixed Use Overlay, the open space requirement would only have been 150 square feet per unit. In total, this Project is now providing 632 square feet per unit resulting in just over 3,300 square feet of open space above the minimum requirement. Part of the proposed open space includes a pool area, an amenity which has not been provided in recent developments. The pool area will include showers and restrooms, as well as a built-in BBQ entertainment counter and shade structure.

In addition to the pool area, the Project originally included a parkway along the northern side of the Project site with a meandering path; there were 15 parallel parking spaces along the back path. (See Attachment 4, Exhibit C, page L-1.)

The Developer has been responsive to the Planning Commission's concerns. The Project has been redesigned so that the areas at the east and west ends of the northern boundary are wider and can be used for more active uses. This "reprogrammed" area still includes the pathway, but the area has been redesigned to include more usable recreational open space and includes a tot lot, picnic tables, and seating. As an added bonus, redesigning the area provided an additional seven parking spaces. (See Attachment 11.)

Comparison Between Original and Reprogrammed Open Space Areas

	West Side	Center	East Side	Parking
Original Project Design	27' x 65'	18'7" x 409'	27' x 57'	15 parallel spaces
Revised Project Design	27' x 210'	18'7" x 201'	27' x 120'	22 head-in spaces
Difference	Larger active recreational open space area	Area redesigned to accommodate head-in spaces	Larger active recreational open space area	7 additional guest parking spaces

Amenities of "Reprogrammed" Northern Portion of Project Site



In addition to redesigning the open space, the Project will also be required to satisfy Chapter 17.20 of the Gardena Municipal Code which requires the developer to either dedicate parkland or pay in-lieu fees to the City as a tract map requirement. The dedication for this Project amounts

to .99 acres, or almost 20% of the entire site. The City has consistently required an in-lieu park fee instead of dedication. This Project will provide \$979,884.35 in park fees.

PARKING

While acknowledging that the parking meets the City's Code requirements, the Haase Appeal nevertheless raises a concern about Project parking spilling over into the residential neighborhood. The Haase Appeal surmises that people will fill their garages with stuff rather than cars and/or have more than two vehicles per unit. However, this supposition is both unfounded regarding the number of vehicles and incorrect regarding the garages. Unlike in the H-B and R-1 zones which surround the project site, this Project has specifically been conditioned to require that garages be kept available for parking two vehicles. The Homeowner's Association, as well as the City, may enforce this requirement. Census data indicates that the average number of cars per household in Gardena is two cars.

Parking is no longer a CEQA issue unless there will be environmental impacts associated with inadequate parking. As stated above, the parking meets the City's requirements and actually exceeds guest parking by nine spaces. As evidenced by the Trip Generation memo prepared for this Project, during the day there were at least 78 people who were observed parking on 178th Street or Denker Avenue and walking into the site; therefore, this Property is already generating neighborhood parking. In addition to Project parking on-site, there is unrestricted street parking for much of 178th Street. The frontage of the Project provides space for 18 parking spaces.

The street parking is currently being used by trucks associated with the current industrial use. Over the Labor Day weekend, the Assistant City Attorney observed trucks parked on both sides of 178th Street. Trucks were also observed parked on 178th Street during the daytime hours as reported in the Trip Generation Memo and again by staff on September 30, 2019. By approximately 6 p.m. during the week 178th Street approximately 50% of the spaces were available, again showing that parking should be available during nights and weekends, which are expected to be the time when parking spaces are most needed.

Should parking become a problem at some future point, the City could look at solutions such as creating a parking district. But no parking impacts are expected from this Project.

178th Street Looking Westbound in Front of Project Site (9/30/19)



TRAFFIC CUT-THROUGH

The Haase Appeal raises the concern that traffic will cut-through the residential neighborhood to the south. Project trips are estimated based on the Institute of Traffic Engineer's ("ITE") manual which are based on actual studies, not on the unsupported suppositions set forth in the Haase Appeal. According to the ITE manual, the Project will create a total of 620 daily trips: 41 will be during the AM peak hour period (6 a.m. to 9 a.m.) and 51 will be during the PM peak hour period (3 p.m. to 7 p.m.). The north-south streets in the area are considered local streets and designed to carry low volumes of traffic to individual parcels throughout the City.

In order to confirm that the Project would not create any significant environmental impacts, Kimley-Horn, the City's environmental consultant, prepared a Traffic Distribution Analysis. (Exhibit D to Attachment 1.) This Analysis shows that the two north-south streets that would likely be used would be Denker and Evelyn Avenues, which are the two streets closest to the project site. The Traffic Engineer's calculations, summarized below, show that there will be no impacts on the north-south local streets.

AM PEAK HOUR TRIPS

<u>AM PEAK Traffic - Outbound</u>	<u>AM PEAK Traffic – Inbound</u>	<u>Total AM PEAK Trips</u>
<ul style="list-style-type: none">• 178th – 14 westbound to Western• 178th - 13 eastbound to Normandie• Denker – 1 southbound to 182nd• <u>Evelyn – 2 southbound to 182nd</u> Total – 30 outbound trips	<ul style="list-style-type: none">• 178th – 4 eastbound from Western• 178th –5 westbound from Normandie• Denker – 1 northbound to Project• <u>Evelyn – 1 northbound to Project</u> Total – 11 inbound trips	<ul style="list-style-type: none">• 178th – 18 to Western• 178th – 18 to Normandie• Denker – 2• <u>Evelyn - 3</u> Total – 41 trips

PM PEAK HOUR TRIPS

<u>PM PEAK Traffic - Outbound</u>	<u>PM PEAK Traffic – Inbound</u>	<u>Total PM PEAK Trips</u>
<ul style="list-style-type: none">• 178th – 9 westbound to Western• 178th - 9 eastbound to Normandie• Denker – 1 southbound to 182nd• <u>Evelyn – 1 southbound to 182nd</u> Total – 20 outbound trips	<ul style="list-style-type: none">• 178th – 15 eastbound from Western• 178th –13 westbound from Normandie• Denker – 1 northbound to Project• <u>Evelyn – 2 northbound to Project</u> Total – 31 inbound trips	<ul style="list-style-type: none">• 178th – 24 to Western• 178th – 22 to Normandie• Denker – 2• <u>Evelyn - 3</u> Total – 51 trips

OTHER ISSUES

The letters raised after the Planning Commission hearing raised issues relating to egress in case of emergency, sewage, and Edison lines. None of these issues have merit. With regard to egress, there is a second emergency entrance/exit on the west side of the project along 178th. The Public Works Department has reviewed the project and the conditions have been imposed relating to paying sewer fees and installing new lift station pumps. The plans were also reviewed by Southern California Edison which did not have a problem with the project.

RECOMMENDATION

Staff recommends the City Council take the following actions:

- 1) Approve Resolution No. 6405 (Attachment 1) which approves the Mitigated Negative Declaration for the General Plan Amendment, Zone Change, Tentative Tract Map, and Site Plan Review and approves the Mitigation Monitoring Program for the Tentative Tract Map and Site Plan Review;
- 2) Approve Resolution No. 6406 (Attachment 2) which approves the General Plan Amendment changing the land use designation for the property from Industrial with a Mixed Use Overlay to High Density Residential;
- 3) Introduce Ordinance No. 1808 (Attachment 3) which approves the Zone Change changing the zoning of the property from General Industrial (M-2) with a Mixed-Use Overlay (MU) to High Density residential (R-4);
- 4) Approve Resolution No. 6412 (Attachment 4) which approves the Tentative Tract Map and Site Plan Review on the call for review from Council Member Henderson, including conditions that the Tract Map and Site Plan shall be revised to conform to the Revised Open Space Enlargement.

ATTACHMENTS

1. Resolution No. 6405 – Approving Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program
 - Exhibit A – Draft IS/MND dated August 2019 (Appendices included on CD)
 - Exhibit B – Mitigation Monitoring and Reporting Program
 - Exhibit C – Comment Memo
 - Exhibit D – Traffic Distribution Analysis
2. Resolution No. 6406 – Approving General Plan Land Use Change
 - Exhibit A – General Plan Land Use Map Change
3. Ordinance No. 1808 – Approving Zoning Change
 - Exhibit A – Zoning Map Change
4. Resolution No. 6412 – Approving Tract Map and Site Plan
 - Exhibit A - Tract Map dated 3/4/19 (full set on file)
 - Exhibit B - Site Plan dated Aug. 29, 2019 (full set on file)
 - Exhibit C – Landscape Plans dated May 17, 2019
 - Exhibit D – Conditions of Approval
5. Planning Commission staff report
6. Planning Commission Resolution No. 16-19 (without attachments)
7. Planning Commission Resolution No. 17-19 (without attachments)
8. Haase email to Planning Commission
9. Letters received after the Planning Commission meeting
10. Haase email to City Council re: appeal
11. Revised Open Space Enlargement Plan dated October 2, 2019
12. Nuisance Issues (Case Details)