

ORDINANCE NO. 1808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, APPROVING ZONE CHANGE #3-18 CHANGING THE ZONING OF PROPERTY LOCATED AT 1515 WEST 178TH STREET FROM GENERAL INDUSTRIAL (M-2) WITH A MIXED USE OVERLAY (MUO) TO HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-4)

(ZC #3-18; APNS: 6106-013-040 and 6106-013-041)

WHEREAS, on December 5, 2018, the applicant, Melia Homes, filed an application to develop a 114-unit residential condominium project consisting of attached three-story townhome style condominiums in 22 buildings on a 5.63 acre property located at 1515 West 178th Street (the "Property"); and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the "Project") are required: General Plan Amendment changing the land use designation from Industrial with a Mixed Use Overlay to High Density Residential (GPA #2-18); Zone Change to change the zoning from General Industrial (M-2) with a Mixed-Use Overlay (MUO) to High Density Multiple-Family Residential (R-4); Tract Map to create 114 airspace condominium lots (TTM No. 82390); and Site Plan Review for the proposed Project (SPR #11-18); and

WHEREAS, a Mitigated Negative Declaration ("MND") was prepared for the Project and the draft MND was circulated for a 20-day public review period between August 15, 2019, and September 3, 2019; and

WHEREAS, on September 17, 2019, the Planning and Environmental Quality Commission ("Planning Commission") of the City of Gardena held a duly noticed public hearing on the draft IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted PC Resolution No. 16-19 which approved the MND and adopted the Mitigation Monitoring Reporting Program ("MMRP") for the Tentative Tract Map and Site Plan Review and recommended that the City Council approve the MND for the General Plan Amendment and Zone Change; and approved PC Resolution No. 17-19 which approved the Tentative Tract Map and Site Plan Review and recommended that the City Council approve the General Plan Amendment and Zone Change; and

WHEREAS, on September 24, 2019, the City received an email from a resident indicating that they wanted to appeal the Planning Commission's decision primarily based on traffic and parking impacts ("Haase Appeal"); and

WHEREAS, during the September 24, 2019, City Council Meeting, prior to the resident being able to perfect the appeal, Council Member Henderson called the Planning Commission's item for review; and

WHEREAS, after the Planning Commission's September 17, 2019, hearing, the applicant submitted a revised Open Space Enlargement Plan dated October 2, 2019 modifying the open space to be more usable; and

WHEREAS, on October 22, 2019, the City Council held a duly noticed public hearing on the Project at which time it considered all evidence, both written and oral; and

WHEREAS, after the close of the public hearing and prior to adopting this Ordinance the City Council adopted Resolution No. 6405 approving the Mitigated Negative Declaration for the General Plan Amendment, Zone Change, Tentative Tract Map, and Site Plan Review and approved the Mitigation Monitoring and Reporting Program for the Tentative Tract Map and Site Plan Review, and approved Resolution No. 6406 approving a General Plan Amendment changing the land use designation of the property to High Density Residential, and approving the Tentative Tract Map and Site Plan on the call for review;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. APPROVAL AND FINDINGS – ZONE CHANGE.

A. Section 18.52.010 of the Gardena Municipal Code provides that the land use and zoning of property may be amended "[w]henver the public necessity, convenience, general welfare, or good land use and zoning practices require. . ." The City Council hereby approves the zone change for the Property from General Industrial (M2) with a Mixed Use Overlay (MUO) to High Density Multiple-Family Residential (R-4) as shown on Exhibit A, attached hereto.

B. In taking this action, the City Council finds that the change is in the best interests of the general welfare and represents good land use planning practices, including, but not limited to the following reasons:

1. The property to the west is developed with a mobilehome park which has been negatively impacted by the industrial use at the Property. Residential condominiums will be more compatible with the adjacent mobilehome residential use.

2. The Property was designated with a Mixed Use Overlay designation which would have allowed housing of up to 30 units per acre and would have reduced the open space requirement from 600 square feet per unit to 150 square feet per unit. However, in order to build housing under the Mixed-Use designation it is necessary to have a component of commercial uses. Given the location of this Property, commercial uses would not be a viable option.

3. As there continues to be a need for housing in Gardena, and California in general, changing the land use designation to allow high-density multi-family housing makes good planning sense.

4. The change in zoning is consistent with the General Plan Amendment that was concurrently processed for this project.

SECTION 2. RECORD.

Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 3. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Community Development Manager, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is 310/217-9546.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect on the thirty-first day after passage.

SECTION 5. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 6. CERTIFICATION.

The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

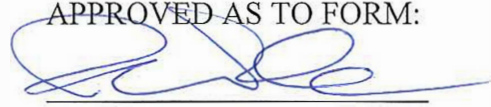
PASSED, APPROVED, AND ADOPTED this 12 day of November, 2019.


TASHA CERDA, Mayor

ATTEST:


MINA SEMENZA, City Clerk

APPROVED AS TO FORM:


PETER L. WALLIN, City Attorney

Attachment:

Exhibit A – Zoning Map

STATE OF CALIFORNIA)
COUNTY OF LOS⁴ ANGELES) ss:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance being **Ordinance No. 1808** was duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a meeting of said City Council held on the **12th** day of **November, 2019**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS MEDINA, HENDERSON AND TANAKA, AND MAYOR
 CERDA

NOES: NONE

ABSENT: MAYOR PRO TEM KASKANIAN

for Becky Romero
City Clerk of the City of Gardena, California

(SEAL)