

Note: This PowerPoint presentation is intended solely as a visual aid to an oral staff presentation of an agenda report topic. In the event of any differences between the presentation and the agenda report, the information in the agenda report prevails.



CONTINUED DELIBERATION OF FIVE APPEALS OF A PRECISE DEVELOPMENT PLAN AND ASSOCIATED ENTITLEMENTS AT 401 ROSECRANS AVENUE & 3770 HIGHLAND AVENUE

OCTOBER 18, 2022

CITY COUNCIL



- August 16, 2022
 - City Council considered five appeals of the Planning Commission's decision to affirm the Community Development Director's approval of project.
 - City staff, the applicant, and four appellants made presentations.
 - Over 50 members of the public provided comments at the meeting.
 - Citing the late hour, the City Council continued the item.



AUGUST 16 – PUBLIC COMMENT

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- **Opponents:** expressed concerns related to parking, traffic, building height, and environmental hazards due to the site's proximity to the Chevron Refinery.
- **Proponents:** focused on the need for housing stock and cited potential consequences of disapproval (legal suits and attorney fees, State action, Housing Accountability Act, replacement projects)



RESPONSES TO COMMENTS

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Measures Have Been Taken to Protect City from Potential Environmental Hazards.

- 2013-2015 Council adopts local regulations to make such projects “non-discretionary.”
- Pursuant to CEQA, the Project is “exempt” from CEQA environmental review because its review is ministerial.
- Phase I and Phase II Environmental Assessments (ESAs) have been prepared - there are no conditions on the site that pose a threat to the environment and/or human health.



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Future traffic and parking impacts have been analyzed.

- Parking analysis
- Trip generation study

New State Housing/Parking Bills

- AB 2011, SB 1137, SB 6, AB 2097 – do not affect the City’s consideration of project



RESPONSES TO COMMENTS

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The City's Local Zoning Laws, including its General Plan and Local Coastal Program, require ministerial review for the project.

- Per 5th cycle Housing Element and LCP, Precise Development Plans for density bonus projects are subject to ministerial review.

If approved, it will not “set precedent”.

- Each site and project are unique



RECOMMENDATION

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- Review project for compliance with applicable and objective State and local regulations.
- Adopt Resolution affirming the Planning Commission's decision to approve the project.



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