

RESOLUTION NO. 2023-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA DENYING PROJECT 2018-08 (ALVARADO SPECIFIC PLAN), A REZONING APPLICATION FOR A SPECIFIC PLAN THAT WOULD INCLUDE THE DEVELOPMENT OF APPROXIMATELY 900 DWELLING UNITS IN FOUR APARTMENT BUILDINGS, AND WHICH MAY INCLUDE STUDENT HOUSING AND COMMERCIAL USES, ON AN APPROXIMATELY 12-ACRE SITE LOCATED AT 7407 ALVARADO ROAD (APN 469-021-20-00 TO -25-00, 469-130-43-00 AND -44-00) IN THE CM-F-D (LIGHT INDUSTRIAL AND COMMERCIAL SERVICE/FLOODWAY OVERLAY/URBAN DESIGN OVERLAY) ZONE.

WHEREAS, the property owner has submitted an application for rezoning known as the Alvarado Specific Plan (2018-08) for the proposed development of approximately 900 dwelling units in four apartment buildings, which may include student housing and commercial uses, on an approximately 12-acre site located at 7407 Alvarado Road (APN 469-021-20-00 to -25-00, 469-130-43-00 and -44-00) in the CM-F-D (Light Industrial and Commercial Service/Floodway Overlay/Urban Design Overlay) zone;

WHEREAS, the proposed Specific Plan would require an Amendment to the Zoning Ordinance as specified by La Mesa Municipal Code (LMMC) Section 24.03.010;

WHEREAS, pursuant to LMMC Section 24.03.020, the Director of Planning shall assess and provide a written report to the Planning Commission and City Council regarding any proposed amendment as to its consistency with the Land Use Element and General Plan goals;

WHEREAS, LMMC Section 24.03.050 provides that the Planning Commission shall make a recommendation to the City Council on each proposed amendment and shall include supporting findings and reasons;

WHEREAS, the Planning Commission did receive and consider a staff report for the proposal;

WHEREAS, on August 17, 2022, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing and accepted public testimony in consideration of Project No. 2018-08;

WHEREAS, the Planning Commission of the City of La Mesa voted unanimously to recommend that the City Council deny the project and directed staff to return with a resolution of denial, which decision shall be an automatic denial of the project unless it is appealed to the City Council;

WHEREAS, an appeal of the Planning Commission's denial of the project was filed on September 12, 2022, by the Law Office of Allen Matkins Leck Gamble Mallory & Natsis, LLP on behalf the applicant, Paydar Properties, Inc.

WHEREAS, the City Council did receive and consider a staff report in regards to the applicant's appeal; and

WHEREAS, on May 9, 2023, the City Council of La Mesa did hold a duly noticed public hearing and accepted public testimony in consideration of the appeal of Project No. 2018-08.

THE CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:

1. That the proposed project is exempt from review under the California Environmental Quality Act (CEQA), Section 15270, which states, “CEQA does not apply to projects which a public agency rejects or disapproves”.
2. That the proposed project is inconsistent with the General Plan and Land Use Policies and the Planning Commission found some aspects of the project that would not be in the best interest of the City. (General Plan Policy LU–1.1.1) Such issues include, but are not limited to, the proposed building size and form are not consistent with surroundings and existing development or in scale with existing nearby neighborhoods, and the proposed density is excessive for the project site and surrounding area. The plan identifies buildings up to eight stories in height and in excess of 80 feet, thus proposing buildings amongst the largest in the City of La Mesa. Further, the proposed Plan and massing of the large buildings would constitute a visually disruptive element that does not enhance the visual quality and continuity of the community. (General Plan Policy UD-2.1.1).
3. That the proposed project lacks sufficient detail, standards and graphics to ensure that a high-quality design will be achieved (General Plan Policy LU-2.1.5). In addition, it was noted that the applicant declined to perform any outreach to the community about the proposed development, which is an integral part of the planning process (General Plan Policy LU-4.3.1). Furthermore, the project does not provide any affordable housing (General Plan Policy LU-4.1.1).

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The foregoing findings of fact and determinations are supported by the record of the City Council proceeding, including the City Council’s comments and conclusions, public testimony, and the staff report, plans, and exhibits, all of which are herein incorporated by reference.
3. The City Council denies the rezoning application known as the Alvarado Specific Plan (Project No. 2018-08).

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 9th day of May 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be true and exact copy of Resolution No. 2023-, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)