



# City of La Quinta

**CITY / SA / HA / FA MEETING DATE:** June 2, 2015

**AGENDA CATEGORY:**

**ITEM TITLE:** SECOND READING AND ADOPTION OF ORDINANCE NO. 525 CHANGING ZONING DESIGNATION FROM MEDIUM HIGH TO LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF JEFFERSON STREET AND AVENUE 52

**BUSINESS SESSION:**

**CONSENT CALENDAR:** 3

**STUDY SESSION:**

**PUBLIC HEARING:**

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## **RECOMMENDED ACTION:**

Adopt Ordinance No. 525 on second reading.

## **EXECUTIVE SUMMARY:**

- At the May 19, 2015 City Council meeting, Council unanimously approved a motion to take up and introduce Ordinance No. 525 on first reading.
- The ordinance approves Zone Change 2014-145 for property located at the northwest corner of Jefferson Street and Avenue 52 (former Watermark Villas project), changing the zoning designation for Assessor's Parcel Numbers 776-220-012, 776-220-013, 776-220-014 from medium high to low density residential.
- By law, a second reading of an ordinance must occur, followed by adoption and a 30-day posting period, before an ordinance may take effect.

## **FISCAL IMPACT:**

None.

## **BACKGROUND/ANALYSIS:**

The Watermark Villas project was originally approved in 2004, with amendments made to the proposed clubhouse in 2006. The project consisted of 250 condominium units on the 20.8 acre site. After approval, the site was graded, portions of utility

infrastructure installed, and one 8-plex building and 10 podium garages were constructed. The project then stopped during the economic downturn. Improvements remain partially completed to this day.

Beazer Homes subsequently purchased the property and proposes demolition of all existing improvements, with the exception of the existing wall, entry gate and paving, and the retention basin. They would then build 82 single-family homes.

As a result of the significant changes, a Change of Zone from Medium High Density Residential to Low Density Residential is needed.

The site currently has a General Plan Land Use designation of Medium/High Density Residential, and a Zoning designation of Medium High Density Residential. These designations were consistent with the previous Watermark project. In order to allow the proposed single-family homes, however, a designation of Low Density Residential must be applied to this parcel.

The property is abutted to the north and west by Low Density Residential designations, as part of the Citrus project. On the east, lands are designated commercial at the northeast corner of Jefferson Street and Avenue 52. On the southeast corner of this intersection, lands are designated Medium/High Density Residential in the General Plan, and both Medium and Medium High Density Residential on the Zoning Map. On the southwest corner of the intersection, lands are designated Open Space and Tourist Commercial, as part of the SilverRock Resort project. With its adjacency to Low Density Residential lands to the north and west, a reduction in land use intensity to Low Density Residential is appropriate for the site.

**ALTERNATIVES:**

As Council approved this ordinance at first reading, staff does not recommend an alternative.

Report prepared by: Pam Nieto, Administrative Technician  
Report approved for submission by: Susan Maysels, City Clerk

**ORDINANCE NO. 525**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING ZONE CHANGE 2014-145, CHANGING THE ZONING DESIGNATION FOR ASSESSOR'S PARCEL NUMBERS 776-220-012, 776-220-013, 776-220-014 FROM MEDIUM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL**

**CASE: ZONE CHANGE 2014-145  
APPLICANT: BEAZER HOMES HOLDINGS**

**WHEREAS**, the City Council of the City of La Quinta, California did, on the 6th day of January, 3rd day of March and 19th day of May, 2015, consider a request by Beazer Homes Holdings for a change in zoning from Medium High Density Residential to Low Density Residential, located at the northwest corner of Jefferson Street and Avenue 52, more particularly described as:

Assessor's Parcel Nos.: 776-220-012, 776-220-013, 776-220-014

**WHEREAS**, the Planning Commission of the City of La Quinta did, on the 9th day of December, 2014, hold a duly noticed Public Hearing to consider the aforementioned Zone Change; and,

**WHEREAS**, subsequent to said Public Hearing, the Planning Commission of the City of La Quinta did adopt Planning Commission Resolution 2014-029 to recommend to the City Council adoption of said Zone Change; and,

**WHEREAS**, said Zone Change has complied with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" as amended (Resolution 83-68), in that the La Quinta Community Development Director has determined that the Zone Change could have a significant impact on the environment but that all potentially significant impacts can be reduced to less than significant levels, and a Mitigated Negative Declaration has been approved; and,

**WHEREAS**, at said Public Hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, the La Quinta City Council did make the following mandatory findings to justify adoption of said Zone Change:

Finding A

The project is consistent with the General Plan

The proposed Zone Change is internally consistent with those goals, objectives and

policies of the general plan which are not being amended. The proposed Low Density Residential designation is consistent with lands to the west and north of the parcel.

#### Finding B

Approval of the amendment will not create conditions materially detrimental to the public health, safety and general welfare.

Approval of the proposed Zone Change will not create conditions materially detrimental to public health, safety and general welfare insofar as the Low Density Residential designation will result in the development of single-family homes and similar uses permitted by the General Plan in this land use designation.

#### Finding C

The new designation is compatible with the land use designations on adjacent properties.

The Zone Change is consistent with the land use designation for properties located north and west of the parcel.

#### Finding D

The new land use designation is suitable and appropriate for the subject property.

The new zoning designation is suitable and appropriate for the subject property, insofar as it will allow the development of single-family homes on a site that is generally flat and rectangular.

#### Finding E

Approval of the amendment is warranted because the situation and the general conditions of the property have substantially changed since the existing designation was imposed.

Approval of the new zoning designation is warranted because the density of the proposed single-family tract will be less than 4 units per acre.

**NOW, THEREFORE**, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. The La Quinta Zoning Map is hereby amended as follows:

1. APNs: 776-220-012, 776-220-013, 776-220-014 are designated Low Density Residential (Exhibit A).

SECTION 2. ENVIRONMENTAL: The Community Development Department determined that the proposed Zone Change could have a significant impact on the environment, but all significant impacts can be mitigated to a less than significant level.

**SECTION 3. EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 4. POSTING:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the La Quinta City Council held this 2nd day of June, 2015, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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LINDA EVANS, Mayor  
City of La Quinta, California

**ATTEST:**

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SUSAN MAYSELS, City Clerk  
City of La Quinta, California

(CITY SEAL)

**APPROVED AS TO FORM:**

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WILLIAM H. IHRKE, City Attorney  
City of La Quinta, California

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss.  
CITY OF LA QUINTA    )

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 525(enter number) which was introduced at a regular meeting on the 19th day of May, 2015,(Clerk's Office will enter) and was adopted at a regular meeting held on the 2nd day of June, 2015, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2014-013.

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SUSAN MAYSELS, City Clerk  
City of La Quinta, California

#### DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on June 3, 2015(Clerk's Office will enter), pursuant to Council Resolution.

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SUSAN MAYSELS, City Clerk  
City of La Quinta, California