



FILE: PA00-0014

DATE: May 24, 2000

TO: File/Record/Applicant

FROM: Thomas B. Mathews, Director, Planning and Development Services Department

SUBJECT: Planning Application PA 00-0014 – Site Plan for Shea Properties to construct “City Lights II” consisting of 367 apartment units within Planning Area 40, Sub-area O of the Aliso Viejo Planned Community, located at 26841 Horizon, Aliso Viejo.

APPLICANT: Shea Properties, Property Owner

Culbertson, Adams and Associates - Edwin S. Hsu, Authorized Agent

BACKGROUND AND PROJECT DESCRIPTION:

The project is located on Lot 2 of Tract 15637 within Planning Area 40 of the Aliso Viejo Planned Community. Planning Area 40 is designated “Town Center” within the Aliso Viejo Planned Community Text and is also subject to the “Urban Activity Center” overlay district. The Urban Activity Center overlay district regulations are intended to encourage diversity and intensity of uses. This designation is intended to promote a vertical and horizontal mixing of retail, office and residential uses as well as a diversity of housing types with an emphasis on higher density development. Residential uses are permitted within the Urban Activity Center with the approval of a Site Plan in accordance with Section XII.A.2. of the Aliso Viejo Planned Community Text. In addition to provisions of the Aliso Viejo Planned Community Text, in 1997 the Planning Commission approved an Area Plan Amendment to the Aliso Viejo Planned Community and the Board of Supervisors approved a General Plan Amendment to the Noise Element (N 97-1) which permitted residential development within Planning Areas 40, 52, and 53. The Noise Element Amendment was processed to address the allowance of a limited exception to the prohibition of residential uses within the 1981 Policy Implementation Line surrounding MCAS El Toro. The allowance of residential development within the additional Planning Areas was accomplished by the reallocation of 1,825 dwelling units from Planning Areas 1, 4, 11, 22, 23, 24, 25, 26, and 29 to Planning Areas 40, 52 and 53.

The subject project site is located in sub-area O of Planning Area 40 and is designated as a residential candidate site within the approved Area Plan Amendment. The approved Area Plan Amendment allowed a maximum of 800 dwelling units within Planning Area 40. Subsequent to the approval, Site Development Permit PA 97-0123 (approved on November 20, 1997 by the O. C. Zoning Administrator) included a Feature Plan Statistical Summary Amendment to increase the dwelling unit allocation in Planning Area 52 to 428 units and decreased the dwelling unit allocation within Planning Area 40 to 797 units. Additionally, and consistent with the approved Area Plan Amendment, in 1999 Planning Application PA99-0014 approved a 426 unit apartment project (City Lights Apartments) within Planning Area 40, Sub-area O. The current proposed project, also in Planning Area 40, Sub-area O, is the second phase of City Lights Apartments and proposes a 367-unit apartment project. Including the current project, Planning Area 40 will contain 793 residential units. Therefore, the subject application is in compliance with the maximum permitted dwelling units allocated by the area plan

amendment. There are a number of conditions of approval from the area plan amendment that have been carried forward as applicable conditions of approval for this project.

SURROUNDING LAND USE:

The site is located northwesterly of the intersection of Pacific Park Drive and Horizon. A business park/office complex is currently under construction on the pad to the west, up-slope from the project site. The existing Ralph’s Market retail center is located to the east and below the project site across Horizon. Adjacent to City Lights I apartment project south of the site, business park uses, the Aliso Viejo Branch Library, and Orange County Fire Station No. 57 are located southerly across Pacific Park Drive. Grand Park and Park Plaza retail is located to the north and northeast of the site.

Direction	Planning Area	Land Use Designation	Existing Land Use
Project Site	Planning Area 40 Subarea O	Town Center, Urban Activity Center overlay	Vacant graded site
North	Planning Area 40 Subarea B	Town Center, Urban Activity Center overlay	Grand Park (Park Plaza entertainment/retail beyond)
South	Planning Area 40 Subarea O	Town Center, Urban Activity Center overlay	City Lights I, approved 426-unit residential apartment complex. (A.V. Branch Public Library/Fire Station across Pacific Park Drive)
East	Planning Area 40 Subarea L/K	Town Center Commercial	Existing Commercial Retail and Park Plaza entertainment/retail
West	Planning Area 40 Subarea P	Business Park/Office	Business Park complex currently under construction

REFERRAL FOR COMMENT:

A copy of the planning application and proposed plans were distributed for review and comment to 7 County Divisions and the Aliso Viejo Planning Advisory Committee (AVAPC). On December 15, 1999, AVAPC recommended approval of the project but requested additional details regarding project pedestrian circulation, landscaping and lighting details. The project was again presented to AVAPC on March 22, 2000 as a follow-up to the additional details requested from the previous meeting and to note that the total number of units is 367 within Phase II. AVAPC did not take action during this hearing, as none was necessary because it was agendized as an Information Item.

As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff.

PROJECT ANALYSIS:

The project proposes construction of 367 apartment units in Planning Area 40, Sub-area O of the Aliso Viejo Planned Community. The 7.69 acre (gross) site contains a pad area of approximately 5.87 acres and is designated for Town Center/Urban Activity Center use. The proposed residential development and uses are permitted in the Urban Activity Center designation with the approval of a Site Development Permit. Prominent features adjacent to the site include a large landscape slope to the west and Town Center retail/entertainment center to the east with Grand Park directly to the north. The project consists of 4 residential apartment buildings (3 and 4-stories each), around a central four-level parking structure. The site is accessed at a single driveway from Horizon that is shared with City Lights I. A separate egress only driveway is proposed to Horizon directly out of the parking structure. The apartment complex also includes use of the previously approved administrative

and leasing offices located within a two-story building near the shared entrance to the complex located in Phase I. The facility includes various recreational amenities such as, but not limited to, pools, spas, outdoor patio area, business and conference center, media center, and fitness facility. Secondary recreational facilities, proposed within the courtyard area of Building No. 7 will include a pool/spa facility. Other courtyard areas are proposed for passive open areas to accommodate water features and ponds for aesthetic purposes.

The description within the Planned Community Text refers to higher density multi-family development occurring in this area; the subject site is proposed at a net density of 62.5 du/ac (gross density = 47.7 du/ac). Although density ranges have not been established for uses within the Urban Activity Center, the high density proposed is consistent with intent of the Urban Activity Center residential uses as described within this section of the Aliso Viejo Planned Community. As noted earlier in this report, the maximum number of residential dwelling units allocated within Planning Area 40 is seven hundred ninety-seven (797) units. Approval of this project leaves a balance of 4 dwelling units available within Planning Area 40. Numerous required conditions of approval from the Area Plan and specific to Planning Area 40 residential development have been satisfied, or where applicable, have been included as conditions of approval for this project in Appendix B. Specific conditions of approval related to noise attenuation and disclosure for residential development within Planning Area 40 as required by either the Area plan and/or the General Plan have been conveyed within the conditions applicable to this project.

Traffic/Aircraft Noise

As a part of Area Plan Amendment, AP95-11, which allowed residential uses within Planning Area 40, several noise related conditions of approval and specific studies are required as part of the review and approval for any residential uses. The conditions of approval from the Area Plan are primarily related to the conversion of MCAS El Toro to a major civilian international airport and are derived from EIR #563 with respect to the MCAS El Toro Community Reuse Plan.

A condition of approval that requires notification and written disclosure for potential residents of the project has also been included for this project. The condition requires the applicant to provide a County approved written disclosure packet to potential residents for a period of not less than 50 years after project approval notifying them that the subject site will be subject to the sight and sound of military and/or civilian aircraft as described in Final EIR #563. This requirement is in compliance with the Area Plan Amendment approval and the County of Orange, Land Use/ Noise Compatibility Manual.

Site Plan

The four residential buildings surround a central parking structure. Although the development standards require a minimum 20-foot setback from adjacent residential planning areas, there are not specified setbacks required for internal projects within the Urban Activity Center. The project site is internal and the proposed building setbacks are 20 feet from the north and east property lines adjacent to Grand Avenue and Horizon, respectively; 14 feet from west property line at the toe of slope; and approximately 3 feet from the south property line shared with City Lights I. There is not a specific height limit for development within the Urban Activity Center that does not abut residential planning areas. The proposed project is approximately 58 feet tall to accommodate four stories of living area and a stair tower at Building 6 with a full pitch roof at approximately 62 feet tall. Portions of the exterior elevation for Building 6, fronting Horizon, and the exterior elevation of Building 9 that fronts Grand Avenue are limited to 3-story elements to reduce and vary building mass at the corner of Horizon and Grand Avenue which is adjacent to Grand Park.

The proposed building architecture includes angled roof planes and stepped building facades to reduce the appearance of the overall buildings' mass. The applicant has incorporated a mix of three story building elements into Buildings 6 and 9, at the perimeter of the project adjacent to the street, to provide additional architectural variation and to break the building mass. Chimneys and an open tower provide variation to the project's roofline. Many open patios and decks are proposed on all levels of the buildings to also break-up the building mass and provide livable spaces. The buildings are proposed as stucco exterior finish with decorative metal railings and columns. The roof material is a concrete tile roof with a flat profile.

The proposed site plan satisfies all related development standard requirements including lighting, trash storage areas, screening, and landscaping as required within the Aliso Viejo Planned Community Text either through the proposed plans or conditions of approval which require additional detailed information at the time of project implementation. The arrangement of building and landscaping will completely screen the parking structure from view. Dense tropical landscaping is proposed around the perimeter of the buildings and at the project entry. The project landscaping will provide softening of building mass throughout the project. Additionally, the proposed perimeter landscaping provides all required screening requirements. Details have not been provided for site lighting, however a description of the site lighting is provided and appears to be appropriate for the project. Nonetheless, a condition has been included requiring all lighting to be confined to the premises.

Parking

The proposed 367-unit apartment complex comprised of four, three and four-story buildings that surround a central four-level parking structure. The parking structure will provide a minimum of 706 parking stalls, all of which will be covered. Surface parking for the leasing office outside of the gated entry has been provided within Phase I and will be shared for Phase II. Two (2) new surface parking spaces have been added at the entry as a part of Phase II. Therefore, the total parking *provided* for the site is 708 parking stalls based on the bedroom count method of parking calculation from the County Zoning Code. The complex proposes eight floor plans varying in size from 598 square feet to 1,528 square feet. The project proposes a mix of 199 one-bedroom and 138 two-bedroom units. Additional guest parking at 0.2 spaces per unit is also provided for the complex. Based on this method of parking calculation, the project will be *required* to provide 708 spaces and the project proposes a minimum of 708 spaces, which is consistent with the stricter method of parking calculation (i.e. bedroom count versus square footage count). The table below depicts the parking tabulations for the proposed unit mix:

<i>Unit Tabulations</i>					
Plan #	# of Units	Sq. Ft.	# Bed/Bath	# Parking	Parking Ratio
1	19	598	1-bed (Jr)/ 1-Ba	28.5	19 x 1.5
2	56	708	1-Bed/1-Ba	84	56 x 1.5
3	53	807	1-Bed/1-Ba	79.5	53 x 1.5
4	71	912	1-Bed / 1-Ba	106.5	71 x 1.5
5	67	997	2-Bed (small)/ 2-Ba	134	67 x 2
6	0	1,099	2-Bed (master)/2 Ba	0	0 x 2
7	71	1,097	2-Bed (large) / 2-Ba	142	71x 2
8	30	1,528	2-Bed / 2-Ba	60	30 x 2
Guest Parking				73	367 x 0.2
Totals	367			708	

With the exception of 22 parking spaces outside the gates adjacent to the leasing office and recreation building, all resident and guest parking is located behind an entry gate system. Resident access will be administered at the time of individual tenant lease signing and is anticipated to include a remote gate system, while guests must confirm arrival through a communication call box located at the entrance gates. The entire parking structure is proposed as “open parking” to accommodate residents and guests. The use of open parking to serve the residents and guests was required as a part of Phase I approval. To maintain consistency and to limit future consideration for assigned parking, a condition of approval has been included to limit future assigned parking to

one (1) space per unit. This will ensure that adequate resident and guest parking is available and evenly distributed throughout the parking structure.

Access

The main access for the proposed project is provided from a shared driveway located on Horizon, approximately 900 feet north of the intersection with Pacific Park Drive. The driveway will serve both Phase I and Phase II project access. The driveway will be gated approximately 260 feet from the intersection with Horizon. A second, "exit only" drive from the Phase II parking structure is also located along Horizon and is approximately 270 feet north of the main project entry. Traffic Review Section staff expressed concerns regarding the stacking distance for the entry gates during peak PM periods. However, the applicant agreed to program the gates to remain in the open position during the PM peak hours to eliminate any potential for vehicle stacking to interfere with traffic on Horizon. A condition of approval has been included, as recommended by Traffic Review, to keep the gates open during the PM peak hours.

Paved fire access is proposed along portions of the project's south and westerly boundary to provide fire protection access to Buildings 7 and 8, which are not accessible within 150 feet of Horizon or Grand Avenue. An additional emergency fire access driveway will be provided between Buildings 8 and 9 to provide fire protection access from Grand Avenue. A portion of this emergency access lane is proposed to be "Turf Block" to enhance the site as well as provide the required access. It is anticipated that there may be minor revisions necessary to the length or design of this fire access lane as final plans are reviewed by the Fire Authority, however, they are not anticipated to be substantial and will not affect the integrity of the overall project design.

Local Parks

The Local Park Code requirement is 1.72 acres of parkland based upon a proposal to build 367 residential units with a gross density of 47.7 dwelling units per acre (367 x .0047 ac/du).

The Local Park Code requirement shall be met from an allocation of Local Park acreage from the Local Park Implementation Plan for the Aliso Viejo Planned Community as described within the Aliso Viejo Feature Plan. A condition of approval has been included that requires the applicant to document the allocation of such local park acreage prior to the issuance of building permits.

Lot Line Adjustment

Shea Properties has assumed a remainder piece of property at the request of AVCA that is located at the northwest corner of the site, adjacent to Grand Avenue. The purpose of the request is to relieve the community association from maintenance responsibility of the parcel, to provide additional architectural variation for the project adjacent to Grand Avenue, and to sustain acceptable fire access for Building 8. The applicant will process a lot line adjustment to acquire the parcel as a part of the project site. The site plan currently reflects the proposed adjustment and a condition of approval has been included that requires recordation of the LLA prior to any building permits for the project.

Sign Program

A conceptual sign program was approved as a part of the Phase I Site Development Permit that included monument project identification signage locations associated with the project. One project identification monument sign is proposed for the project in addition to the three monument signs approved as a part of Phase I. The additional monument sign is a single face project identification sign located at the corner of Horizon and Grand Avenue. The sign will match the previously approved design that includes a stone texture base with a textured metal face. The sign face is internally illuminated and incorporates push-thru acrylic letters to read "City Lights at Town Center". The sign face is proposed as 6 feet high and 8 feet wide.

PROJECT SUMMARY:

The proposed project is in compliance with the Aliso Viejo Planned Community development standards. Additionally, the applicant has addressed related conditions of approval from the previous Area Plan

Amendment and General Plan Amendment. The project will provide a high density residential complex within the Urban Activity Center of the Aliso Viejo Planned Community in compliance with the intent and purpose of the district. The architectural design of the project is compatible with the surrounding development and will provide a very livable development that is close to employment, retail, entertainment, and other daily uses.

I. REFERENCE: (Authority for Administrative action is given by what ordinance, regulation, etc.)

Aliso Viejo Planned Community (PC) and Orange County Zoning Code section 7-9-150 "Discretionary Permits and Procedures".

III. ENVIRONMENTAL DOCUMENTATION:

The proposed project is covered by Final EIR 088, previously certified by findings on October 19, 1982, and Addendum IS PA00-0014. Prior to project approval, the decision-maker must assert that together, they are adequate to satisfy the requirements of CEQA for the proposed project. A recommended finding is found in Appendix A of this report.

IV. CERTIFICATION:

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Thomas B. Mathews, Director
Planning and Development Services Department

By: _____
C. M. Shoemaker, Chief
CPSD/Site Planning Section

CB FOLDER: PA00-0014.adm

APPEAL PROCEDURE

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

ATTACHMENTS:

1. Appendix A – Findings
2. Appendix B - Conditions of Approval
3. Letter of Explanation/Justification
4. Environmental Documentation
5. AVAPC Approval letter dated December 20, 1999