

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**  
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**DATE:** May 10, 2000

**TO:** Orange County Planning Commission

**FROM:** Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Applications PA99-0151 and PA00-0029 for Site Development Permit

**PROPOSAL:** PA99-0151 is for the subdivision and construction of 131 single family detached homes. The proposal includes: three private community recreation areas; two model home complexes; an entry gate complex; and entry monuments. This Planning Application is associated with Vesting Tentative Maps 15855, 15935, 16037 and Tract 15945. The project area is 128 acres. PA00-0029 is for the subdivision and construction of 59 single family detached homes on 26 acres and is adjacent to PA99-0151. PA00-0029 is associated with Vesting Tentative Map 15934. Both PA99-0151 and PA00-0029 are in Planning Area 22 of the Newport Ridge Planned Community.

**LOCATION:** Planning Area 22 is located southerly of the intersection of Bonita Canyon Road and the San Joaquin Hills Transportation Corridor, east of the City of Newport Beach, west of the now closed Coyote Canyon Landfill and north of San Joaquin Reservoir. Fifth Supervisorial District

**APPLICANT:** Irvine Community Development Company

**STAFF CONTACT:** William V. Melton, Project Manager  
Phone: (714) 834-2541 FAX: (714) 834-4652

**SYNOPSIS:** Current Planning Services Division recommends Planning Commission approval of PA99-0151 and PA00-0029 subject to the attached Findings and Conditions of Approval.

**BACKGROUND:**

Planning Applications PA99-0151 and PA00-0029 were originally scheduled to be heard by the Planning Commission on April 26, 2000. However, it was brought to the attention to staff that the Notice of Hearing for the April 26, 2000 hearing was not in conformance with notification procedures outlined under Zoning Code Section 7-9-150. Because of this error and on the advice of County Counsel, the Planning Commission scheduled the hearing on the subject proposal to May 10, 2000 so as to allow for proper notification. A new Notice of Hearing was mailed to all persons and agencies that received the original notice plus the persons that should have received a notice for the original hearing date.

The proposed projects are located within Planning Area 22 of the Newport Ridge Planned Community (NRPC). This planning area is designated for Medium-High Density Residential development with a

density range of 6.5 to 18 dwelling units per acre. The entire Planning Area encompasses approximately 107.2 acres and allows development up to a maximum of 705 residential units.

Planning Area 22 was originally within the City of Irvine. The site was designated Planning Area 26B of the City's Bonita Canyon development. By earlier action, the City de-annexed Planning Area 26B in exchange for City annexation of other property owned by the Irvine Company. In 1998 the Board of Supervisors approved an amendment to the NRPC (previously named the San Joaquin Hills Planned Community) which included the addition of Planning Area 22.

The majority of Planning Area 22 has been extensively modified by mass grading operations approved in conformance with Tentative Tract Map No. 15585. Grading Permit No. GA 980022 was approved in July 1999 for the creation of large pads to facilitate future residential development and the extension of Chambord, a private community collector street with a 62-foot right-of-way and 40-foot pavement width, to existing Bonita Canyon Road. The Grading Permit also covers the creation of all interior and exterior slopes; construction of a variable sized Loffel wall (up to 25-feet in height) along the eastern project boundary with the closed Coyote Canyon Landfill; and, the master infrastructure and surface drainage improvements. Following completion of the mass-grading operations, the site will range in elevation from approximately 190-feet along the northern side to 470-feet at the southern boundary.

Access to Planning Area 22 is by Chambord, a private street, which will be aligned with the existing Chambord in adjoining Planning Area 21 to the south. This street will form a connection between public roads Bonita Canyon Road to the north and Newport Ridge Drive East to the south. Both ends of Chambord will have gated entries with a card key or guard. The approved multi-family proposal to the north (PA99-0205) has site access before the guarded entry.

Approval of PA99-0151 and PA00-0029 will allow for the construction of a total of 190 single-family detached homes with related private streets and infrastructure, two model/sales complexes and associated temporary pre-sales trailers, parking areas and sign program, a community gatehouse and three private community recreation facilities. Additionally, the project proposal includes the construction of all community street landscaping and a comprehensive landscaping program for all slope areas created as part of the above referenced grading operation and the required fuel modification zones.

Three (3) private community recreational facilities are proposed under PA99-0151. These facilities are within Tract No. 15945 and are for the use of homeowners in both the PA99-0151 and PA00-0029 project boundaries. Private Recreational Facility #1 consists of two-lighted tennis courts, lighted basketball court, tot lot and open turf play field. Parking will be provided on Chambord, with pedestrian access through the park, provided by a series of 6-foot wide sidewalks.

Private Recreational Facility #2 includes a swimming pool, 400 square-foot pool equipment/utility room, restrooms and showers, and an approximately 800 square foot community room with restrooms, kitchen and outdoor terrace area. Building heights for the recreation facility structures will range from

approximately 17-feet to 21-feet for the portal structure. A trellis arbor has been incorporated into the design of the recreation center to unify the structural elements of the park. Also proposed are a shade structure, turf play area and off-street parking lot for 37 cars, including two handicap spaces. Additional parking will also be available along Chambord.

Private Recreational Facility #3 is a small passive community park area and consists of two small turf areas connected by a looping pedestrian sidewalk and a sitting area. The private park will be accessed from a 6-foot wide pedestrian walk, delineated by two 42-inch pilasters at the end of the cul-de-sac of "F" Street. All private park facilities will be landscaped with a combination of informal mixed groves of Pines and Eucalyptus trees with accents of Poplar Trees. This program is consistent with the landscape program established throughout the Newport Ridge Planned Community.

As part of the project approvals for both site plans, an Alternative Site Development Standard is requested to allow for the minimum driveway length to be 18-feet, rather than the standard of less than 7-feet or greater than 20-feet. Sectional/roll-up type garage doors have been incorporated into the design of the residential units in all instances to compensate for the reduction in driveway length. This request is consistent with County standards, which changed the garage setback from 20 feet to 18 feet, and other projects located throughout the Newport Ridge Planned Community.

**Specifics for Planning Application PA99-0151** (also see Exhibit 1)

PA99-0151 is a Site Development Permit for the construction of 131 single-family detached homes and is being processed concurrently with two Vesting Tentative Tract Maps, 15935 and 16037. These two tracts are referred to as "B" maps, and are subdivisions of an original "A" map, Tentative Tract 15585, that covered all of Planning Area 22. Tentative Tract 15935 is proposed for the development of 97 homes on 36 acres and a model home sales complex. Tentative Tract 16037 is proposed for the development of 34 homes on 10.2 acres and a model home sales complex. Different merchant homebuilders and home designs are proposed in the two tracts. PA99-0151 also proposes the development of three community recreation facilities and the community gatehouse complex, which are located in Tract 15945 (a final tract of tentative tract map no. 15855).

Residential lot sizes range from 5,000 to 10,000 square feet with an average lot size of approximately 6,500 square feet. The homes range in size from 2,700 to 3,500 square feet, in one and two-story configurations with a combination of three and four bedrooms and all with two car garages. All residential structures have been designed to be consistent with the Newport Ridge PC Site Development Standards. The residential units have also been designed in accordance with the requirements that no homes be sited within 250-feet from the limits of refuse of the Coyote Canyon Landfill and homes within 1,000-feet of the landfill will be constructed with special foundation shielding.

The following table shows the proposed mixture of product types for the 34 lots in TT 16037 and the 97 lots in TT 15935 proposed in PA99-0151:

Tract	Floor Plan Number	Number of Units	Number of Stories	Max Height (ft)	Bedrooms	Square footage	Garage Spaces
TT 16037	1	13	2	28	3	2,700	2
	2	9	2	33	4	3,000	2*
	3	12	2	32	4	3,200	2*
TT 15935	1	19	1	24	3	2,700	2
	2	26	2	28	4	3,300	2*
	3	27	2	31	3	3,500	2*
	4	25	2	26	4	3,500	2*

\* NOTE: Floor plan includes one tandem garage space to be used for storage only and not counted or sold as an additional garage parking space.

**Specifics for Planning Application PA00-0029** (also see Exhibit 2)

PA00-0029 is a Site Development for the construction of 59 single-family detached homes on 26 acres; and, is being processed concurrently with Vesting Tentative Tract Map No.15934. The applicant refers to this portion of PA22 as the “lower terrace area”. This proposal does not include a separate model home sales complex. The model home sales complex for homes in PA00-0029 is shared with the model complex proposed in Tentative Tract 16037 of PA99-0151. The future homeowners in PA00-0029 also share the three recreation areas and the community gatehouse complex proposed under PA99-0151.

Residential lot sizes range from 5,000 to 10,000 square feet with an average lot size of approximately 6,500 square feet. The homes range in size from 2,700 to 3,500 square feet, in one and two-story configurations with a combination of three and four bedrooms and all with two car garages. All residential structures have been designed to be consistent with the Newport Ridge PC Site Development Standards. The residential units have also been designed in accordance with the requirements that no homes be sited within 250-feet from the limits of refuse of the Coyote Canyon Landfill and homes within 1,000-feet of the landfill will be constructed with special foundation shielding.

Because of concerns raised by some neighbors regarding current mass grading operations, the overall pad elevations of the PA00-0029 project site has been raised to an elevation approximately 10 to 15 feet higher that previously approved. The change in elevation also eliminates the need for approximately 200,000 cubic yards of additional earthwork associated with the over-excavation and compaction to address geological conditions.

The following table shows the proposed mixture of product types for the 59 lots in TT 15934 proposed for PA00-0029 (these are the same product types as is in TT 16037):

Floor Plan Number	Number of Units	Number of Stories	Max Height (feet)	Bedrooms	Square Footage	Garage Spaces
1	18	2	28	3	2,700	2
2	21	2	33	4	3,000	2*
3	20	2	32	4	3,200	2*

\* NOTE: Floor plan includes one tandem garage space to be used for storage and not counted or sold as an additional garage parking space.

**SURROUNDING LAND USE FOR PA99-0151 and PA00-0029:**

Direction	PA/Zoning	Land Use Designation	Existing Land Use
Project Site	NRPC PA 22	Med.-High Density Residential	Vacant, graded
North	NCPC PA 22	Med.-High Density Residential	Vacant, proposed multi-family
South	NRPC PA21	Med.-High Density Residential	Residential under development
East	A1	General Agricultural	Coyote Canyon Landfill, closed
West	City of Newport Beach	Residential	Single-family dwellings

**CEQA COMPLIANCE:**

These proposed projects are covered Final EIR 517 for the NCPC previously certified on 2/26/91, and the Bonita Canyon EIR prepared by the City of Irvine, previously certified on 5/28.96 (Exhibit 5). Prior to project approval, these EIRs and addenda must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Appendix A of the Planning Commission Resolutions contain the required CEQA Finding.

**REFERRAL FOR COMMENT AND PUBLIC NOTICE:**

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were

distributed for review and comment to 12 County Divisions, The City of Newport Beach and the Newport Mesa Unified School District.

As of the writing of this report, no comments raising substantial planning issues have been received from other County divisions. Where applicable, comments from other divisions have been incorporated in the project's conditions of approval.

The City of Newport Beach submitted comments (Exhibit 2) that expressed the City's general desire that these projects comply with City public works and fire department standards. These comments are similar to comments received other proposals in NRPC. The City notes that the City may someday annex both the NRPC and the Newport Coast Planned Community. The proposals in both PA99-0151 and PA00-0029 will be constructed to comply with the County's subdivision code, grading code, building code and fire code. It has been the County's practice that where there is a conflict between City of Newport Beach codes and County codes, the County codes prevail.

#### **DISCUSSION/ANALYSIS:**

In most planned communities, Planning Commission approval of a subdivision for single-family dwellings is not required. However, when Planning Area 22 was added to the NRPC, Condition of Approval No. 46 was also added requires Planning Commission approval of a proposal prior to the issuance of grading permits or building permits associated with a "B" tract map. This applies to both single family and multi-family developments. Since these proposals are associated with a "B" tract map, Planning Commission approval is therefore required.

Residential construction in Planning Area 22 is subject to gas migration mitigation associated with the closed Coyote Canyon Land Fill. Conditions of Approval for the NRPC prohibit residential structures with 250 feet of the limits of refuse of the landfill; and, special foundation shielding for homes within 1,000 feet of the landfill. All homes proposed in these to projects are outside the 250 feet limit. The special conditions from the NRPC zone change addressing the homes within 1,000 feet are re-applied to these proposals.

The modification requested to provide all driveways at a minimum setback length of 18 feet provides for a better project than does the standard for NRPC driveway setback of 7 feet or less, or 20 feet or more. The 18 feet minimum driveway setback is now the County standard and provides additional off-street private guest parking. The standard of 7 feet or less, when used, places a greater demand on the available street parking and reduces the amount of private guest parking at each residential site. The 18-foot setback together with the use of sectional door allows a car to be parked in the driveway without projecting over a sidewalk or into the street. Staff supports the requested modification for the 18 feet driveway length for both projects.

PA99-0151 includes two model home sales complexes (one each in TT 15935 and TT 16037) for the different product types. Each model complex provides more than the minimum number of off-street parking spaces. Each model complex provides for a sales information trailer that will be removed when the sales office opens in one of the models. A condition of approval has been applied that regulates time limits, signs and flags.

Approval of PA99-0151, PA00-0029 and the multi-family project approved under PA99-0205 on April 26, 2000 will complete the development plans in Planning Area 22. Development of these three projects, together with previous approvals in the NRPC, will account for 2,036 of the 2,550 dwelling units permitted in the NRPC. There are only two other planning areas in the NRPC that are currently vacant. Planning Area 15 (which is being developed in conjunction with a portion of Planning Areas 2C and 5 in the Newport Coast PC) was previously approved for 29 units, but has a maximum dwelling unit count of up to 547 dwelling units. Planning Area 12 has a designation of Commercial, but would permit up to 200 dwelling units. Planning Area 12 has no discretionary permit approvals for construction at this time.

Staff's review of the two proposals did not identify any issues that have not been addressed in the previous environmental reports or other approved discretionary permits. Conditions of Approval have been applied to address the conditions of approval previously applied to Planning Area 22 when it was incorporated into the NRPC. The major grading for these subdivisions was approved through TT 15585 and is currently underway. The environmental issues concerning preliminary site grading were addressed at that stage. The final grading remaining will be for the individual building pads and the precise grading for the individual homes. The proposal is consistent with applicable site development standards of the NRPC Medium-High Density Residential. The modification request for driveway lengths conforms to the Zoning Code's current driveway length standard. The modification requested is better than or equal to the NRPC driveway length standard. Staff supports the proposals submitted under Planning Application PA99-0151 and PA00-0029 and makes a recommendation as show below.

**RECOMMENDED ACTION:**

Planning and Development Services Department/Current Planning Services Division recommends the Planning Commission:

- a. Receive staff presentation and public testimony as appropriate;
- b. Adopt Planning Commission Resolution approving PA99-0151 for Site Development Permit subject to Findings and Conditions of Approval; and,
- c. Adopt Planning Commission Resolution approving PA00-0029 for Site Development Permit subject to Findings and Conditions of Approval.

Respectfully submitted

John B. Buzas, Manager  
Current Planning Services

**ATTACHMENTS:**

- A. Draft Planning Commission Resolution for PA99-0151 with Findings (Appendix A) and Conditions of Approval for (Appendix B)
- B. Draft Planning Commission Resolution for PA00-0029 with Findings (Appendix A) and Conditions of Approval for (Appendix B)

**EXHIBITS:** (NOTE: Exhibits 1, 2, 3, 4, 6 and 7 were previously submitted to the Planning Commission on April 26, 2000 and not included with this staff report. Exhibit 5 has been modified and is resubmitted with this report).

- 1. Planning Application/Tract Location Map
- 2. Applicant's Letter of Explanation for PA99-0151
- 3. Applicant's Letter of Explanation for PA00-0029
- 4. Comments from the City of Newport Beach
- 5. Environmental Documentation
- 6. PA99-0151 Site Plans
- 7. PA00-0029 Site Plans

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Orange County Planning Commission on PA99-0151 or PA00-0029 to the Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00, for each Planning Application, filed at the Development Processing Center, 300 N. Flower St., Santa Ana.