

**PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT**

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**DATE:** February 28, 2001

**TO:** Orange County Planning Commission

**FROM:** Planning & Development Services Department/Current Planning Services Division

**SUBJECT:** Public Hearing on Planning Application PA00-0137 for Site Development Permit and Area Plan Amendment.

**PROPOSAL:** Site Development Permit for the construction of 232 multi-family dwelling units with a maximum building height of 42 feet on a 10.4-acre site. Amendment to Area Plan AP98-05 to increase the number of dwelling units permitted in Planning Area 6 from 200 to 232; and, to decrease the number of dwelling units in adjacent Planning Area 3 by 32 units.

**LOCATION:** In Planning Area 6 of the Ladera Planned Community located on the east side of Antonio Parkway, south of Crown Valley Parkway. Fifth Supervisorial District.

**APPLICANT:** DMB Ladera, property owner  
Western National Properties, land developer  
Planning Solutions, agent

**STAFF** William V. Melton, Project Manager

**CONTACT:** Phone: (714) 834-2541 FAX: (714) 834-4652

**SYNOPSIS:** Current Planning Services Division recommends Planning Commission approval of PA00-0137 for Site Development Permit and Area Plan Amendment subject to the attached Findings and Conditions of Approval.

**BACKGROUND:**

The Planning Commission approved Area Plan AP98-05 for Planning Area 6 of the Ladera PC on March 9, 1999 (Planning Application PA98-0186). That approval developed the framework for PA 6 uses and designated up to 20 acres within PA 6 to accommodate up to 200 dwelling units. At that time the Planning Commission made a special finding applicable to maximum building heights within PA 6 for multi-family residential projects and commercial buildings.

The Area Plan established a maximum building height for multi-family residential projects of 45 feet. However, all projects that exceed the base height limit of 35 feet are required to be reviewed and approved by the Planning Commission. The proposed apartment project is located with PA 6, subarea B and is designated for residential and mixed use commercial. This application includes review of a Site Development Permit and Area Plan amendment to increase the allowable dwelling units within PA 6 from

200 to 232 dwelling units, an increase of 32 dwelling units. The additional dwelling units are proposed to be allocated from adjacent PA 3.

Regarding the proposed Site Development Permit, the proposed apartment project is located within a 10.4 acre site in the southern portion of Planning Area 6 of the Ladera Planned Community. Planning Area 6 has a land use designation of Urban Activity Center (UAC). The UAC permits up to 854,000 square feet of non-residential uses and up to 200 dwelling units.

The developer of this 10.4 site, Western National Properties, proposes the construction of a 232-unit apartment complex. The apartment units are divided among 13 three-level buildings in four building types. The apartment types range from a 550 square foot junior-bedroom unit to a 975 square foot two-bedroom dual master units. Each unit is provided with a one-car garage with the balance of the parking in bays along the internal street circulation. A total of 566 parking spaces are provided. A recreation area with pool is provided. A combination leasing office/community building is provided in the recreation area.

The proposed apartment project conforms to the applicable site development standards and design guidelines. This proposal is a development, which could be approved without the need of a public hearing. However, in order to build this apartment complex as submitted, previous approval to PA 6 of the Ladera PC required this proposal to be reviewed and approved by the Planning Commission for the following two reasons:

1. The proposed apartment height is 42-feet. This height is allowed in PA-6 per Area Plan AP98-05, Finding #10 which permits a maximum multi-family building height limit of 45 feet. However, Finding #10 further requires Planning Commission approval of a site plan for building heights in excess of 35-feet.
2. The amendment to the area plan calls for the reallocation of 32 dwelling units from Planning Area 3 to Planning Area 6 to accommodate the proposed 232 apartment units in PA-6, which exceed the current PA-6 Area Plan total of 200 dwelling units. The Ladera P.C. Text allows reallocation of the additional 32 dwelling units from adjacent Planning Area 3, but because this reallocation exceeds 5% of the current PA-6 residential allocation, P.C. Section X.D.6. requires Planning Commission approval of an amendment to the P.C. Statistical Table and an amendment to each applicable area plan.

#### **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 nine County Divisions.

As of the writing of this staff report, no comments raising issues with the project that cannot be addressed through the incorporation of standard conditions of approval have been received from other County division.

**SURROUNDING LAND USE:**

| <b>Direction</b> | <b>Planning Area/Zoning</b> | <b>Land Use Designation</b> | <b>Existing Land Use</b>   |
|------------------|-----------------------------|-----------------------------|--|
| Project Site     | 6                           | Urban Activity Center       | Vacant, rough graded (proposed residential)                        |
| North            | 6                           | Urban Activity Center       | Vacant, rough graded (proposed office & mixed use)                 |
| South            | A-1 “General Agricultural”  | Open Space                  | SDGE substation and Ladera Land Conservancy (permanent open space) |
| East             | A-1 “General Agricultural”  | Open Space                  | Open Space, Ladera Land Conservancy (permanent open space)         |
| West             | 3                           | Residential                 | Vacant, rough graded, proposed apartments                          |

**CEQA COMPLIANCE:**

The proposed project is covered by Final EIR 555, previously certified on October 17, 1995, and Addendum PA000137 (Exhibit 2). Prior to project approval, this EIR and Addendum must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Appendix A contains the required CEQA Finding.

**DISCUSSION/ANALYSIS:**

This Planning Application is submitted to the Planning Commission for two reasons: the proposed building height of 42 feet; and, an amendment to an area plan. The proposed apartment complex conforms to the site development standards required for residential development in PA 6 and parking standards required the Zoning Code. Following is a discussion of the proposed building height and the proposed amendment to Area Plan AP89-05. Staff notes that this proposed amendment is supplementary to AP89-05 and does not supercede it.

**BUILDING HEIGHT**

As previously mentioned the UAC has a multi-family maximum building height of 35-feet. The Planning Commission can extend this height to 45 feet through approval of a Site Development Permit as permitted by Finding No. 10 of PA98-0186. The proposed apartment height of 42-feet allows for three-story apartments with 9-foot ceiling heights. The architectural style of the apartments also is better served by

steeply pitched roofs, allowing the project too more seamlessly fit into the thematic framework of the UAC. The buildings are designed with architectural features, such as building projections. This design together with the roof design provides for a building mass that supports the requested building height of 42 feet. The proposed building height of 42-feet is consistent with site development regulations established for the Ladera PC. Staff did not identify any planning issues associated with the proposed building height.

### AREA PLAN AMENDMENT

At the time when the Ladera Planned Community was originally being considered in 1995, there was a concern that there may be economic pressures for the Ladera Urban Activity Center (PA-6) to be developed primarily as a housing enclave. At the time similar issues were prevalent in the Rancho Santa Margarita Town Center. Therefore, an arbitrary 200 dwelling unit cap was placed on the Ladera Planned Community Urban Activity Center, which along with a cap of 854,000 square feet of non-residential uses, was intended to ensure a broad mix of land uses.

Land uses currently being planned within the Ladera Urban Activity Center are extremely diverse, and the 10.4-acre apartment project represents a reduction from the 20.3-acre residential area approved per PA98-0186, further ensuring the development of a broad range of non-residential uses within the Ladera UAC. Over the coming months DMB Ladera will be submitting site development permit applications to the County to allow retail commercial uses, office parks, a post office, church, day care, medical and fitness center facilities in the UAC. In addition, by providing apartments within this urban enclave, Ladera will be serving a sector of the County's housing needs which has, according to the applicant, been underserved in South Orange County in recent decades.

In support of the proposed Area Plan Amendment, a traffic analysis (Exhibit 4) was prepared by Austin-Foust Associates to assess any potential traffic impacts that could occur with the transfer of dwelling units from PA 3 to PA 6. As determined by the traffic analysis, the proposed reallocation of 32 dwelling units from PA 3 to PA 6 will have no impact on intersections or road links within the local and regional context of the traffic study area. No other environmental impacts have been identified, whereas all other aspects of the project have been analyzed by previous environmental documentation.

One other additional revision to the PA-6 Area Plan is the removal of the "Justice Center" overlay from Exhibit 5 and Table 1. At the time the original PA-6 Area Plan AP89-05 was approved the justice center overlay was included as a potential location of a future County facility. Negotiations have subsequently been abandoned regarding purchase of land for a future County justice center facility in this location.

Included with this report (Exhibit 3) are the proposed amendments to Area Plan AP89-05. In this exhibit is the existing statistical pages of the Area Plan for PA 3 and 6 followed by a page using strikethrough to show the proposed changes. These exhibits show the revisions and amendments required for both Planning Area 3 and 6. This proposed amendment does not alter the total number of dwelling units permitted in the Ladera PC. The proposed site plans showing the requested 42 feet height limit are included as Exhibit 5.

**RECOMMENDED ACTION:**

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

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve PA00-0137 for Site Development Permit and Area Plan Amendment subject to the attached findings and conditions of approval.

Respectfully submitted

John B. Buzas, Manager  
Current Planning Services

WVM

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**APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**EXHIBITS:**

1. Applicant's Letter of Explanation
2. Environmental Documentation
3. Area Plan Amendment Submittal, including:
  - Ex 1 – Existing Ladera PC Statistical Table
  - Ex 2 – Proposed Ladera PC Statistical Table (shown in strikethrough format)
  - Ex 3 – Existing PA 6 Area Plan Land Use Plan
  - Ex 4 – Proposed PA 6 Area Plan Land Use Plan
  - Ex 5 – Existing PA 6 Statistical Summary
  - Ex 6 – Proposed PA 6 Statistical Summary (shown in strikethrough format)

Ex 7 – Existing PA 3 Statistical Summary

Ex 8 – Proposed PA 3 Statistical Summary (shown in strikethrough format)

4. January 2001 Ladera Ranch Traffic Forecast Data by Austin-Foust Associates
5. Proposed Site Plans (including full size site plan and reduced site plans)

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Orange County Planning Commission on this permit to the Board of Supervisors 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.