



PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: October 18, 2001

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department,
Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA01-0047 for a use permit.

PROPOSAL: Request for approval of a use permit to facilitate the construction of a three story high, 29,944 square foot administrative office building, including a mechanical screen for roof-mounted equipment and a parking lot for 120 vehicles.

LOCATION: 20162 Birch Street, in the Santa Ana Heights Specific Plan area, within the Second Supervisorial District.

APPLICANT: Aspen Grove Investments L.L.C.
180 Avenida La Pata, San Clemente, CA 92673

STAFF CONTACT: Marta B. Crane, AICP, Project Manager
Phone: (714) 834-5144 FAX: (714) 834-4652

SYNOPSIS: The Current Planning Services Division recommends Zoning Administrator approval of Planning Application No. PA01-0047, subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The project site is located in the Santa Ana Heights Specific Plan Area. The property is currently vacant, within the BP (Business Park) zoning district. This proposal consists of a 3-story office building with a total of 29,944 square feet, including 120 parking spaces in a 1.55 acre site. The proposed use is permitted in the BP district subject to a use permit approved by the Zoning Administrator pursuant to Section IV. D. 8.b (1) (a) of the Specific Plan, and Section 7-9-150 of the County of Orange Zoning Code.

SURROUNDING LAND USE:

The subject property is located mid-block, surrounded by nonconforming residential uses to the east and west. To the south, the site is surrounded by residential equestrian uses, and to the north, across Birch Street, the site is surrounded by low-rise office uses all of which are zoned BP (Business Park). The residential uses to the east and west are also zoned BP, while the residences to the south are within the REQ (Residential Equestrian) zoning district (Exhibit 1).

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 subject site, at the County of Orange Hall of Administration; at the County Planning and Development offices on 300 N. Flower Street, 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 various Orange County Divisions and to the Santa Ana Heights Project Advisory Committee (PAC). The applicant met with the neighborhood Committee and adjacent property owners to present the project and obtain input. The Committee's comments were forwarded to staff and have been either complied with or introduced as conditions of approval (Exhibit 3).

In addition, staff received correspondence from Mr. Skip Jackson, the owner of the adjacent property to the west at 20182 Birch Street (Exhibit 4). Mr. Jackson is requesting staff to seek modifications to the site plan, building height and an access easement from the project site to the rear of his property. County Planning and Traffic Engineering staff reviewed the requests, however, such requests are not subject to code requirements that could be enforced by Orange County staff. Staff also concluded that there is no public need for the easement requested, therefore, Mr. Jackson was advised to contact the applicant directly for private negotiations. As of the writing of this staff report, there are no issues raised by any Orange County Divisions.

CEQA COMPLIANCE:

Negative Declaration No. PA 01-0047 (Exhibit 5) has been prepared for this proposal pursuant to the California Environmental Quality Act (CEQA). It was posted for public review and commenting from August 6, 2001 to September 4, 2001 as required. Due to changes to scale back the project, the Negative Declaration was revised and posted again for public review and commenting from September 21, 2001 to October 11, 2001. Prior to project approval, the Zoning Administrator must find this Negative Declaration adequate to satisfy the requirements of CEQA. Appendix A contains the required CEQA Findings.

DISCUSSION/ANALYSIS:

The project is located in an area that is transitioning from older development of low to moderate intensity with assorted subdivision and land use patterns, into a modern business park. This transition reflects the goals of the Santa Ana Heights Specific Plan, which envisions all properties along Birch Street becoming a business park district, hence zoned BP (Business Park). The proposed project consists of a three story office building in a 1.55 acre site to a total of 29,944 square feet and 120 parking spaces.

As proposed, the project meets or exceeds all development standards contained in the Specific Plan, including, parking, landscape, building height and architecture (Exhibit 6). The parking requirements for this general office use has been fully satisfied by the provision of 120 parking spaces at a ratio of one space for every 250 gross square feet. The project includes over 23% of landscape coverage, and the landscaping requirements for parking lots in BP districts has been satisfied by the introduction of one (1) canopy tree for every four (4) parking stalls in landscape planters that also include light standards as

required by the Plan. The buffering requirements to protect the adjacent REQ (Residential Equestrian) area to the south will be accomplished by a 12 foot wide landscape planter with evergreen trees planted every 18 feet, all along the rear property line. The project also includes a decorative six (6) foot high, solid block wall along the south property line, which has been designed per the specifications of the Specific Plan. The balance of the perimeter walls will be finished to match the building's architecture.

The residential apartments to the east of the property are buffered by a five (5) foot landscape planter directly against a row of carports located between the residential building and the project's parking lot. The single family home to the west of the property will be buffered by a six foot solid masonry wall and by a 20 foot landscape setback which is well over the ten feet minimum requirement. This buffer will be heavily landscaped with canopy trees, shrubs and ground cover. A landscape buffer is not required between properties zoned BP, however, it will be provided to accommodate the current residential use, and it is to be maintained as long as the residential use remains legal nonconforming. This buffer will be a condition of approval for the project.

The building architecture is clean and makes use of glass and painted stucco, blending well with, and complementing other office buildings in the BP district along Birch Street. The building elevations comply with the maximum height of 37 feet allowed in the district. The fenestration of the building's south elevation is in full compliance with the Specific Plan's privacy provisions to protect the REQ (Residential Equestrian) area, which prohibits a direct line of sight into the district. Therefore, all windows facing south will have opaque sandblasted glass from the ground up to 6 ½ feet high to impede visibility into the residential back yards. In addition, the building has no balconies or stairwells that could compromise the residential district's privacy.

CONCLUSION OR SUMMARY:

The intent of the Santa Ana Heights Specific Plan is to ensure orderly and balanced development in the Santa Ana Heights community. One of the major objectives of the Plan is to encourage business development in designated areas of Santa Ana Heights and to ensure that such development does not impact nearby residential designated areas. To that extent, the proposed project includes design features that respond to the requirements and recommendations contained in the Specific Plan. In addition, the applicant worked out various other project details with staff and with the Santa Ana Heights PAC to ensure the project fits well within its context and the Business Park district. As a result, the site design and the building architecture of the proposed project carefully follow the intent of the Specific Plan and comply with all the requirements contained therein. The project as presented is the outcome of consensus building reached during the design review process. Therefore, staff supports approval of this project, subject to the findings and conditions of approval in appendices A and B.

RECOMMENDED ACTION:

The Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,

- b. Approve Planning Application PA01-0047, subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

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APPENDICES:

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

EXHIBITS:

1. Surrounding Properties and Project Location.
2. Applicant's Letter of Explanation.
3. Santa Ana Heights Project Advisory Committee recommendations.
4. Correspondence received during public review period.
5. CEQA documentation.
6. Project Site Plans and Elevations.

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator 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.