

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT
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DATE: December 4, 2001

TO: Orange County Planning Commission

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

SUBJECT: Public Hearing on Planning Application PA01-0091 for Use Permit

PROPOSAL: Construction of five (5) detached single-family dwelling on a lot zoned R4 “Suburban Multifamily Residential” District using the PD “Planned Development” District regulations as permitted by Orange County Zoning Code Section 7-9-110. Each two-story dwelling unit will be on an individual lot, have three-bedroom and a two-car garage. This proposal is associated with Tentative Tract Map No. 16277.

LOCATION: In the Santa Ana Heights area, on the north side of Mesa Drive between Santa Ana Avenue and Irvine Blvd. at 1541 Mesa Drive. Second Supervisorial District.

APPLICANT: SCI Enterprises, owner/developer

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

SYNOPSIS: Current Planning Services Division concludes that the proposal is consistent with the provisions of the PD “Planned Development” District and recommends Planning Commission approval of PA01-0091 for Use Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The project site is level and developed with an abandoned single-family dwelling with out buildings. The site is 17,550 square feet in area, measuring 75 feet wide by 234 feet deep. The site is zoned R4 “Suburban Multifamily Residential” and permits single-family and multi-family dwellings. The minimum lot size for single-family dwellings is 7,200 square feet while multi-family dwelling are permitted at a density of one dwelling unit per each 3,000 square feet of land area. The site is just west of boundary of the Santa Ana Heights Specific Plan, and only subject to the provisions of the Orange County Zoning Code. It should be noted the proposed building sites are located outside of John Wayne Airport 65 CNEL noise contours.

The applicant proposes to raze all existing buildings on site, grade the site to County standards and construct 5 new single-family dwellings, each on a individual lot. The site is large enough to support 5 multi-family dwellings on one building site under the R4 zoning. These units could be attached or detached. However, the applicant is proposing 5 single-family dwellings on individual building sites. In order to do this, the applicant would need a minimum lot size in excess of 36,000 square feet (5 x 7,200

plus the area need for access to each lot) in the R4 District. As an alternate, the Zoning Code permits development of single-family dwelling on smaller lots using the PD “Planned Development” District regulations contained in Zoning Code Section 7-9-110. The applicant is requesting Planning Commission approval of a Use Permit to construct 5 single-family dwellings on individual lots as permitted under the PD District development regulations of the Zoning Code.

SURROUNDING LAND USE:

Direction	Zoning	Existing Land Use
Project Site	R4 “Suburban Multifamily Residential”	Residential, single-family dwelling, abandoned
North	R2 (1800) “Multifamily Dwelling” 1,800 square feet per unit	Residential, multi-family apartments
South	R4 “Suburban Multifamily Residential” R1 “Single-family Residence”	Residential, multi-family Residential, single-family
East	R4 “Suburban Multifamily Residential”	Residential, multi-family apartments
West	R4 “Suburban Multifamily Residential”	Residential, multi-family

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 9 County Divisions, the Santa Ana Heights Planning Advisory Committee (PAC) and the cities of Newport Beach and Costa Mesa. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions. The City of Costa Mesa commented that the proposal was in their sphere of influence and the proposal did not conform to all of the city site development standards for there comparable zone of R2-Medimum Density. These comments are typical to other City comments received on several similar nearby projects. The PAC did not review or comment on the proposal since it was not within the Santa Heights Specific Plan boundary.

Staff received a letter from Mr. Woodrow Lewis dated November 19, 2001 that was addressed to the Subdivision Committee. Mr. Lewis stated that he was in opposition to the proposed tentative tract map (TT16277). His main concern appeared to be a parking issue. His letter was received after mailing of the notice of hearing for the Subdivision Committed hearing. Staff has not received comments from Mr. Lewis after the notice of this Planning Commission hearing was mailed. It is assumed that a similar

comment will be made concerning this Use Permit application. If a comment is received from Mr. Lewis regarding this Use Permit request, it will be presented at the December 4, 2001 hearing.

CEQA COMPLIANCE:

Negative Declaration No. PA010091 (Exhibit 2) has been prepared for this proposal. It was posted for public review on November 1, 2001 and became final on November 20, 2001. Prior to project approval, the Planning Commission must find this ND adequate to satisfy the requirements of CEQA. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The R4 District permits multi-family developments at a density of one dwelling unit (attached or detached) per 3,000 square feet of net lot area without the need for a Use Permit. The R4 District also permits single-family dwellings; however, a building site of 7,200 square feet is required for each building site. By using the PD “Planned Development” District overlay, the density of the project is determined by the underlying zoning, but carries no requirement for individual lot sizes. For this PD proposal, the net area is 17,550 square feet; and, with the underlying zoning density of one dwelling unit for every 3,000 square feet, up to 5 dwelling units are permitted. While a PD proposal has no minimum lot coverage or setback requirement for an individual lot, it does have overall maximum site coverage of 40 percent (the proposed project has a 28 percent site coverage). The individual lots in this proposal range in size from 1,970 square feet (37.5 feet x 52.5 feet) to 2,157 square feet (37.5 feet x 58 feet). Building setbacks are approved as part of the Use Permit for the PD.

All homes in this project are two-story, each with three-bedrooms, and two-car garages equipped with remote controlled sectional garage doors. All homes have the same floor plan. Different features on the building front elevations are proposed. The total height of each home is 25 feet. In addition to the 10 garage parking spaces, 5 uncovered parking spaces are provided. This total is one less than the requirement. This variant is included in the Use Permit. However, staff is recommending a condition of approval requiring the applicant to provide the standard parking requirement of 6 open on-site parking spaces. While parking is available on Mesa Drive, there is no guarantee the limited parking will be available at all times. For this reason, staff is requiring the proposal conform to the minimum off-street parking standards. In addition to the proposed Use Permit, Tentative Tract Map 16277 is being processed concurrently to create the 5 individual building sites and one common lot.

Access to all of the proposed homes is from a 20 feet wide access road from Mesa Drive. None of the proposed homes take direct access from Mesa Drive. The home nearest the front of the site is setback 20 feet from the ultimate right of way of Mesa Drive. The homes to the rear of the property are setback 15 to 16 feet from the rear property line. The rear property line of this proposal is also the side property line of an adjacent large apartment complex to the north. The homes at the rear of the site are setback a minimum of 5 feet from the site's side property line. The three homes at the front and middle of the site have side

yard setbacks of 8 ½ to 9 ½ feet from the current property line. This setback will be the rear yards of the homes when constructed.

Several other properties in R4 District in the vicinity have approved Use Permits for Planned Developments. The majority of these projects are on Santa Ana Avenue, just south of the project. The Planning Commission and the Zoning Administrator have previously approved several other similar type proposals. Four similar projects in the vicinity are:

1. UP93-015, 2042 Santa Ana Avenue, Use Permit and Variance for 8 condominium units in a Planned Development on a 26,400 square foot site.
2. PA98-0063, 2032 Santa Ana Avenue, Use Permit and Variance for 3 detached condominium units on a 9,400 square foot site.
3. PA99-0041, 2368 Santa Ana Avenue, Use Permit and Variance for 5 single-family homes in a Planned Development on an 18,000 square foot site.
4. PA00-0021, at 2636 Santa Ana Avenue, Use Permit for 5 single-family homes in a Planned Development on a 17,400 square foot site.

In the past, a proposal using the PD District regulations offered single-family detached homes on smaller lots with usable common open space adjacent to the residential development area. However, in recent years, the PD District has been used to create smaller lots with either detached condominiums or detached single-family dwellings with private open space for each lot. Each lot in this proposal has its own usable private open space (usable defined as an area greater than 5 feet in width). The usable open space area ranges in size from approximately 480 square feet to 730 square feet. The area is achieved through the use of rear yards and a side yard easement arrangement. There are also common homeowner association maintained landscape areas located at the front of each building. This proposal represents this more recent expression of the Planned Development concept.

Staff supports this Use Permit for the proposed PD subject to conditions for minor revisions. The proposal does appear to meet the current concept of urban infill Planned Developments, especially in the R4 District along nearby Santa Ana Avenue. Planning staff is seeing more projects where private open space over community open spaces is being requested and approved. This is true in both multi-family and single-family developments. The applicant has designed the homes to be compatible with other dwellings in the vicinity. Staff recommendation for the Use Permit for a Planned Development as follows.

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 PA01-0091 for Use Permit subject to the attached findings and conditions of approval.

Respectfully submitted

George Britton, 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. Aerial Site Photo
4. 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. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.