

RDMD/Planning and Development Services

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DATE: July 8, 2004

TO: Orange County Zoning Administrator

FROM: RDMD/PDS/Current and Advance Planning Services

SUBJECT: Public Hearing on Planning Application PA04-0031 for Use Permit

PROPOSAL: The applicant requests approval of a Use Permit for the construction of 20 residential condominium units on a 38,280 square foot site zoned R2 “Multifamily Dwellings” District. The Use Permit also includes a request for a 5 to 6 feet high wall along the side property line in the front setback area.

LOCATION: The subject property is located in the Santa Ana Heights, between Mesa Drive and Orchard Drive at 20402 Santa Ana Avenue. Second Supervisorial District.

APPLICANT: Isabel and Julia Hernandez

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 834-3522

SYNOPSIS: PDS/Current and Advance Planning Services recommends Zoning Administrator approval of PA04-0031 for Use Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

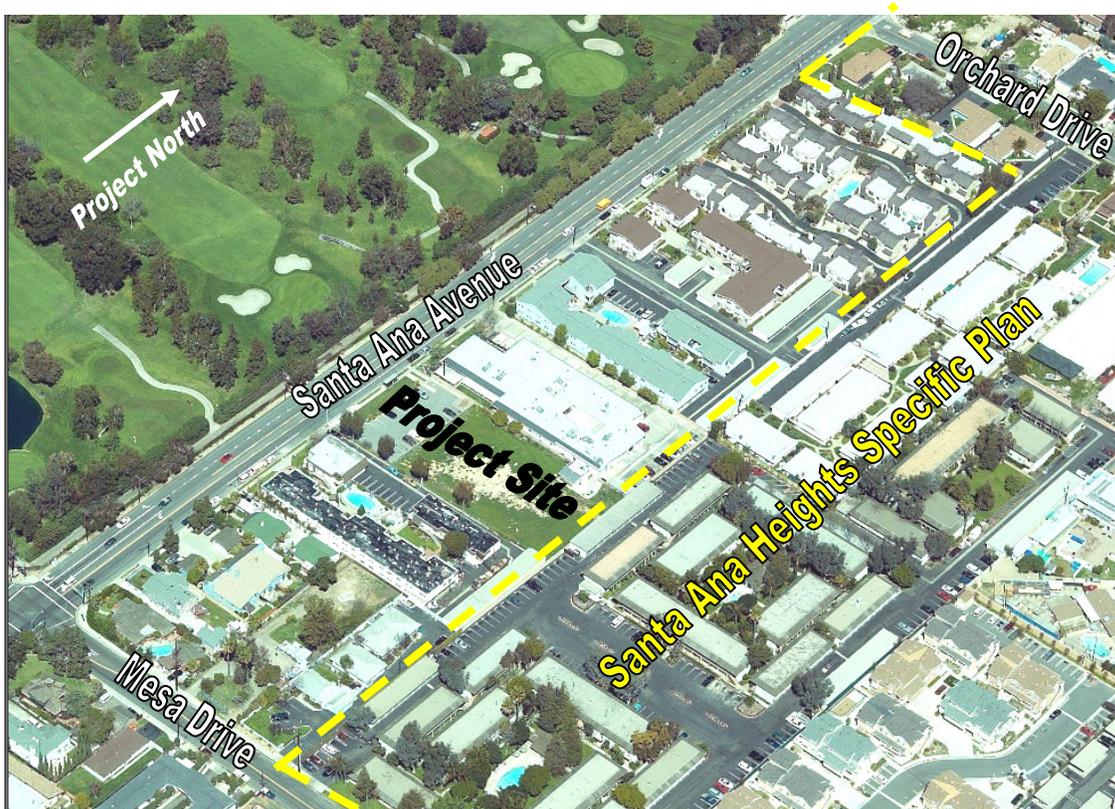
The subject site is 38,280 square feet in area, measuring 132 feet wide by 290 feet deep. The site is zoned R2 “Multifamily Dwellings” (1800 – minimum land area, in square feet, per dwelling unit) (SR “Sign Restriction”) (C3024). The “C3024” represents the Board of Supervisors Ordinance for the zoning of this property in 1978. This ordinance included conditions required acoustical reports approved prior to the issuance of building permits. The R2 zoning normally permits building at a density of one dwelling unit for each 1,000 square feet of net property. The “1800” for this R2 zoning permits a maximum of 21 dwelling units.

The applicant proposed to construct a total 20 condominium residential units on the site. The 20 units are located are in two buildings, each two-stories in height (approximately 25 feet). Each unit has two-bedrooms and an attached two-car garage. The dwelling unit’s living area ranging is size from 1,975 to 2,038 square feet. The dwelling units will be rented as apartments for an unknown period of time. The proposed Use Permit also includes a request for a 5 to 6 feet high wall along the side property line in the front setback area.

Previous to this request, the Planning Commission approved Use Permit UP93-010P on May 4, 1993 to use the site for a temporary off-site parking lot and construction of a temporary storage building for use associated with the adjacent convalescent hospital to the north of the subject property. It appears that at one time the subject site was envisioned for future expansion to the convalescent hospital. The site is presently being used as an off-site parking facility at the front of the property with a storage shed at the rear of the property as approved under UP93-010P.

SURROUNDING LAND USE: (assumes Santa Ana Avenue runs north/south)

Direction	Zoning	Existing Land Use
Project Site	R2 (1800) (SR) (C3029)	Temporary parking lot for the site to the north
North	R2 (1800) (SR) (C3029)	Convalescent hospital
South	R2 (1800) (SR) (C3029)	Multi-family apartments
East	A1 (SR)	Santa Ana Country Club
West	Santa Ana Height Specific Plan RMF “Residential Multi-family”	Multi-family apartments



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 County Divisions and the City of Costa Mesa. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff. The City of Costa Mesa submitted comments (Exhibit 2) and included a comparison of City development standards with the proposed development standards. Their comment memo also included comments on: 1) the proposed wall in the front setback area; 2) building design; 3) proposed signage; 4) landscaping; and 5) the length of the building should be broken into no more than 6 units.

CEQA COMPLIANCE:

Negative Declaration No. PA040031 (Exhibit 4) has been prepared for this proposal. It was posted for public review on June 3, 2004 and became final on June 23, 2004. Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The subject site is zoned R2 (1800) (SR) (C3028) District. This is a high-density multi-family zone with a minimum lot area of 1,800 square feet per dwelling unit. This district has an overlay of Sign Restriction and a condition established by Ordinance 3028 that an acoustical report is required. The site's zoning would permit a maximum of 21 dwelling units in a structure(s) up to 35 feet in height. The following chart lists the required/permitted development standards and the proposed development standards.

DEVELOPMENT STANDARD	REQUIRED/PERMITTED	PROPOSED
Number of dwelling units	21	20
Building height	35 feet	25 feet
Front setback	20 feet	20 feet – 1 inch
Rear setback	25 feet	25 feet – 7 inches
Side setback	5 feet	5 feet
Resident parking	Two covered spaces per unit	Two-car garage per unit
Guest parking	4 spaces	4 spaces
Driveway width	24 feet for two way traffic	24 feet
Back-up distance from garage door	30 feet	30 feet – 2 inches
Useable open space	None required	162 sq. ft. private open space/unit

As seen in the chart above, the proposed project conforms to the minimum site development standards of the R2 District required for such proposal.

Regarding the comments submitted by the City of Costa Mesa, conditions of approval and building redesign address the wall in the front setback area (condition number 31), signage (condition number 30) and landscaping (condition number 15). The original plans submitted for this proposal had two buildings

running the length of the property on each side of the driveway access. The Orange County Fire Authority required a 5-foot wide pass through in the middle of each structure to meet fire code requirements. As a result of the OCFA requiring the pass through, the City's comment about breaking up the building's length has been addressed.

As noted in the Surrounding Land Use section of this report (also see air photos in Exhibit 3), the subject site is surrounded on two sides by existing two-story multi-family residential and the convalescent hospital on the third side. The proposed multi-family proposal should therefore be compatible with surrounding land uses. Staff is able to support the proposal because it conforms to all required development standards for such proposals. The proposal is able, through conditions and revisions to the original design, to meet the major concerns of the City of Costa Mesa, which may annex the area in the future. Staff recommends Zoning Administrator approval of this proposal as follows.

RECOMMENDED ACTION:

PDS/Current and Advance Planning Services recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA04-0031 for Use Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

William V. Melton, Project Manager
CAPS/Site Planning Section

WVM

Folder: My Documents/Use Permit/Use Permit 2004/PA04-00031 Staff 7-8 Hernandez

APPENDICES:

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

EXHIBITS:

1. Applicant's Letter of Explanation
2. Comments from the City of Costa Mesa

3. Site Photos
4. Environmental Documentation
5. Site Plans

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. 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 RDMD/Planning and Development Services.