



Agenda Item

Planning Commission

Item #: 3.4.

2/5/2024

File #: 24-0092

TO: Chair and Members of the Planning Commission

THRU: Anna Pehoushek, Assistant Community Development Director

FROM: Monique Schwartz, Senior Planner

1. SUBJECT

Density Bonus Housing Agreement, The Orion Senior Citizen Apartment Complex, 1800 E. La Veta Avenue

2. SUMMARY

Approval of a Density Bonus Housing Agreement is required for the construction of a 166-unit affordable senior citizen apartment complex on a 3.85-acre site as part of the implementation of Conditional Use Permit No. 3146-21, Major Site Plan Review No. 1047-21, Design Review No. 5042-21, and a density bonus with affordable housing concessions and waivers to development standards, The Orion Senior Citizen Apartment Complex approved by the Planning Commission on March 7, 2022.

3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 03-24 entitled:

A Resolution of the Planning Commission of the City of Orange approving a Density Bonus Housing Agreement for the construction of a 166-unit affordable senior citizen apartment complex located at 1800 E. La Veta Avenue.

4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.15.070 authorizes the Planning Commission to approve Density Bonus Housing Agreements. The final determination by the Planning Commission on these applications may be appealed to the City Council pursuant to the time period and requirements established in the OMC for appeals.

5. PROJECT BACKGROUND

The DRC conducted a review of the project on December 15, 2021, and recommended project approval with conditions to the Planning Commission by a 3-1-1 vote.

On March 7, 2022, the Planning Commission approved the project at a public hearing subject to conditions of approval by a 4-0-1 vote. Planning Commission Resolution No. PC 02-22, and the associated Staff Report and Minutes are included as Attachments 2, 3 and 4.

The project conditions of approval (Attachment 2) require the applicant to record a Density Bonus Housing Agreement on the parcel designated for the construction of the affordable units. The

approval of the Density Bonus Housing Agreement (Attachment 1) would fulfill the requirement.

Pursuant to OMC Section 17.15.070, the Planning Commission has final approval of a Density Bonus Housing Agreement.

<i>Applicant:</i>	USA Properties Fund Incorporated / Leatha Clark
<i>Property Owner</i>	Orange 702 LP
<i>Property Location</i>	1800 E. La Veta Avenue
<i>Existing General Plan Land Use Element Designation</i>	Medium Density Residential, 15-24 dwelling units/acre (MDR)
<i>Existing Zoning Classification</i>	Residential Multiple Family (R-3)
<i>Old Towne</i>	No
<i>Specific Plan/PC</i>	No
<i>Site Size</i>	167,706 square feet (3.85-acres)
<i>Circulation</i>	The project site is located on the east side of South Tustin Street, on the south side of East La Veta Avenue, and on the north side of East Fairway Drive. The City's Master Plan of Streets and Highways classifies North Tustin Street as a Major Arterial with an ultimate right of way width of 120 feet, East La Veta Avenue as a Secondary Arterial with an ultimate right of way width of 86 feet, and East Fairway Drive as a local residential street. Access to the site is provided by two-way driveways along East La Veta Avenue and East Fairway Drive. These driveways are connected by an interior drive aisle that traverses the site in a north-south direction leading to interior gated parking lots. In addition, an access point to the multi-purpose Santiago Creek Trail is located at the northeast corner of the intersection of Tustin Street and La Veta Avenue immediately to the north, and OCTA Bus Route 71 (Yorba Linda to Newport Beach) is located adjacent to the northwest corner of the site along Tustin Street.
<i>Existing Conditions</i>	The existing site is an "H"-shaped parcel that is currently developed with a 107,586 square foot, 1 and 2-story rehabilitation center building with enclosed swimming pool built in phases from 1960 to 1987, surface parking lots, landscaped park with walking path, rectangular play yard, mature trees and related site improvements. A 1,300 square foot single-family residence built in 1914 was located at the southwest corner of the site, but was removed due to fire damage and vandalism.

<i>Surrounding Land Uses and Zoning</i>	To the north of the project site is East La Veta Avenue and a 2-story multi-family apartment complex (Arroyo Casa Apartment Homes), zoned Residential Multiple Family (R-3). Also to the north is the Santiago Creek Trail. To the south is East Fairway Drive, a 76 Gas Station and 7-Eleven convenience store, and 1-2 story multi-family apartment complex (Fairway Park Apartments), zoned Limited Business (C-1) and Residential Multiple Family (R-3), respectively. To the east is a 1-story multi-family apartment complex and swimming pool area (Fairway Park Apartments), zoned Residential Multiple Family (R-3). To the west is South Tustin Street and a 4-story multi-family apartment complex (Harmony Creek Senior Apartment Homes), zoned Planned Community (P-C).
<i>Previous Applications/Entitlements</i>	On December 2, 1985, the Planning Commission adopted Resolution No. PC 89-85 approving Conditional Use Permit No. 1478, Variance No. 1781, and Tentative Parcel Map No. 85-402 to allow subdivision of a 5.17-acre Rehabilitation Institute site into two parcels in order to construct a 3-story, 40-unit affordable senior citizen apartment complex. On August 18, 1986, the Planning Commission adopted Resolution No. PC-65-86 approving Conditional Use Permit No. 1528 for the construction of a 5,665 square foot, 1-story addition to an existing 24,004 square foot, 2-story outpatient rehabilitation building to be utilized for day care and bingo activities.

6. PROJECT DESCRIPTION

The approved project involves the demolition of an existing 107,586 square foot rehabilitation center building, a 1,300 square foot single family residence, and site improvements in order to construct a 166-unit (164 resident units and two manager units), 100% affordable senior citizen apartment complex. The 1,300 square foot single family residence has recently been demolished due to fire and vandalism. The community will be income restricted with incomes ranging between 30% Area Median Income (AMI) to 70% AMI. The population served by the project include low-and very-low-income households. The project will also be restricted to seniors at or over the age of 62. Please see the March 7, 2022 Planning Commission Staff Report (Attachment 3) for additional details regarding the project description.

7. ANALYSIS AND STATEMENT OF THE ISSUES

The approval of a Density Bonus Housing Agreement is an existing condition for the implementation of the project and no additional issues have been identified.

8. PUBLIC NOTICE

No public notice was required.

9. ENVIRONMENTAL REVIEW

Categorical Exemption: The project was determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15332 (Class 32 - Infill Development Projects) as noted in the March 7, 2022 Planning Commission approval because

the project meets the following criteria:

- a. With the allowed affordable housing concessions and waivers, the project was and continues to be consistent with the existing General Plan designations, General Plan policies and, applicable zoning designations and regulations.
- b. The project continues to be in the City on a site less than five acres and is substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. The project had been evaluated for significant effects relating to traffic, noise, air quality, and water quality and no significant effects have been identified.
- e. The site would be adequately served by all required utilities and public services.

The project did not trigger any exceptions of State CEQA Guidelines 15300.2 based on location, cumulative impacts, significant effects, location near a scenic highway, location on a hazardous waste site, or causing substantial adverse change to a historical resource because the project is not on an environmentally sensitive site, does not contribute to cumulative impacts, will not have a significant effect on the environment, is not near a scenic highway, is not on hazardous waste site, and is not a historical resources site. No environmental public review was required.

A Notice of Exemption was filed for the project on March 14, 2022. The subject Density Bonus Housing Agreement was a condition of project approval. Since approval of the project and filing of the Notice of Exemption, there has been no change to the project or substantial changes in circumstances or new information that would warrant subsequent environmental analysis in accordance with CEQA.

10. ADVISORY BOARD ACTION

Review of the Density Bonus Housing Agreement is only required by the Community Development Director and the City Attorney.

11. ATTACHMENTS

- Attachment 1 Planning Commission Resolution No. PC 03-24 Including Density Bonus Housing Agreement
- Attachment 2 Planning Commission Resolution No. PC 02-22
- Attachment 3 March 7, 2022 Planning Commission Staff Report
- Attachment 4 March 7, 2022 Planning Commission Meeting Minutes