



# Agenda Item

## City Council

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**Item #:** 6.1.

**8/25/2020**

**File #:** 20-070

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**TO:** Honorable Mayor and Members of the City Council

**THRU:** Rick Otto, City Manager

**FROM:** William Crouch, Community Development Director

### **1. SUBJECT**

Public Hearing to consider Tentative Tract Map No. 0050-20, Minor Site Plan Review No. 1016-20, and Environmental Review No.1871-20.

### **2. SUMMARY**

The applicant proposes a Tentative Tract Map to subdivide an approximately 15.4-acre site into 22 single-family residential lots on approximately 10.9 acres and open space dedication of approximately 4.5 acres along the Santiago Creek corridor, located on the south side of Mabury Avenue between Orange Park Boulevard and Cannon Street, north of Santiago Creek.

### **3. RECOMMENDED ACTION**

Approve Resolution No. 11268. A Resolution of the City Council of the City of Orange approving Tentative Tract Map No. 0050-20, Minor Site Plan Review No. 1016-20, and Environmental Review No.1871-20 to subdivide an approximately 15.4 acre site into 22 single-family residential lots on 10.9 acres and open space dedication of 4.5 acres along the Santiago Creek corridor, located on the south side of Mabury Avenue between Orange Park Boulevard and Cannon Street, north of Santiago Creek.

### **4. FISCAL IMPACT**

None.

### **5. STRATEGIC PLAN GOALS**

Goal 1: Provide for a safe community

d: Assure the development of the City occurs in a fashion that maximizes public safety.

Goal 2: Be a fiscally healthy community

e: Create an environment to attract, retain, and expand economic opportunities.

### **6. DISCUSSION AND BACKGROUND**

#### **Existing Site**

The project site is located on the south side of Mabury Avenue, between Orange Park Boulevard on the east and Cannon Street on the west. The site is vacant, contains disturbed surface soils, an unpaved road, and riparian vegetation along its southern border adjacent to Santiago Creek. The site has a sloping topography with an overall change in elevation from 430 feet above mean sea level at

the northeastern end to approximately 390 feet above mean sea level at the southwestern side of the site. There is a large underground water transmission pipeline that crosses through the center of the site in a northwest-southeast direction within a 50-foot wide easement. There are a number of existing mature trees located within the property along the northern boundary of the site. The Santiago Creek Trail runs east and west, parallel to the northern boundary of the site, within the public right-of-way.

### **Proposed Project**

The project would involve subdividing and constructing 22 detached single-family dwelling units on approximately 10.9 acres of the approximately 15.4 acre site north of Santiago Creek. It would involve an open space dedication of approximately 4.5 acres along the Santiago Creek corridor on the portion of the site designated as Low Density Residential (LDR). Residential lots would comprise approximately 5.4 acres and the remaining approximately 5.5 acres would be used for infrastructure. The project would include grading activities; development and improvements to streets, sidewalks, and an equestrian/bicycle trail; storm drain and water quality improvements; and relocation of an existing equestrian trail. Access to the project site would be provided via Mabury Avenue.

The proposed subdivision is zoned Single-Family Residential - 8,000 square feet minimum lot size (R-1-8). Proposed lot sizes will range from 8,315 to 18,821 square feet, which will be similar to or larger than the lot sizes of the existing residential neighborhoods to the north.

The Orange General Plan land use designation for the proposed subdivision is LDR - 2.1 to 6.0 dwelling units per acre, as shown in Attachment 4. Under Alternative 1 in the Trails at Santiago Creek Specific Plan Certified EIR (Certified EIR), the approximately 15.4 acre site would be allowed to accommodate 40-50 dwelling units, which is consistent with the LDR density range of 2.1 to 6.0 dwelling units per acre. The project proposes 22 detached single-family dwelling units.

The proposed subdivision will comply with the City's single-family residential development standards for the R-1-8 zone, and each of the future homes will be reviewed for zoning compliance when submitted for construction.

The project will also include development and improvements to streets, and sidewalks; storm drain and water quality improvements; relocation of the existing trail, and open space dedication.

### **Referendum**

In October of 2019, the City approved General Plan Amendment No. 2018-0001, Zone Change No. 1286-18, and Development Agreement No. 0005-18. Within the time provided for by law, General Plan Amendment No. 2018-0001 was the subject of a referendum filed with the City and now qualified for the November 2020 ballot. As such, General Plan Amendment No. 2018-0001, Zone Change No. 1286-18, and Development Agreement No. 0005-18 are not currently legally effective. However, the EIR remains certified and legally valid.

Tentative Tract Map No. 0050-20 has been processed and is being considered pursuant to the City of Orange General Plan as it existed prior to the approval of General Plan Amendment No. 2018-0001. The City recognizes that, if voters approve General Plan Amendment No. 2018-0001, such that General Plan Amendment No. 2018-0001, Zone Change No. 1286-18, and Development Agreement No. 0005-18 become legally effective, then by operation of law, including the plan consistency requirements of the Subdivision Map Act, the approval of Tentative Tract Map No. 0050-20 will no longer have any force or legal effect.

### **Minimum Lot Frontage**

The R-1-8 zone requires a minimum lot frontage of 60 feet. Lots 7 and 15 are located at the terminus of cul-de-sac streets “A” and “B” and do not meet the minimum 60-foot lot frontage requirement. However, Table 17.14.070 of the Residential Development Standards allow for adjustments to minimum lot frontage requirements for cul-de-sac lots to be considered as part of the discretionary approval of the subdivision. Lot 7 has a lot frontage of 32 feet, a total lot area of 10,610 square feet, and a 100-foot lot depth at the back of the 20-foot front yard setback. Lot 15 has a lot frontage of 46 feet, a total lot area of 13,560 square feet, and a 140-foot lot depth at the back of the 20-foot front yard setback; therefore, staff supports the adjustment as part of the proposed subdivision.

### **Trails**

The Santiago Creek Trail is located within the public right-of-way along the northern boundary of the site. Because the proposed project will provide primary tract access, as well as street frontage and garage access to twelve residences along Mabury Avenue, the trail will be rerouted through the project site, within an area of open space dedication (Lots C and D), located between the proposed residential lots and Santiago Creek. The applicant will dedicate a 25-foot wide public trail easement to the City for the construction of a new recreational (equestrian and bicycle) trail in coordination with City efforts regarding the extension of the Santiago Creek Trail. The trail will be accessible from the sidewalk on Mabury Avenue and “A” Street and will provide a connection to Santiago Oaks Regional Park to the east. Within the 25-foot easement, the applicant will be responsible to reconstruct the existing equestrian trail.

Northwest of the proposed trail will be a combination sound and retaining wall that borders the southern perimeter of residential lots 5 through 9. The open space buffer between the retaining wall and the trail will contain native plant material to help screen the wall so it blends with the natural landscape. In addition, the open space between the remaining residential lots, trail, and creek will be landscaped with native species that are compatible with the adjacent open space area and habitat, as well as appropriate for fuel modification.

The relocation and dedication of the Santiago Creek Trail will provide a circulation system that will minimize adverse impacts on adjacent residential neighborhoods, and will encourage pedestrian, equestrian, and bicycle circulation in the area as outlined in the project objectives within Addendum No. 1 to the Certified EIR. The trail dedication will also be consistent with the Santiago Creek Vision Plan in that it promotes the completion of the final segment of this trail system and greenway along the creek as outlined in the City’s General Plan.

### **Open Space and Landscaping**

The project includes approximately 4.58 acres of open space and landscaping dedication (Lots C and D) along the southern perimeter of the site and the Santiago Creek corridor. The Santiago Creek Trail, currently running parallel to Mabury Avenue, will be re-routed through the project site between the proposed single-family lots and the creek edge. The new recreational trail will function as a transitional feature between the residential lots and the open space provided in Lots C and D, which both provide a buffer between the lots and Santiago Creek. The open space between the residential lots, trail, and creek will be planted with native landscaping suitable for fuel modification and will be maintained by the future homeowners association.

### **Access/Circulation**

Pedestrian circulation in the project area is provided by public sidewalks located on the north and south sides of Mabury Avenue. The proposed project includes private sidewalks within the tract interior on both sides of “A” Street and “B” Street. The new recreational (equestrian and bicycle) trail

will be accessible from the sidewalks on Mabury Avenue and "A" Street.

Vehicle access to the site will be provided on the south side of Mabury Avenue at its intersection with Yellowstone Boulevard. Two new private streets within the development ("A" Street and "B" Street) will share a single access point from Mabury Avenue and each will terminate in a cul-de-sac. On-street parking within the development will only be permitted on one side of each roadway, pursuant to Orange Fire Department requirements. Twelve dwelling units will have street frontage and garage access off Mabury Avenue, while the remaining units will have access off "A" Street and "B" Street.

### Environmental

In 2019, the City Council certified the Trails at Santiago Creek Specific Plan Final Environmental Impact Report (EIR) No. 1957-18 (SCH No. 2017031020) (Attachment No. concurrently with its approval of General Plan Amendment No. 2018-0001, Zone Change No. 1286-18, and Development Agreement No. 0005-18. While General Plan Amendment No. 2018-0001 is the subject of a referendum filed with the City and now qualified for the November 2020 ballot, the EIR remains certified and legally valid under CEQA.

The EIR analyzed the environmental impacts associated with 128 residential units on approximately 40.7 acres south of Santiago Creek, and approximately 68.5 acres of open space, on a 109.2-acre site. One of the four alternatives analyzed in the EIR, "Alternative 1," involved 40-50 residential units on approximately 15.4 acres north of Santiago Creek, and approximately 16.5 acres of open space, inclusive of the Santiago Creek corridor. As shown in the table below, the proposed project, which is on the property that was analyzed for residential uses in Alternative 1 of the EIR, results in fewer units, and therefore fewer environmental impacts, compared to both the 128-unit project analyzed in the EIR, and Alternative 1 in the EIR.

As shown in the table below, the proposed project would result in a reduction in acreage and units compared to both the EIR's 128-unit project and Alternative 1 of the EIR. The proposed project site is within the area contemplated for residential in Alternative 1 of the EIR.

Land Use Matrix Comparison Table			
	Proposed Project	Certified EIR	Alternative 1 of EIR
Proposed number of units	22	128	40-50
Permitted density (du/ac)	2.1 to 6.0	2.1 to 6.0	2.1 to 6.0
Range of lot sizes (sf)	8,315 to 18,821	8,000 to 10,000	8,000 minimum
Open space acreage	4.5	68.5	16.5 (including Santiago Creek corridor)
Residential use acreage	5.4	40.7	15.4
Total project site acreage	10.9	109.2	15.4

CEQA Guidelines Section 15162 states that once an EIR has been certified for a project, then in connection with proposed changes to that project, no subsequent or supplemental EIR shall be prepared unless certain criteria are satisfied. In this case, none of the circumstances described in CEQA Guidelines Section 15162 are present. Some changes and additions are necessary to update the previously certified EIR, and a CEQA addendum is appropriate. The City prepared Addendum No. 1 to the Trails at Santiago Creek Specific Plan EIR 1957-18, included as Attachment 6, to evaluate

the physical environmental impacts of the project pursuant to CEQA and in conformance with the local CEQA Guidelines. This Addendum, along with the Certified EIR, serves as the environmental review of the proposed project.

Addendum No. 1 to the Certified EIR concluded that the project would not result in any new significant environmental impacts or substantially increase the severity of environmental impacts beyond the levels disclosed in the Certified EIR. No new mitigation measures are required for the proposed project above and beyond the mitigation measures that were included in the Certified EIR.

### **Planning Commission Hearing**

On July 20, 2020, the Planning Commission conducted a public hearing for the proposed Project. The Commission considered the entire record, including the staff report (Attachment No. 2), memorandum (Attachment No.3), all testimony, and such additional information offered at the public hearing as reflected in the Planning Commission minutes (Attachment No. 4).

Key topics of discussion by the Commission included the following: truck route during construction; relocation of the existing trail and maintenance; and the orientation of the homes along Mabury Avenue. The Committee in their deliberations felt that homes turned toward Mabury Avenue was appropriate, in that it fit with the streetscape along Mabury Avenue and that by doing so, the existing homes would not be looking into the backyards of the proposed subdivision.

The Planning Commission adopted Resolution No. PC 18-20 (Attachment No. 5) recommending approval to the City Council by a vote of 4-0.

## **7. ATTACHMENTS**

- Draft City Council Resolution No. 11268
- Planning Commission Staff Report dated July 20, 2020
- Planning Commission Memorandums dated July 20, 2020
- Planning Commission Minutes dated July 20, 2020
- Planning Commission Resolution dated July 20, 2020
- Addendum No. 1 to the Trails at Santiago Creek Specific Plan Certified Environmental Impact Report No. 1857-18 (SCH No. 2017031020)
- Trails at Santiago Creek Specific Plan Certified Environmental Impact Report No. 1857-18 (SCH No. 2017031020)
- Mabury Tentative Tract Map