



ORANGE COUNTY
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 MEMORANDUM

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DATE: November 8, 2023

TO: Coto Planning Advisory Committee

FROM: Debbie Drasler, Contract Planner
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SUBJECT: **PA160056** – Planning Application for a Specific Plan Amendment, transfer of 13 dwelling unit allocations from PA 2 to PA 5.1, Tentative Tract Map, and a Conditional Use Permit for the future development of 13 single-family detached dwelling units on a 5.1-acre site.

Applicant: Silver-Bronze Corporation/Oak Grove LLC

RECOMMENDATION

Recommend that the Planning Commission approve PA160056

Summary

PA160056 consists of the following:

- A. Specific Plan Amendment to establish a low-density residential use;
- B. A transfer of 13 dwelling unit allocations from PA 2 to PA 5.1;
- C. Use Permit to allow perimeter walls and fencing to exceed six feet in height;
- D. Tentative Tract Map (TTM) 17866 to subdivide a 5.1-acre site within Coto de Caza into 13 numbered lots for the future development of 13 single-family detached dwelling units and 5 lettered lots for a private street (Lot A) and landscaped areas (Lot B, C, D, and E).

BACKGROUND

The project site is located at 23432 Vista del Verde, Coto De Caza, CA 92679. The Project site is 5.1 acres in size and falls in the geographic boundaries of PA 21, which is 36 acres in size and designated – Community Center/Commercial, which permits commercial and non-commercial recreation uses. The site is currently vacant and was formerly developed with the Merryhill School on 2.9 acres, which closed in 2008. The remaining 2.2-acre portion of the site was developed with equestrian facilities associated with the neighboring Coto Equestrian Preserve (formerly the Coto Equestrian Center). See Attachment 2 for the project site boundary. The site is irregular in shape and bound by equestrian use (Coto Equestrian Preserve) to the north and northeast, medium-density residential use to the west across Vista Del Verde and east across Via Pajaro, and commercial use (former Maxwell stables and General Store) to the south and southeast respectively.

Lot Line Adjustment (LLA) 2015-018 was approved and recorded on January 13, 2017, which created the project site into one legal parcel.

The Specific Plan (Section 10: Statistical Summary) allows a maximum of 6,268 residential dwelling units, a maximum of 225,000 sf of commercial, and a minimum of 2,290 acres of open space. Development to date has resulted in the construction of 5,027 residential units or approximately 80 percent of the allowable number of units and 2,317 acres of open space.

DISCUSSION

The Project site is located within PA 21 which is designated for Community Center/Commercial Uses. The proposed project requires a Specific Plan Amendment (SPA) to the Coto de Caza Specific Plan to establish a low-density residential use, in accordance with California Government Code Section 65450, et seq. The SPA would result in the creation of a new Planning Area (PA 5.1) to encompass the 5.1-acre project site currently located within PA 21. The proposed boundary revision to PA 21 is depicted in Attachment 1, *Planning Area 21 Boundary Revision*. The SPA would also include amendments to several exhibits in the Coto De Caza Specific Plan, including Exhibit 3 – Major Open Space Areas, Exhibit 4 – Land Use Plan, Exhibit 6 – Master Grading Concept, and Exhibit 7 – Development Map to refine the boundaries of PA 21 to accommodate PA 5.1. In addition, Exhibit 8 – Statistical Table would be amended to adjust the acreage allocation of 35 acres to 30 acres from PA 21 and reduce the unit allocation from PA 2. PA 5.1 would be designated as Low-Density Residential. Changes to the open space acreage do not affect any area subject to open space restrictions by the “Major Open Space Areas” of the Specific Plan. It should be noted that Exhibit 8 – Statistical Table as shown in the Coto de Caza Specific Plan has not been updated to reflect earlier project approvals and developments. Attachment 9, *Statistical Table Update*, has been provided to show the current buildout within Coto de Caza.

The project is proposing 13 dwelling units on a 5.1-acre parcel resulting in 2.55 dwelling units per acre (du/ac). See Attachment 3 for TTM 17866. Lots range between 11,985 to 16,789 square feet in size. Low Density is 1 to 3 du/ac and requires a minimum lot size of 10,000 square feet. The applicant has proposed that the site be designated as “Low Density” and proposes the designation of the project site as PA 5.1 “Low Density”, a tributary of PA 5. The table below provides a summary of the neighboring developments. See Attachment 8 for the development map.

	Low Density PA 5 (1-3 DU/AC)		PA 5.1	Medium Density PA 4 (3-6 DU/AC)		
Develop. Name	RANCHO COLINAS	ARBOURS	Proposed OAK GROVE	RANCHO COLINAS	TIERA	FAIRWAY OAKS
Tract No.	TM 11980	TM 11929 TM 12017	TT17866	TM 11991 TM 12033	TM 13081	TM 12575
Avg. lot	77,362 sf.	107,057 sf. 69,046 sf.	13,717	17,532 sf. 16,736 sf.	13,833 sf.	3,812 sf.
DU/AC	0.52	0.39 0.55	2.55	1.82 1.93	2.33	9.68
# of Lots	15	17 11	13	16 22	21	72

A Use Permit is required to address over-height walls. The Zoning Code allows six-foot-tall walls measured from the base of the wall to the top interior or exterior side, whichever is greater. Along Vista Del Verde the wall ranges between six and nine feet in height. Due to the pad elevation difference on Lots 10, 11, and 12, the wall from the interior side is approximately 3.5’ above grade. Along Via Pajaro the wall measures approximately 132 linear feet and 12 feet in height. See Attachment 7, for wall plan exhibit.

Tentative Tract Map 17866 would legally create the proposed 13 single-family lots, a private street, and several other lettered lots for walls and landscape. TTM includes deviations from Standard Plan 1107 - Other Site Improvements eliminating the requirement for sidewalks on both sides of the street, and from Standard Plan 1117 - Intersection Sight Distance to exceed the 10-foot line of the site requirements and allow exiting vehicles to move an additional four feet beyond the curb.

Project Description

The Project entry via Vista del Verde includes a 72-foot-wide right-of-way comprised of a 48-foot-wide single-point private internal roadway with a 12-foot-wide center island and 12-foot-wide landscaped parkways on both sides. The private internal roadway ingress/egress including the center island and parkways would extend 14 feet beyond the Project's western property line intersecting the existing, adjacent equestrian trail with the objective of incorporating the existing off-site oak tree located within the equestrian trail easement into the Project entry design. Within the interior of the Project site, the proposed right-of-way tapers from 72 feet to 52 feet in width encompassing a 36-foot-wide private internal roadway with on-street parking and 8-foot-wide landscape parkways on both sides. No sidewalks are proposed or equestrian-related uses are proposed as part of the project.

The northeastern portion of the project site bordering Via Pajaro is within Zone AE of the 100-year Floodplain. According to the Federal Emergency Management Agency (FEMA), the portion of the project site within Zone AE has a base flood elevation ranging from approximately 828 feet (ft) to 835 ft. above mean sea level. This area is currently subject to flooding depths of approximately 2 ft to 5 ft in a 100-year storm event. Lot 9 is the only parcel affected. The remainder of the Project site is outside Zone AE. See Attachment 4, for the conceptual site plan.

The existing site is generally flat with drainage on the site flowing in a southerly direction towards Via Pajaro. The development proposes 8,550 cubic yards of cut and fill and a grade change of up to seven feet primarily near the center of the site and along the south and southeast portion of the site. See Attachment 5, for the cut & fill exhibit and Attachment 6, for the conceptual grading plan. The project proposes a screen wall around the perimeter of the project site between 6' and 12' in height. To accommodate the proposed grade change between the site and adjacent property, a large portion of the wall is for retaining purposes. The proposed perimeter wall would primarily be comprised of masonry with river stone facing. No landscape screening is proposed. See Attachment 7 for the wall plan exhibit.

The project is not within the Coto de Caza South Ranch Area Plan Oak Tree preservation guidelines area (1995) or any other policies or guidelines and therefore, the preservation protection of oak trees is not applicable to the project site. However, the project includes the relocation of at least two oak trees within the boundaries of the project site. An off-site oak tree located within the equestrian trail easement would be preserved and incorporated into the Project's driveway median. Other on-site oak trees would be removed during construction of the proposed Project. There are six existing California Coast Live Oak trees on the project site and one on the equestrian trail (off-site) at the site's proposed entry point. The oak trees on site range between 6 and 48 inches in diameter. The oak tree located off-site is 60 inches in diameter. The development proposes to encircle the oak tree within a 12-foot-wide center island composed of decomposed granite that's flush with the existing grade elevation.

Off-site improvements

Grading would occur off-site within the trail easement to create a 2:1 downward slope in a southeast direction, subject to Coto de Caza Master Association approval.

Off-site drainage infrastructure would be necessary to convey stormwater runoff from the adjacent Coto Equestrian Preserve site separate and independent from existing surrounding properties and the Project site. Drainage improvements include:

- A 600 to 1,000-square-foot infiltration reservoir and hydromodification biofiltration basin in conjunction with underground storm drain connections located northeast of the project site and west of Via Pajaro to accommodate storm water runoff from the project site.
- A concrete swale to be constructed north of the project site's northern and northeastern perimeter boundary in conjunction with an inlet and private underground storm drain to collect storm water runoff from the Coto Equestrian Preserve site and an outlet that would convey the runoff to an existing storm drain along Via Pajaro.
- A concrete swale to be constructed north of the project site's northwestern perimeter boundary to collect storm water runoff from the Coto Equestrian Preserve site to an existing storm drain along Vista Del Verde.

Rerouting of utility lines:

- The existing 6-inch water line and easement that traverses through the southwestern portion of the Project site and the southwestern portion within the adjacent Coto Equestrian Preserve site will be removed and abandoned.
- A new 8-inch off-site sewer line is proposed northeast of the Project site. This line would reroute the existing off-site wastewater flows and direct the new wastewater flows southeast before turning 45 degrees southwest through the Project site, ultimately connecting to a new 8-inch off-site sewer line proposed within the Vista del Verde right-of-way.
- The existing sewer line and easement that currently traverses through the northwestern and southwestern portions of the Project site and the southwestern portion of the adjacent Coto Equestrian Preserve site will be removed and abandoned.
- The new sewer line would connect to the existing sewer line that underlies Vista del Verde approximately 150 feet northwest of the Project site and traverse southeast along Vista del Verde approximately 755 feet.
- Construction of the sewer improvements would require a partial lane closure of the northbound lane on Vista del Verde for a total of approximately 45 days with the southbound lane remaining open during partial lane closure.

Enhanced ingress/egress:

- 72-foot-wide right-of-way comprised of a 48-foot-wide single-point private internal roadway with a 12-foot-wide center island and 12-foot-wide landscaped parkways on both sides extend 14 feet outside the property line merging with the existing equestrian trail abutting Vista Del Verde.

ENVIRONMENTAL DETERMINATION

Initial Study/Mitigated Negative Declaration (IS/MND) PA160056 was prepared to study the potential environmental impacts of the proposed project. The document was posted for a 30-day public review period from December 8, 2022, to January 17, 2023. An extension to the public review period was granted, which ended on February 3, 2023. The IS/MND was also circulated to the California State Clearinghouse and assigned file number SCH# 2022120161.

Five comment letters were received from public agencies and eleven interested parties during the public review period. Minor edits to Mitigation Measure BIO-1 to adequately address potential impacts to nesting birds on site and Mitigation Measure BIO-2 to precisely determine the presence or absence of a bat maternity roost have been incorporated. These changes are generally minor changes that do not constitute significant new information, change the conclusions of the environmental analysis, or require recirculation of the document (State California Environmental Quality Act [CEQA] Guidelines Section 15073.5). Comments were raised regarding wildfire risk. As noted in the IS/MND, incorporation of County Standard Conditions FPR01 (Fire Hydrants), FPR02 (Water Availability), FPR07, Fire Hazard Mitigation), FPR08 (Fuel Modification), FPR10 (Combustible Construction Letter), and FPR11 (Hazardous Materials) would result in less than significant impacts related to exacerbating wildfire risks. In addition, adherence to the California Fire Code requirements, OCFAs standards, and County Standard Conditions would ensure that on-site wildfire risk is minimized.

None of the comments presents substantial evidence of a fair argument that the proposed project may have a significant impact on the environment.

Attachments:

1. Planning Area 21 Boundary Revision
2. Project Site Boundary
3. Tentative Tract Map 17866
4. Conceptual Site Plan
5. Cut and Fill Exhibit
6. Conceptual Grading Plan
7. Wall Plan Exhibit
8. Coto de Caza Development Map
9. Statistical Table Update