1. SUBJECT

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
Adopt Planning Commission Resolution No. PC 17-20 entitled:
A Resolution of the Planning Commission of the City of Orange recommending City Council approval of 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. AUTHORIZATION GUIDELINES
Orange Municipal Code (OMC) Section 17.08.020 authorizes the Planning Commission to review and take action on applications for Tentative Tract Maps, Minor Site Plan Reviews, and Environmental Documentation as described in the City's environmental review guidelines. Table 17.08.020 - Reviewing Bodies of the OMC states that when more than one type of application is filed for a single project, the application requiring the highest level of approval shall dictate the review process for the entire group of applications. Therefore, the Planning Commission is acting as a recommending body to the City Council on all of the applications for the subject project.
## 5. PROJECT BACKGROUND

<table>
<thead>
<tr>
<th>Applicant/Property Owner</th>
<th>Milan REI X, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Location</strong></td>
<td>Approximately 15.4-acre site located on the south side of Mabury Avenue between Orange Park Boulevard and Cannon Street, north of Santiago Creek.</td>
</tr>
<tr>
<td><strong>Existing General Plan</strong></td>
<td>Low Density Residential - 2.1-6 dwelling units per acre (LDR)</td>
</tr>
<tr>
<td><strong>Land Use Element Designation</strong></td>
<td>Single-Family Residential - 8,000 square feet minimum lot size (R-1-8).</td>
</tr>
<tr>
<td><strong>Existing Zoning Classification</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Specific Plan/PC</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Site Size</strong></td>
<td>Approximately 15.4 acres</td>
</tr>
<tr>
<td><strong>Circulation</strong></td>
<td>Access to the site will be provided from the south side of Mabury Avenue, at the intersection of Yellowstone Boulevard. Mabury Avenue is a two-way undivided roadway.</td>
</tr>
<tr>
<td><strong>Existing Conditions</strong></td>
<td>The site is currently vacant with disturbed surface soils, an unpaved road, and riparian vegetation along the southern border near Santiago Creek.</td>
</tr>
</tbody>
</table>
| **Surrounding Land Uses and Zoning** | To the north is Mabury Avenue and the Santiago Creek trail, which runs east and west and parallel to Mabury Avenue. Across Mabury Avenue are single-family residences located in the Single-Family Residential - 8,000 square feet minimum lot size (R-1-8) zone.  
  To the south is Santiago Creek and areas used for sand and gravel operations, zoned Sand and Gravel (S-G).  
  To the east is Santiago Creek and areas used for sand and gravel operations, zoned Sand and Gravel (S-G). Further east is Santiago Oaks Regional Park zoned Recreation Open Space (R-O), and single-family residences located in the Single-Family Residential - 40,000 square feet minimum lot size (R-1-40) zone.  
  To the west is Santiago Creek and areas used for sand and gravel operations, zoned Sand and Gravel (S-G). Further west are single-family residences located in the Single-Family Residential - 8,000 square feet minimum lot size (R-1-8) zone. |
Applications/Entitlements on the Project site:
In 1993, Tentative Tract Map 14747 was approved to create 25 single-family residential parcels on 12.6 acres north of Santiago Creek, the site of the current request for Tentative Tract Map 0050-20. Concurrently, the site’s General Plan designation was changed from Resource Area to Low Density Residential and the site’s zoning was changed to Single Family Residential (R-1-8). Tentative Tract Map 14747 thereafter expired. However, the site remained designated for residential.

Applications/Entitlements on the approximately 109 acre site, of which the Project site is a part:
In October 2003, the Orange City Council approved General Plan Amendment No. 1-01 and associated entitlements for a gated residential community with a maximum of 189 single-family homes on lots ranging from 8,000 to 22,000 square feet known as Fieldstone. The Project site contained seventeen of the single-family homes. The project was the subject of a referendum; subsequently the City Council rescinded its approval of the project.

On June 10, 2014, the Orange City Council denied General Plan Amendment No. 2009-002 and associated entitlements for a residential housing totaling 395 dwelling units located south of Santiago Creek, known as Rio Santiago. The remainder of the project site consisted of approximately ten acres of active recreation and playfields, and approximately 50 acres of natural greenway/open space.

On October 22, 2019, the City Council approved General Plan Amendment No. 2018-0001, Zone Change No. 1286-18, and Development Agreement No. 0005-18 for the development of 128 single-family dwelling units located south of Santiago Creek. The action certified the Trails at Santiago Creek Specific Plan Final Environmental Impact Report No. 1857-18 (SCH No. 2017031020), and adopted the Trails at Santiago Creek Specific Plan for an approximately 109.2-acre site, including the approximately 15.4-acre Project site. Alternative 1 of the Certified EIR analyzed 40-50 single-family homes on the Project site. A referendum was filed against City Council’s approval of General Plan Amendment No. 2018-0001 on February 11, 2020. The referendum will be voted on by City voters at the next regular municipal election on November 3, 2020. As explained in Resolution No. PC 17-20, if the City 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. However, the EIR remains certified and legally valid.
6. PROJECT DESCRIPTION

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) as shown in Attachment 3. 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.

7. DISCUSSION

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.

8. PUBLIC NOTICE
On July 9, 2020, the City sent a Public Hearing Notice to a total of 53 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. A notice was published in the Orange County Register newspaper on July 9, 2020. The project site has been posted in three locations with the notification on that same date.

9. ENVIRONMENTAL REVIEW
In 2019, the City Council certified the Trails at Santiago Creek Specific Plan Final Environmental Impact Report (EIR) No. 1957-18 (SCH No. 2017031020) 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 above, 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.

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.

10. ADVISORY BOARD RECOMMENDATION

Staff Review Committee:
The City's interdepartmental development review team (SMART) reviewed the proposed subdivision on April 1, 2020 and again on June 17, 2020 at which time SMART recommended approval of the proposal with conditions to the Planning Commission. The conditions have been incorporated into the draft Planning Commission resolution.

11. ATTACHMENTS

1. Planning Commission Resolution No. PC 17-20
2. Vicinity Map
3. Zoning Map
4. Orange General Plan Map
5. Site Photographs

PC ITEM ___ 7 07/20/2020
6. Addendum No. 1 to the Trails at Santiago Creek Specific Plan Certified Environmental Impact Report No. 1857-18 (SCH No. 2017031020) – Hard Copy and Compact Disk
7. Trails at Santiago Creek Specific Plan Certified Environmental Impact Report No. 1857-18 (SCH No. 2017031020) – Compact Disk
8. Plans (date stamped received on July 1, 2020)

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