



# CITY OF LAGUNA HILLS

June 10, 2024

VIA E-MAIL

Matthew R. Haugen  
Buchanan Street Partners  
3501 Jamboree Road, Suite 4200  
Newport Beach, CA 92660

**SUBJECT: TENTATIVE PARCEL MAP/SITE DEVELOPMENT PERMIT/PRECISE PLAN/PARKING USE  
PERMIT NO. 0166-2023 (OAKBROOK PLAZA)  
GOVERNMENT CODE §65589.5(j)(2) 60-DAY NOTICE**

Dear Mr. Haugen,

On June 7, 2023, Buchanan Street Partners (the “Applicant”) submitted a preliminary application for a housing development project at 24422 Avenida De La Carlota (APN No. 620-429-04) consisting of 240 age restricted multiple-family residential units. On December 12, 2023, the Applicant submitted a formal application to the City for the proposed Oakbrook Plaza project (the “proposed Project”). On January 10, 2024, the City’s Community Development Director provided notice to the Applicant that the application was incomplete. On February 12, 2024, the City received supplemental application materials from the Applicant for the proposed Project. On March 11, 2024, the City’s Community Development Director provided notice to the Applicant that the supplemented application remained incomplete. On March 12, 2024, the City received supplemental application materials from the Applicant for the proposed Project. On April 11, 2024, the City’s Community Development Director deemed the subject application complete.

The proposed Project generally consists of (1) the subdivision of an existing 8.42 acre parcel containing an approximately 35,000 square foot office building and surface parking into one 4.26 acre parcel (“Lot 2” or the “commercial parcel”) and one 4.16 acre parcel (“Lot 1” or the “residential parcel”); (2) conversion of the existing commercial office building located on proposed new Lot 2 to a 100% medical office building; and (3) demolition of existing surface parking spaces serving the existing commercial office building and the construction of a new, approximately 83 foot tall, structure on proposed new Lot 1 containing three levels of podium parking and 240 age restricted multiple-family senior citizen apartment units. The proposed Project includes a total of 731 parking spaces to serve both the medical office building and the senior citizen housing units, the majority of which will be contained in a new parking structure within the multiple-family building proposed to be constructed on Lot 1.

The Applicant has requested approval of the following discretionary land use entitlements for the proposed Project:

1. Approval of a Tentative Parcel Map to subdivide an existing 8.42-acre parcel into two new separate parcels, a 4.16-acre parcel on which a new structure containing 240 residential

apartments over three levels of podium parking will be constructed (Lot 1), and a 4.26-acre parcel containing the converted medical office building (Lot 2).

2. Approval of a Site Development Permit to demolish existing surface parking for the existing office building and to develop the site with a new structure containing 240-unit residential apartments over three levels of podium parking, a surface parking lot, dog park, landscaping, walkways, and associated development.
3. Approval of a Precise Plan due to the proposed Project incorporating a mix of land uses on a single property or contiguous properties.
4. Approval of a Parking Use Permit to permit the proposed parking structure, a reduction in required parking for the medical office building on proposed Lot 2 and the shared use of the proposed parking structure located on proposed Lot 1 by the medical office uses located on proposed Lot 2 and the residential use located on proposed Lot 1.

The Housing Accountability Act<sup>1</sup>, at Government Code §65589.5 (j)(2)(A)(ii), states in pertinent part:

*“If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity...within 60 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains more than 150 units.”*

City staff has reviewed the application materials submitted and compared them to potentially applicable City plans, programs, policies, ordinances, standards, and requirements in effect as of June 7, 2023. In accordance with Government Code Section 65589.5(j)(2)(A), City staff has identified several City plans, programs, policies, ordinances, standards, and requirements that the proposed Project is, or potentially is, inconsistent, not in compliance, or not in conformity with. Following is an explanation of the reason or reasons the proposed Project is, or potentially is, inconsistent, not in compliance, or not in conformity with the identified City plans, programs, policies, ordinances, standards, and requirements.

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<sup>1</sup> For purposes of this letter, the City has assumed that the proposed Project constitutes a “housing development project” as defined in the Housing Accountability Act (“HAA”) and that the HAA applies to the proposed Project, as the Applicant has contended by filing a preliminary housing application. The Housing Accountability Act applies to “a use consisting of . . . [r]esidential units only,” as well as “[m]ixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.” Gov’t Code §65589.5(h)(2). The City does not intend to concede by virtue of providing this letter that the proposed Project satisfies the HAA’s definition of a “housing development project” and/or that the HAA applies to the proposed Project, and the City hereby reserves, and does not waive, the right to determine and assert otherwise.

### **Density**

According to the plans submitted by the Applicant, the proposed Project would have a residential density of 57.7 dwelling units per acre. (See Sheet G1.1 of submitted plans). This density is derived by dividing the total number of proposed residential units (240) by the gross acreage of proposed Lot 1 (4.16) acres.<sup>2</sup>

The Project site has a General Plan Land Use Designation of Village Commercial and is within the Urban Village Specific Plan ("UVSP") area and the Village Commercial zoning district. Pursuant to Laguna Hills Municipal Code ("LHMC") Section 9-24.100, all development within the Village Commercial zoning district is subject to the Urban Village Specific Plan,

For residential projects within the UVSP area, a minimum density of 30 dwelling units per acre is required and a maximum density of 50 dwelling units per acre is permitted. (See UVSP, Table 2 (Development Standards), pg. 37). The proposed Project's density of 57.7 dwelling units per acre on Lot 1 exceeds the maximum density of 50 dwelling units per acre permitted on properties located within the Urban Village Specific Plan Area.

The Applicant has invoked the State Density Bonus Law (Gov't Code §65915) allowance of an up to 20% density bonus for a qualifying senior citizen housing development.

### **Maximum Building Height**

According to the plans submitted by the Applicant, the proposed Project would have a height of 83 feet to the top of the parapet and 89 feet to the top of stair towers. (See Sheet G1.1 of submitted plans).

The UVSP establishes a maximum height limit of 75 feet for all structures (See UVSP, Table 2 (Development Standards), pg. 37) while LHMC Section 9-40.030.B establishes accessways such as stairwells or elevators to rooftops may extend above the maximum building height up to a maximum of five feet. The proposed Project's height of 83 feet to the top of the parapet and 89 feet to the top of stair towers exceeds the maximum height of 75 feet and 80 feet, respectively.

The applicant is invoking the use of a State Density Bonus Waiver in proposing a height over the permitted maximum.

### **Location**

The proposed Project consists of a senior citizen housing project, and the proposed Project site is located directly adjacent to Interstate 5, which is a significant pollution source as a result of the tailpipe emissions of vehicles traveling along it.

General Plan Policy S-7.2 states, "Encourage the siting of new developments for sensitive receptors, such as schools, playgrounds, childcare centers, senior services and housing, and health care facilities, away from significant pollution sources. When this is not possible, consider appropriate mitigation measures to

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<sup>2</sup> This density calculation assumes the proposed residential senior apartments on proposed Lot 1 are not treated as part of a "mixed use development" on the entire 8.42 acre site that is inclusive of the commercial / medical office building located on proposed Lot 2. If the entire 8.42 acre site is used as the basis for calculating density, the proposed Project would have a residential density of approximately 28.5 dwelling units per acre.

protect human health (e.g., enhanced indoor air filtration systems).” The Applicant has not proposed enhanced indoor air filtration systems or other appropriate mitigation measures to protect human health within the proposed senior housing structure as part of its submittal. The Applicant should specify the type of enhanced air filtration system or other appropriate mitigation measures it intends to incorporate into its building plans in order to demonstrate consistency with General Plan Policy S-7.2.

### **Tentative Parcel Map Requirements**

The applicant submitted a Vesting Tentative Parcel Map (“VTPM”) as part of its submission for Tentative Parcel Map approval. The City has adopted the County of Orange subdivision ordinance and manual as the City’s subdivision ordinance of record. (See LHMC §9-86.030). Any Tentative Parcel Map application is reviewed for compliance with the County of Orange Subdivision Code (the “Subdivision Code”). Several areas of inconsistency or lack of conformity with applicable standards and/or requirements must be addressed before the City can approve the proposed VTPM.

1. Section 7-9-254 (Zoning Conformance) of the Subdivision Code provides, in pertinent part, that the City “shall not approve or conditionally approve a tentative map which does not conform with applicable zoning . . . [and that] [a] tentative map shall not be approved if it is apparent that any proposed parcel cannot be developed to its intended use without the modification of site development standards.” In addition, LHMC Section 9-86-050 and 9-86.060 provide that all subdivisions are required to be consistent with the City’s General Plan and all applicable zoning and development standards contained in the Development Code. The General Plan, UVSP, and zoning inconsistencies and/or potential inconsistencies identified elsewhere in this letter must be resolved and compliance demonstrated by the Applicant in order for the City to make the findings required to approve the proposed Vesting Tentative Parcel Map.
2. The proposed Vesting Tentative Parcel Map may only be approved by the City if the findings set forth in Sections 7-9-255 and 7-9-256 (Findings Required) of the Subdivision Code and any additional findings required by the State Subdivision Map Act are made. In addition to consistency with applicable General Plan and zoning provisions, amongst other findings, Section 7-9-255 requires that the City be able to find “(4) that the requirements of the California Environmental Quality Act have been satisfied,” “(6) that the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat,” and “(7) that “the design of the subdivision and the type of improvements proposed are not likely to cause serious public health problems.” The proposed Project is potentially inconsistent and not in conformance with each of these requirements, but it is too soon for the City to make a final determination at this stage of the process. Conformance with these requirements will be evaluated in conjunction with review of the proposed Project pursuant to the California Environmental Quality Act (CEQA), which has not yet been completed.
3. Pursuant to Section 7-9-256 of the Subdivision Code, the City is also required to disapprove a proposed tentative map if it is determined that the discharge of waste from the proposed subdivision into an existing community sewer system would result in or add to a violation of existing requirements prescribed by either the Santa Ana or San Diego Regional Water Quality Control Board. The proposed Project could result in the runoff of waste into the municipal separate storm sewer system (MS4) owned by the City. As discussed below in the “Water Quality

Management Plan” discussion, the San Diego Regional Water Quality Control Board requires that all development projects, regardless of the use of biofiltration structural low impact development (LID) Best Management Practices (BMPs), must maximize the use of low impact development BMPs, such as disconnected roof downspouts, use of pervious pavements, landscape planter areas, etc., to the extent feasible, and not rely solely on biofiltration BMPs. The Preliminary WQMP submitted by the Applicant instead relies solely on biofiltration LID BMPs to comply with the MS4 Permit’s LID implementation requirement for priority development projects, and the proposed Project is therefore currently inconsistent with this requirement.

4. The submitted Vesting Tentative Parcel Map does not contain the information needed for the City to determine whether the proposed Tentative Parcel Map and proposed new Lot 2 conform to the following applicable lot standards:

Item	Standard	Reference
Maximum Lot Coverage	70%	UVSP Table 2
Maximum building height	75 ft.	UVSP Table 2
Minimum setback—front		UVSP Table 2
Parking lot	10 ft.	
Parking structure	20 ft.	
building	20 ft.	
Minimum setback – side (interior)	10 ft. abutting residential 0 ft. commercial abutting non-residential	UVSP Table 2
Minimum setback – rear	20 ft. abutting residential 10ft. abutting non-residential	UVSP Table 2
Minimum landscape coverage	15%	UVSP Table 2

Please revise the Vesting Tentative Parcel Map to include the required and proposed lot standards for both lots proposed to be created in order to demonstrate compliance.

5. Based upon the Subdivision Code and professional map preparation standards, City staff has also determined that the Vesting Tentative Parcel Map, Sheet C-1, contains several errors that must be remedied before the map is suitable for approval as a Vesting Tentative Parcel Map.
  - a. Applicant (and/or its Land Surveyor or Civil Engineer) did not correctly plot easements shown on the ALTA survey onto the Tentative Parcel Map. On the Vesting Tentative Parcel Map, Sheet C-1, Easement No. 14 is called out as “an easement for pipelines and incidental purposes...” but the hexagon No. 14 has been placed on the plan view of Sheet C-1 within the roadway for Avenida de la Carlota and on Los Alisos Boulevard. The actual location of the pipeline easement should be along Interstate 5 on the Vesting Tentative Parcel Map and not within the street right-of-way. In addition, the ALTA Survey shows there should be two easements plotted for Avenida de la Carlota and Los Alisos Boulevard street right-of-way that appear to be incorrectly labeled on the Map:
    - Easement No. 13 “An easement shown or dedicated on the map of Parcel Map recorded December 24, 1974 and on file in Book 65, Page 44, of Parcel Maps for

future streets, Avenida de la Carlota and Los Alisos Boulevard and incidental purposes,” and

- Easement No. 15, “An easement for street, highway, and incidental purposes in the document recorded December 18, 1977 as Book 12967, Page 1116 of Official Records.”
- b. The Vesting Tentative Parcel Map also depicts, on Sheet C-1, “proposed lot lines” labeled at both the centerline of Los Alisos Boulevard and at the edge of right-of-way on Avenida de la Carlota. This creates (or implies the creation of) lots which have not been numbered or lettered within the existing right-of-way. This shall be corrected.
- c. The Vesting Tentative Parcel Map must show both proposed utilities and proposed easements on the same Map.
- d. Acreage (gross and net) of each lot, both before and after the proposed parcel map filing, must be shown.
- e. Please use a different line weight/symbol for “lot line” versus “right of way.”
- f. The “Existing 10’ Water Easement to be Quitclaimed” does not appear in the List of Easements on Sheet C-1.

### **Traffic Impact Analysis**

Section 9-76.050 of the Laguna Hills Municipal Code requires all development applications to be reviewed in conformance with the growth management program and Transportation Demand Management (TDM) requirements. Section 9-76.060 of the Code requires all development applications to be consistent with the growth management program and the City’s general plan. This requires applicants for development projects to prepare traffic impact analysis reports. The UVSP and LHMC Chapter 9-102 also require the preparation a traffic impact analysis. The Applicant has submitted a Traffic Impact Analysis prepared by RK Engineering Group, dated November 30, 2023. The City’s consulting traffic engineer, Hartzog & Crabill, on February 7, 2024, documented the following:

*The [Traffic Impact] analysis determined that one of the eight study intersections, the project access driveway No. 2 at Avenida de La Carlota would result in a significant impact as a result of the project. To restore the intersection to acceptable levels of service (LOS), the TIA recommended restriping the existing median on the easterly leg along Avenida de La Carlota to provide an acceleration lane for southbound left-turning (exiting) vehicles. In addition, HCI conducted a traffic signal warrant analysis at the subject driveway. Based upon the existing plus project related traffic volumes, a new traffic signal is warranted. The remaining 7 study intersections will continue to operate at acceptable LOS.*

The proposed Project plans and Vesting Tentative Parcel Map submitted by the Applicant should be revised to recognize and reflect the installation of a traffic signal and related improvements at Project access driveway No. 2, as well as any resulting on-site changes.

In addition, the Traffic Impact Analysis submitted by the Applicant for the proposed Project, dated November 30, 2023, is now out of date. In order to determine the impacts of the additional traffic generated by the proposed project, the Traffic Impact Analysis must be updated and include a recalculation of the Urban Village Specific Plan's (UVSP) trip budget based on current entitlement approval status in the UVSP area in accordance the requirements of the Trip Budget Allocation for Future Development subsection within Section V of the UVSP.

### **Parking Facilities**

According to the plans submitted by the Applicant, the Project proposes a new multi-level parking structure, as well as a new surface parking lot. Pursuant to LHMC Section 9-44.110, parking structures, including underground or subterranean structures, shall require a parking use permit and shall be designed to meet the guidelines in Section 9-44.110 in addition to standards contained in chapter 9-44. Upon review, the plans are potentially inconsistent with the Laguna Hills Municipal Code standards listed below:

1. LHMC Section 9-44.040.F.1 (Access and Parking – General Provisions) states, “Within all zones, at least ten percent of any common parking area shall be landscaped.” The submitted landscape plans appear to show less than ten percent of the surface parking area in the northeast corner of the subject property to be landscaped. Please revise the landscape plans to include a minimum of ten percent landscaping along with the associated dimensions and calculations to display conformance with the standard.
2. LHMC Section 9-44.040.4.F.2 (Access and Parking – General Provisions) states, “Landscaping shall be spread throughout the entire parking lot. Not more than sixty (60) percent shall be included as perimeter landscape. Forty (40) percent shall be distributed interior to the parking facility.” The submitted landscape plans appear to show less than 40 percent of the interior parking area of the surface parking area in the northeast corner of the subject property to be landscaped. Please revise the landscape plans to include a minimum of 40 percent landscaping within the interior parking area and include the square footage calculations of both the interior and perimeter landscaping to display conformance with the standard.
3. LHMC Section 9-44.050 (Required Parking), Table 9-44.A (Number of Parking Stalls Required) requires a Senior Citizen Housing Complex to provide a minimum of one covered and assigned parking stall plus  $\frac{1}{2}$  guest parking stall per dwelling unit, plus one stall for the resident manager. The proposed 240-unit senior housing development would require a minimum of 361 parking stalls pursuant to this standard, but the Applicant is proposing a total of 281 parking stalls pursuant to State Density Bonus Law's provisions for lowered parking requirements of 1 parking stall per studio and one-bedroom unit, 1.5 parking stalls for each two-bedroom unit, and no required guest parking stalls.
4. LHMC Section 9-44.050 (Required Parking), Table 9-44.A (Number of Parking Stalls Required) requires a Medical and Dental Office to provide one parking stall for every 150 gross square feet (GSF). Pursuant to this standard, the existing 121,000 (GSF) office building on proposed Lot 2 would require a total of 806 parking stalls once converted to a medical office building. However, the Applicant is proposing only 662 total parking spaces to serve the medical office building. Pursuant to LHMC Section 9-44.050, “Except as determined by a special parking and use study to

permit joint or shared parking, parking for one use shall not be credited as serving any other use.” The Applicant has requested approval of a Parking Use Permit to allow the joint use of parking facilities between the commercial office building on Lot 2 and the residential structure on Lot 1 pursuant to LHMC Section 9-44.070. In the event the requested Parking Use Permit is not approved, the number of parking spaces proposed to serve the medical office building will be inconsistent with the LHMC parking standards that apply to this type of use.

5. LHMC Section 9-44.060.G.1 (Design Standards for Parking Facilities) states, “All landscaping within parking lots shall be located in planter areas which are bounded by concrete curbing at least six inches high and six inches wide.” The landscape plans do not show any proposed landscaping within the new surface lot in the northeast corner of the subject property. Please revise the landscape plans to include the required landscaping with the associated dimensions to demonstrate conformance with this standard.
6. LHMC Section 9-44.060.G.5 (Design Standards for Parking Facilities) states, “Landscape planters shall be placed at the end(s) of any parking stalls located at the end of a row of parking. Planters shall be not less than five feet in width no less than the length of the parking stall adjacent thereto exclusive of curb width, and shall be installed in a ratio of one planter for each fifteen (15) consecutive parking stalls in order to eliminate the amount of continuous paving within a parking lot.” The landscape plans do not show any proposed landscape planters at the end of the parking stalls within the new surface lot in the northeast corner of the subject property. Please revise the landscape plans to include the required landscape planters with the required dimensions to demonstrate conformance with this standard.
7. LHMC Section 9-44.060.G.7 (Design Standards for Parking Facilities) states, “Landscape planters shall be incorporated between each module of parking.” The landscape plans do not show any proposed landscape planters between each module of parking within the new surface parking lot in the northeast corner of the subject property. Please revise the landscape plans to include the required landscape planters between each module of parking to demonstrate conformance with this standard.
8. LHMC Section 9-44.060.G.8 (Design Standards for Parking Facilities) states, “A minimum of one fifteen (15) gallon tree for every six parking stalls shall be installed in the parking lot.” While the landscape plans show two new trees being planted along the outer edge of the new surface parking lot in the northeast corner of the subject property, the development standard requires a minimum of three 15-gallon trees to be installed in the parking lot relative to the 21 proposed parking stalls. Please revise the landscape plans to include the required trees along with their associated details to confirm conformance with the development standard.
9. LHMC Section 9-44.060.G.10 (Design Standards for Parking Facilities) states, “Parking lot landscaping shall include shade trees located so as to provide for adequate shade canopies within fifteen (15) years of planting as follows. The Community Development Director may determine that the size of the trees to be installed shall be increased. The percentage of area required to be shaded shall be based on the area of uncovered parking stalls only and shall not include driveways and interior traffic circulation aisles.” The landscaping plans do not propose any shade trees and therefore the new surface parking lot in the northeast corner of the subject property does not provide adequate shade canopies for the uncovered parking stalls. Please revise the landscape



plans to include shade trees for the uncovered parking stalls which provide for adequate shade canopies within 15 years of planting to demonstrate conformance with this standard.

10. LPMC Section 9-44.060.H (Design Standards for Parking Facilities) states, "Paving shall be required for all permanent parking, access, and loading facilities. Decorative paving, colored concrete, and asphalt surfacing materials shall be used and shall conform to the City's adopted standards and requirements." The submitted plans do not demonstrate that the new surface lot and driveways will include decorative paving or colored concrete. Please revise the site plan(s) to include decorative paving and/or colored concrete to demonstrate conformance with this standard.
11. LPMC Section 9-44.060.K (Design Standards for Parking Facilities) states, "Striping and signage shall be provided to each parking lot, aisle, ramp and stall in such a manner that persons in vehicles can quickly identify the direction of flow, stall location, and limitations of use as appropriate. Stalls shall be delineated by the use of six-inch stripes or hairpin patterns affixed to the pavement with the required stall size measured from the centerline of the stripe or pattern between successive stalls. Directional arrows shall be affixed to the pavement in the direction of flow permitted within the driveway or aisle. Where the aisle is designed for one-way traffic appropriate wording warning users of the restriction and signs shall be provided. Signage within the parking lot or structure shall be included as part of a master sign plan. Where no master sign plan is required, parking lot plans shall incorporate detail sheets to clearly identify information, safety, handicapped, and directional signs intended for use in the lot or structure." The submitted floor plans for each level of structured parking do not include the measurements of stalls or stripes, nor do they include directional arrows for the flow of traffic. Please revise the floor plans of each level of structured parking to include the measurements of stalls and stripes, as well as the required directional arrows.
12. LPMC Section 9-44.060.L (Design Standards for Parking Facilities) states, "Curbs or wheel stops shall be provided at each parking space in a parking lot or structure where the parking space abuts a wall or landscape planter. These restraints shall be at least six inches high and six inches thick and shall be spaced and securely affixed to the surface of the lot such that the vehicle will not contact building walls. Overlap to landscaping or walkways shall not exceed two feet." The site plan for the surface parking lot in the northeast corner of the property does not include curb or wheel stops. In addition, only a select few parking spaces within the parking structure are shown to include wheel stops, and no dimensions for the proposed wheel stops are included on the plans. Please revise the site plan and parking structure floor plans to include the required curb or wheel stops and their associated dimensions to display compliance.
13. LPMC Section 9-44.060.L (Design standards for parking facilities) requires the minimum distance from a parking stall adjacent to a wall to be 2 ft 5 in. The Applicant is proposing a distance of 1 foot between some parking stalls and the adjacent to walls within the parking structure. The Applicant is invoking the State Density Bonus Law's provisions for a waiver to deviate from the required minimum.
14. Section 9-44.110.B. (Parking Structure Design Standards) states "The edge of structure support columns shall be located a minimum of two feet and a maximum of four feet from the parking aisle and shall not be located within the area of a parking stall." The parking structure floor plans appear to show support columns located closer than two feet to the parking aisle. Please revise

the parking structure floor plans (Sheets A2.0 and A2.1) to show at least eight support columns one each parking level located a minimum of two feet and a maximum of four feet from the parking aisle along the associated dimensions.

15. Section 9-44.110.E (Parking Structure Design Standards) states “All ramps shall be provided with transition zones at the top and bottom of the ramp. Ramps with a grade of ten percent or less shall have a transition zone at least eight feet in length. Ramps with a grade of greater than ten percent shall have transition zones at least twelve (12) feet in length. The grade of transition zone shall not exceed one-half the grade of the ramp it serves.” All ramps shown in the parking structure floor plans display a grade of five percent, but no transition measurements or gradients are given. Please revise the parking structure floor plans to include transition measurements and gradients to demonstrate compliance with these standards.
16. Section 9-44.110 (Parking Structure Design Standards), Table 9-44.D (Parking Facility Design Standards) requires parking structures to have a minimum of 7-foot unobstructed vertical clearance for automobiles. Sheet A3 shows the upper parking level having a vertical clearance of 6'-4". Please revise Sheet A3 to conform to the required 7-foot minimum clearance.

### **Joint Use of Parking Facilities**

According to the plans and documents submitted by the Applicant, the proposed new senior housing structure on proposed Lot 1 will contain parking to be utilized by the existing medical office building uses on proposed Lot 2. Pursuant to LHMC Section 9-44.050, “Except as determined by a special parking and use study to permit joint or shared parking, parking for one use shall not be credited as serving any other use.” In addition, Pursuant to LHMC Section 9-44.070, the joint use of parking facilities for multiple uses on multiple building sites requires the submittal of a detailed “Joint Use Parking Plan,” approval of a Parking Use Permit pursuant to LHMC Chapter 9-92, and that several enumerated requirements be met. The Applicant submitted a document entitled “ULI Shared Parking Analysis,” dated November 30, 2023, which the City construes to be the Applicant’s intended Joint Use Parking Plan. This document and the proposed Project are inconsistent and/or not in conformance with the following requirements set forth in LHMC Section 9-44.070:

1. Section 9-44.070.A (Joint Use of Parking Facilities) states “A detailed joint use parking plan shall be submitted and an application made for a parking use permit pursuant to the requirements contained in this section and the findings in Chapter 9-92 of this title. The plan shall show and explain all parking facilities, uses and structures that will use the parking, and the pedestrian access from the parking facilities to the uses and structures.” The submitted “ULI Shared Parking Analysis” is inconsistent with this requirement as the submitted document does not show and explain all uses that will use the parking facilities, particularly each of the proposed uses in the medical office building on proposed Lot 2. Without a detailed breakdown of the uses that will be in the commercial building, the City may not be able to make the findings required in Subsection D. of Section 9-44.070 or the required Parking Use Permit finding “[t]hat the requirement for parking established by the joint parking use permit shall assure that parking demands for the participating uses are continually met.” (See LHMC §9.92-080.E). Please submit a revised Joint Use Parking Plan that includes a description of the proposed uses within the commercial building and how those uses will utilize the shared parking.

2. Section 9-44.070.B (Joint Use of Parking Facilities) states, “The parking facilities shall be within three hundred (300) feet of the uses they are intended to serve. A pedestrian pathway is required to provide a means for pedestrian linkage between immediately adjacent land uses and uses within the parking facility.” Sheet A1.0 of the submitted plans appears to show some structured parking on Lot 1 for medical office use is greater than 300 feet from the medical office building on Lot 2. To demonstrate compliance with this requirement, the Applicant should revise the site plans to display measurements from the medical office use parking to the entrance to the medical office use building and confirm they are no greater than 300 feet.
3. Section 9-44.070.D (Joint Use of Parking Facilities) states, “Findings for approval of a shared parking plan shall include that the shared parking plan provides a reasonable and enforceable means for all uses to share common parking and that the city’s minimum requirements assure parking demand is continually met.” The Shared Parking Analysis / Joint Use Parking Plan submitted does not include justification or sufficient information for the City to make these required findings. For example, no or insufficient details have been provided regarding the uses that will occupy the commercial building on Lot 2 and their hours of operation, how common parking will be shared amongst uses, what enforceable means for the sharing of common parking will be put in place. Please submit a revised Joint Use Parking Plan that addresses these inconsistencies and provides justification and sufficient information supporting the required findings set forth in Section 9-44.070.D.
4. Section 9-44.070.E.1 (Joint Use of Parking Facilities) states, “The joint use parking plan shall include: Written verification from the involved property owners and tenants acknowledging acceptance of and compliance with the requirements of the joint use parking plan.” No written verification from the involved property owners and tenants acknowledging acceptance of and compliance with the requirements of the joint use parking plan were provided to the City. Please submit a revised Joint Use Parking Plan that includes the required written verification.
5. Section 9-44.070.E.4 (Joint Use of Parking Facilities) “The joint use parking plan shall include: A site plan showing all parking spaces, building square footage and tenant spaces within the complex or area participating.” The Shared Parking Analysis / Joint Use Parking Plan submitted by the Applicant does not include a site plan showing the building square footage and tenant spaces within the commercial medical office building. Please submit a revised Joint Use Parking Plan that includes a site plan showing the building square footage and proposed tenant spaces within the medical office building.
6. Section 9-44.070.E.5.c (Joint Use of Parking Facilities) states, “The joint use parking plan shall include a joint use parking matrix with the following information: Gross square footage of all building and tenant spaces.” The Shared Parking Analysis / Joint Use Parking Plan submitted by the Applicant does not include gross square footage calculations for each tenant space within the medical office building. Please include the gross square footage calculations for each tenant space within the medical office building in an updated parking analysis.
7. Section 9-44.070.E.5.d (Joint Use of Parking Facilities) states, “The joint use parking plan shall include a joint use parking matrix with the following information: The name, type of use, and the days and hours of operation for each tenant.” The parking analysis does not include the days and hours of operation for each tenant in the existing medical office building. Please submit a revised

Joint Use Parking Plan that includes the days and hours of operation for each tenant in the medical office building.

8. Section 9-44.070.E.5.e (Joint Use of Parking Facilities) states, “The joint use parking plan shall include a joint use parking matrix with the following information: The number of parking stalls required by the development code for each tenant based on each tenant’s gross square footage and type of use.” While the Shared Parking Analysis / Joint Use Parking Plan submitted by the Applicant includes a table summarizing the primary land use(s) of the medical office building, the individual tenant uses are not specified. Please submit a revised Joint Use Parking Plan that includes the individual tenant uses and their associated number of parking stalls based on the gross square footage and type of use in an updated parking analysis.
9. Section 9-44.070.E.5.f (Joint Use of Parking Facilities) states, “The joint use parking plan shall include a joint use parking matrix with the following information: The hourly parking demand for all tenants on: Weekdays (M-F), Saturday, and Sunday.” While the Shared Parking Analysis / Joint Use Parking Plan submitted by the Applicant includes observed hourly parking demand for example senior housing developments in the appendices, as well as the ULI Month/Daily Time parking demand for Senior Housing, no hourly parking demand is provided for the uses or for each individual tenant of the medical office building. Further, the analysis provided utilizes the terms “Urgent Care” and “Nonurgent Care” and differentiates between these two terms as to parking requirements, but these terms are not used in Chapter 9-44 of the LHMC. Please submit a revised Joint Use Parking Plan that includes the hourly parking demand for each use associated with each individual tenant of the existing medical office building in an updated parking analysis and conform the description of such uses to the terminology used in Table 9-44.A for Medical and Dental office uses, as appropriate.
10. Section 9-44.070.E.5.f (Joint Use of Parking Facilities) states, “The joint use parking plan shall include a joint use parking matrix with the following information: A comparison between hourly parking demand and the parking supply to show that demand will not exceed parking supply.” While Table 7 of the Shared Parking Analysis / Joint Use Parking Plan submitted by the Applicant displays a shared parking demand summary between the Senior Housing use and the “Urgent Care” and “Nonurgent Care” uses, they are only analyzed at peak hours and peak months. Please submit a revised Joint Use Parking Plan that revises Table 7 to include the hourly parking demand and associated parking supply to establish that the demand will not exceed parking supply.

#### **Urban Village Specific Plan Design Guidelines**

The Urban Village Specific Plan includes design guidelines for new residential developments in order to aesthetically integrate the new developments within the Plan area as well as the adjacent residential and commercial areas outside of the Plan area. The plans submitted by the applicant are inconsistent with the following residential design guidelines:

1. The Residential Development section states, “Roofs should incorporate pitches, ridges, rakes, ridgelines, and materials that are common to the area” (pg. 24). The proposed Project contains a flat roof without variation. Please revise the building design to incorporate pitches, ridges, rakes, or ridgelines.

2. The Residential Development section states, “Building massing should respect the surrounding structures and step down at the corners” (pg. 24). The proposed Project maintains a consistent height throughout the structure and does not step down at each corner. Please revise the building design to step down at the corners.
3. The Screening section states, “Any equipment, whether on the roof, side of a structure or ground mounted, shall be screened from view. The method of screening shall be architecturally compatible in terms of materials, color, shape, and size. The screening design shall blend with the building design and include landscaping when on the ground” (pg. 41). Sheet C-3 shows proposed transformers adjacent to the north and south sides of the proposed building, while Sheet L.1 shows proposed transformers, but also shows landscaping over the transformers, and does not show any landscape screening. Please revise the plans to show landscape screening and associated dimensions of all ground mounted equipment.

### **Urban Village Specific Plan Entry Feature and Wayfinding Signage**

The Urban Village Specific Plan includes locations and design guidelines for perimeter entry features and wayfinding signage within the Plan area. Figure 21 of the UVSP identifies locations of entry features and wayfinding signage throughout the Plan area and identifies a “Perimeter Entry Feature and “Vehicular Wayfinding Signage” to be located on the proposed Project site. The requirements for the Perimeter Entry Feature and Vehicular Wayfinding Signage are described on page 20 and Figures 25 and 26 of the UVSP. The plans submitted by the Applicant not include the required Perimeter Entry Feature or Wayfinding Signage, and the proposed Project is therefore inconsistent with this requirement. Please revise the Site Plan or incorporate the required signage into a Master Sign Program.

### **Public Art**

The Urban Village Specific Plan contains a requirement for Public Art in all new developments with a total construction cost of \$250,000 or more or a contribution to a Public Art In-Lieu Fund. The applicant has not submitted any documentation indicating how the project will comply with the UVSP Public Art requirements.

In a separate document, please indicate whether the proposed development will include public art or a contribution to the City’s Public Art In-Lieu Fund utilizing the Public Art value formula described in Section V, page 39 of the Urban Village Specific Plan.

### **Water Quality Management Plan**

LHMC Chapter 5-36 (Water Quality Control) provides that the NPDES permit(s) issued to the City require that the City ensure compliance with stormwater management programs and implementation plans, including compliance by all dischargers subject to the provisions of the state construction general permit, as determined through the project water quality management plan (WQMP). The Applicant’s submittal is inconsistent with the stated requirement. The San Diego Regional Water Quality Control Board requires the City to require all new development projects, regardless of the use of biofiltration structural low impact development (LID) Best Management Practices (BMPs), to maximize the use of low impact development BMPs, such as disconnected roof downspouts, use of pervious pavements, landscape planter areas, etc., to the extent feasible, and not rely solely on biofiltration BMPs. The Preliminary WQMP

submitted by the Applicant instead relies solely on biofiltration LID BMPs to comply with the NPDES Permit's LID implementation requirement for priority development projects, and the proposed Project is therefore currently inconsistent with this requirement. Therefore, to achieve compliance, the Preliminary WQMP and site design plans must provide for additional LIDs, or provide adequate justification for not using additional BMPs. The Preliminary WQMP indicates infiltration capabilities of the soil have yet to be assessed, but the WQMP indicates a conservation scenario where no infiltration can occur. For completeness, this evaluation must be conducted so compliance with the NPDES MS4 Permit can be ascertained.

### **Grading, Building, and Fire Code Compliance**

The application plans do not include details adequate to determine compliance with applicable Building, Grading, and Fire Codes. The proposed Project must comply with the following Parts of the California Building Code and all local amendments adopted by the City pursuant to Chapter 5.16 and Title 10 of the LHMC:

- California Code of Regulations, Title 24:
  - Part 2, 2022 California Building Code
    - 2022 California Building Code Chapter 11A, Private Housing Accessibility. Please indicate if public funding is being utilized for the proposed project.
    - 2022 California Building Code Chapter 11B, Public Housing/Public Accommodation.
  - Part 3, 2022 California Electrical Code
  - Part 4, 2022 California Mechanical Code
  - Part 5, 2022 California Plumbing Code
  - Part 6, 2022 California Energy Code
  - Part 9, 2022 California Fire Code
  - Part 11, 2022 California Green Building Standards Code (CalGreen)
  - California Senate Bill (SB) 7 – Water Meter.

In addition, the proposed project will be required to comply with LHMC Chapter 10-16 (Grading and Excavation Code). The plans submitted by the Applicant as part of its land use entitlement application are not detailed enough for the City to determine compliance with all applicable Grading, Building, and Fire Code standards. Therefore, it is possible the proposed Project does not conform to all said standards. If the requested land use entitlements for the proposed Project are approved, more detailed plans will be required to be submitted in order to obtain post-entitlement permits and conformance to these standards will be evaluated during the post-entitlement permit review phase.

As noted above, the proposed Project must comply with all applicable provisions of the California Fire Code and local amendments adopted pursuant to LHMC Chapter 5.16. This includes, without limitation, approval of a Fire Master Plan for Commercial and Residential Development pursuant to Orange County Fire Authority ("OCFA") Guideline B-01. (See LHMC Section 5.16.030). The Applicant has not yet obtained OCFA approval of its proposed Fire Master Plan, and the proposed Project will be inconsistent and not in conformance with this requirement until such approval is obtained. In a letter dated February 15, 2024, OCFA provided comments on the Applicant's submitted plan set. All comments must be addressed in order to confirm consistency with relevant OCFA standards and guidelines. See Attachment 1.

### **Items for Potential Future Discussion**

The proposed Project site is identified as an underutilized site suitable for the development of housing in the City's General Plan Housing Element Sites Inventory (Site ID No. 116). The Underutilized Sites Analysis on pages H-205 and H-206 of the Housing Element contains the following discussion regarding this site:

#### **"Site 116: 24422 Avenida de la Carlota**

This 6.73-acre site is known as Oakbrook Plaza. Existing uses are commercial. According to LoopNet, a commercial broker website, the site is improved with a 119,900-square-foot, four-story office building constructed in 1983. There are approximately 478 surface parking spaces occupying 85 percent of the site. There is a low as-built FAR of 0.41, where no maximum is prescribed, indicating that the site is underutilized. Lot coverage is 10 percent; however, 70 percent lot coverage is allowed on the site. Online listings (commercialcafe.com) indicate the building occupancy is more than 1/3 vacant. Buchanan Street Partners, which purchased the site in December 2022, corresponded with City staff prior to and during the purchase process, indicating their plans to add approximately 250 units to the site, while preserving the existing office building. Buchanan Street Partners has submitted a letter of explanation provided in Appendix C. There is an opportunity with this site to use all or some of the 6-acre parking lot to develop housing. Because the site may be redeveloped with mixed-uses, the realistic unit yield is calculated at 70 percent of the maximum allowed (50 units per acre) under current zoning, which is consistent to the yield indicated by new owners Buchanan Street Partners."

Site 116 is listed in Table 48.A (Underutilized Sites, VC Zone) of the Housing Element as an underutilized site suitable for the development of 236 lower income housing units to assist the City in meeting its lower income Regional Housing Needs Allocation (RHNA). It was the City's expectation that a future project on the site would include units affordable to lower income households. However, the proposed Project does not include *any* affordable units. City staff encourages the Applicant to consider including affordable units, consistent with the Housing Element.

\* \* \* \* \*

The foregoing explanations of the reasons the proposed Project is, or potentially is, inconsistent, not in compliance, or not in conformity with each of the identified City plans, programs, policies, ordinances, standards, and requirements does not constitute a final determination by the City or disapproval of the proposed Project. The City may revise these conclusions based on subsequent plan revisions, further analysis, the receipt of additional information, completion of environmental review of the proposed Project, and/or evidence presented at the public hearing.

If you have any questions, please feel free to contact me at (949) 707-2675 or llongenecker@lagunahillscs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Longenecker".

Larry Longenecker  
Community Development Director

cc: City Manager  
City Attorney  
Public Works Director/City Engineer  
Assistant City Engineer  
Building Official  
Senior Planner  
Dudek

Attachments:

- 1.) OCFA Comment Letter dated February 15, 2024





# **ORANGE COUNTY FIRE AUTHORITY**

*Fire Prevention Department*

**P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602**

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*Planning and Development Services • [www.ocfa.org](http://www.ocfa.org) • (714) 573-6100 / Fax (714) 368-8843*

Date: 02/15/2024

Page 1 of 1

To: Jay Wu  
City of Laguna Hills

From: Ben Ver Burg, Fire Prevention Analyst

Subject: **City Reference**  
**OCFA Service Request SR #535805**

**Oakbrook Plaza**  
**24422 Avenida De La Carlota**  
**Laguna Hills**

**Service Code: PR105 Site Development Review**

The applicant must address the comments, corrections, and/or concerns listed below before conditions can be issued for this project. If you need additional information or clarification, please contact me by phone or email: (714) 573-6110, [benverburg@ocfa.org](mailto:benverburg@ocfa.org).

1. Provide a laddering and firefighter access exhibit to show the locations for aerial roof laddering as required by OCFA Guideline B-01. Aerial laddering must be clear of all trees, powerlines, or any other obstructions.
2. Provide a Water Availability Form signed by the local water purveyor to show the results of a recent flow test (within 6 months) near the project site. The available water must meet or exceed the required fire flow of the most demanding structure. The test shall be completed at the fire hydrants nearest to the job site, on the side where water service will be provided. The flow test results provided are for a location too far north.
3. Provide a traffic analysis from the local traffic engineer's office or public works department to show the average daily trip (ADT) count for the surrounding roads being proposed for fire department access and laddering to the building.
4. Provide an allowable area calculation in accordance with CBC 506 and Equation 5-1 (or 5-2).
5. Provide an allowable height calculation for the building, per the 2022 California Building Code.
6. Provide information about what systems will be installed in the building: fire alarm system, fire sprinkler system, smoke control, etc.
7. Provide an easement agreement, recorded with the city, for the shared access fire lane road between the proposed building and the existing building.
8. Provide occupant load calculation for roof deck area and second exit as needed.

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Seal Beach • Stanton • Tustin • Villa Park • Westminster • Yorba Linda • and Unincorporated Areas of Orange County

9. Provide existing and proposed fire hydrant locations according to OCFA guideline B-01.
10. Per OCFA Guideline B-01 section 6.3, provide firefighter access tunnels to the courtyard that meet the requirements listed.