



CITY OF LAGUNA HILLS

February 28, 2025

Aylene Chu
Director of Land Entitlements
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**SUBJECT: 23161 MILL CREEK RESIDENTIAL DEVELOPMENT COMPLETENESS REVIEW
SITE DEVELOPMENT PERMIT NO. USE-0211-2025 AND VESTING TENTATIVE TRACT MAP NO.
19346**

Dear Ms. Chu,

On January 30, 2025, the Community Development Department received an application for the proposed 36-unit residential development located at 23161 Mill Creek Drive. The project includes developing 36 attached condominium units within 18 buildings. Every unit proposed is a three-story, four-bedroom, four bathroom, a unit size ranging from 1,991 square feet to 2,033 square feet. Two units are proposed to be restricted for very low-income households, and the project has been designed to incorporate certain incentives/concessions and waivers or reductions of development standards pursuant to the State Density Bonus Law. Requested entitlements include a Site Development Permit and Vesting Tentative Tract Map (VTM). Pursuant to the City's development application review process, staff conducted a review of the application materials to determine the completeness and accuracy of the application submittal.

Based on our review, in accordance with Section 9-92.050 (Requirements for Complete Applications) of the Laguna Hills Development Code (Title 9 [Zoning and Subdivisions] of the Laguna Hills Municipal Code) and Sections 65941.1(e) and 65943(a) of the California Government Code, the City has determined that the development application is **incomplete**. The following items are required to deem your application complete and allow City staff to conduct a thorough and timely review of your project and consider it for processing. Submittal of additional and/or new plans, reports, information and project details may generate new staff questions, comments, and the need for additional information and submittals.

This letter is organized into three sections:

- Section I: Complex Application Plan Set and Exhibits
This section identifies plans and exhibits listed on the City's Planning Application Submittal Checklist that were not submitted or adequately completed and are required to be submitted and/or adequately completed before the application can be determined to be complete.

- Section II: Reports and Studies

This section identifies reports and studies listed on the City's Planning Application Submittal Checklist that were not submitted or adequately completed and are required to be submitted and/or adequately completed before the application can be determined to be complete.

- Section III: CEQA Request for Information

This section identifies items needed in order to complete the CEQA analysis for the proposed Project before the application can be determined to be complete.

SECTION I: COMPLEX APPLICATION PLAN SET AND EXHIBITS

The following items listed on the City's Planning Application Submittal Checklist were not submitted or adequately completed and are required to be submitted and/or adequately completed before the application can be determined to be complete. The items required for a completed application, including a thorough description of the specific information needed to complete each item, are listed on the Application Submittal Checklist.

1. Planning Application and Checklist (Checklist Item A1)

- Checklist Item A1 requires submittal of the Planning Application, including the checklist attached to the application. An application was submitted, but it did not include a complete checklist. Please submit the completed checklist, which can be found at <https://www.lagunahillsca.gov/DocumentCenter/View/125/Planning-Application-and-Instructions>.

2. Letter of Justification (Checklist Item A5)

- Checklist Item A5 requires the submittal of a Letter of Justification that (a) summarizes the proposal, (b) identifies all submitted materials along with the Planning Application Submittal Checklist, (c) includes a description of existing/proposed uses and sizes (sq. ft.) and quantities (dwelling units), (d) summarizes consistency with General Plan and zoning requirements, and (e) explains how the project satisfies the required findings. A Letter of Justification was submitted, as required; however, it does not contain all of the required information. The following information is needed in the Letter of Justification:
 - A detailed decision of the existing uses on the site.
 - An analysis of how the project satisfies all required findings under Section 9-92.080.G in the Laguna Hills Municipal Code ("LHMC") for a Site Development Permit and LHMC Chapter 9-86, the County of Orange subdivision ordinance and manual (which the City has adopted by reference), and the State Subdivision Map Act for a VTTM. For your reference, the required findings for a Tentative Tract Map and Site Development Permit are as follows:

Tentative Tract Map

- 1) That the proposed map is consistent with the City of Laguna Hills General Plan;
- 2) That the design and improvement of the proposed subdivision is consistent with the City of Laguna Hills General Plan;
- 3) That the site is physically suitable for the proposed type of development.

- 4) That the requirements of the California Environmental Quality Act have been satisfied;
- 5) That the site is physically suitable for the proposed density of development;
- 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;
- 7) That the design of the subdivision and the type of improvements proposed are not likely to cause serious public health problems;
- 8) That the design of the subdivision and the type of improvements proposed will not conflict with easements of record or established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public;
- 9) That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning and development standards contained in the City's Development Code;
- 10) That the design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision;
- 11) That the design, density and configuration of the subdivision strikes a balance between the effect of the subdivision on the housing needs of the region and of public service needs;
- 12) That either (a) the subject property is not located within a state responsibility area or a very high fire hazard severity zone or, (b) if the subject property is located within a state responsibility area or a very high fire hazard severity zone, (i) the proposed subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations, and (ii) structural fire protection and suppression services will be available for the subdivision through a county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity, or the Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.; and
- 13) The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

Site Development Permit

- 1) That the site design complies with standards of the development code;
- 2) That the site is suitable for the proposed development;
- 3) That the project is consistent with the general plan and applicable design guidelines; and,

- 4) That the site design and structural components are appropriate for the site and function of the proposed uses.

3. Public Hearing Notification Package (Checklist Item A7)

- Checklist Item A7 requires the submittal of labels for property owners within a 300-foot radius from the exterior boundaries of the project property as determined from the latest equalized assessment roll of the County of Orange and all on-site tenants. The City is in receipt of the public hearing notification package; however, a self-adhesive press apply labels are required. Checklist Item A7 states that, with Planning Division concurrence, this item can be deferred until closer to the public hearing date. The City's Planning Division hereby agrees that the required labels may be submitted to the City once a tentative public hearing date has been identified and do not need to be provided with your resubmittal.

4. Preliminary Title Report (Checklist Item C1)

- Checklist Item C1 requires submittal of a Preliminary Title Report that was prepared within the previous six months. The Preliminary Title Report that was submitted was prepared on March 28, 2024. Please submit an updated report that is less than six months old.

5. Plan Set (General Comments)

- The following items are general comments that apply to the entire plan set:
 - Ensure all plans are stamped and signed by the design professional who prepared the plan.
 - All sheets in the plan set should be the same size and drawn to scale. The following sheets are not drawn to scale: L-1, L-2, and L-4.
 - Pursuant to Government Code §65103.5, each design professional who provides plans in the submittal must provide authorization to publish and post plans. To comply with this requirement, each design professional shall provide and sign the following statement:

I, _____, hereby certify that I am the design professional or owner of copyright materials who prepared the architectural drawings for the development application of the above-described property. I hereby grant the City authorization to reproduce the plans within the agenda packet for public hearings and post them on the internet and further acknowledge that members of the public will have access to these plans, and they may be copied.

Should any of the design professionals decline to provide such authorization the City may require additional site and massing diagrams.

6. Plan Set Title Sheet (Checklist Item C2)

- Checklist Item C2 requires submittal of a Plan Set Title Sheet that includes, title block, vicinity map, project information table that identifies zoning/land use designations, compliance with development standards, etc., site and building data, parking analysis, landscaping information, and sheet index. The submittal included a Plan Set Title Sheet, however

compliance with development standards table needs to be updated to include: 1) floor area ratio (max per the General Plan is 0.38), 2) drive aisle width, 3) parking stall size, and 4) actual amount of private open space (consider the balconies and rear yards). To fully analyze the compliance with the development standards, include the code required standard as a separate column.

- In the building summary table, distinguish between livable area, garage area, and total unit size.
- Update the sheet legend to include all plans provided for in the plan set.

7. Proposed Site Plan (Checklist Item C4)

- Checklist Item C4 requires submittal of a Site Plan. While one was included, the following information is needed on the plan:
 - There are two squares shown on the site plan in front of the gate for each unit. Please label these squares.
 - Show the location of mechanical equipment.
 - The legend calls out recycled water line but uses the same callout as the domestic water. Use a different callout. If no recycled water is being used, remove from the legend.
 - Show all improvements (buildings, driveways, landscape) within 100' of the project site.
 - Label each unit on the site plan as Plan 1 or Plan 2 (use the 'R' designation for reverse floor plans).
 - Along each drive aisle is a feature denoted by a long line, three dots, long line. Add this feature to the legend.
 - Dimension the walkway width for the entry paths from the street to the front door of the units.
 - Show the location of all electric meters. Confirm that natural gas is not proposed, thus will not require meters.
 - Is a central mailbox being proposed? IF so, show the location that will meet USPS's standards.

8. Proposed Floor/Roof Plan (Checklist Item C5)

- Checklist Item C5 requires the submittal of a Site Plan and Roof Plan that demonstrates the layout of all floors showing building entrances and floor layouts (with rooms/uses labeled), location of indoor and outdoor amenity space and publicly accessible areas, and details of proposed rooftop equipment, including proposed screening. While one was included, the following information is needed on the plan:
 - Fully dimension all floors of the floor plans.
 - Add the garage area to the unit size table.
 - Label the floor plans as Plan 1 or Plan 2.
 - Provide a Roof Plan which includes details of roofs for all buildings, including materials, slopes, rooftop equipment, and proposed screening, if any. Be sure to fully dimension the roof plan and label Plan 1 or Plan 2.
 - Show location of solar panels.
 - Provide a scale to which these plans have been drawn to.

9. Proposed Building Elevation (Checklist Item C6)

- Checklist Item C6 requires the submittal of Building Elevations that show development in context of adjacent properties and right-of-way(s). Label heights of buildings (feet and stories), call out exterior design features/materials, lighting fixtures, entrances, canopies, balconies, arcades, roof line and rooftop equipment etc. While one was included, the following information is needed on the plan:
 - Dimension the overall height of the building. Height is measured from the lowest existing grade to the peak of the roof.
 - Show all exterior lights, addresses, and any other feature mounted to the building.
 - Pull the dimension callouts away from the building so they are not obscured by the landscaping.
 - Landscaping shown on the elevations should be reflective of the proposed landscaping of the site. Currently you are showing a palm tree on the right side of the front elevation and no palm trees are proposed in the landscape plan.

10. Project Site Cross Section (Checklist Item C7)

- Checklist Item C7 requires submittal of a Project Site Cross Section that shows abutting streets, existing structures, proposed structures, and grades/finished floor elevations identified. Existing partial cross sections have been provided, but do not extend across the entire site. Provide two property cross sections that extend through the entire site. It is recommended that cross sections A-A and B-B be extended from property line to property line.

11. Computer Generated Building Mass Model (Checklist Item C9)

- Checklist Item C9 requires a 3D model of the proposed development, to evaluate the proposed project in context with existing development. The model can be incorporated into the plan set if multiple angles are included or can be a separate file format compatible with Microsoft 3D Viewer or video (.mpeg, .avi, etc.).

12. Conceptual Landscape Plan (Checklist Item C10)

- Checklist Item C10 requires the submittal of a Tree Canopy/Shade Plan (must provide adequate shade canopies within fifteen (15) years of planting), wall/fence details (height, type, materials), hardscape treatment (special paving). The submittal plan does not include a table demonstrating the amount and size of trees, shrubs, vines, and ground cover proposed at planting. Additionally, it does not demonstrate the shade provided after 15 years of planting.

13. Preliminary Lighting Plan (Checklist Item C11)

- Checklist Item C11 requires submittal of a Preliminary Lighting Plan that demonstrates potential light impact. The following changes are needed to meet the submittal requirements:
 - Extend the photometric plan to include the Mills Creek Road, across the property frontage, and at least 10 feet onto all adjoining properties.
 - Provide cut-sheets for all proposed light fixtures, including all light fixtures proposed on the exterior facades of the residences.

- Provide a summary table that demonstrates the minimum, maximum, and average footcandles for the site. Due to the nature of site lighting, it is recommended that you break up the photometric plan into zones.

14. Materials and Color Board (Checklist Item C12)

- Checklist Item C12 a physical material and color board is required. The size of the material and color board shall be 11" x 17" and contain samples of all finished material and color swatches. This item may be submitted to the City once a tentative public hearing date has been identified.

15. Housing Plan (Checklist Item C14)

- Checklist Item C14 requires the submission of a Housing Plan that includes a description of type of housing proposed (i.e. apartment, condominium, townhome, single-family, etc.), characteristics (i.e., emergency, transitional, supportive, rental, sale, age-restricted), and/or affordability (very-low, low, moderate, market, etc.). Also identify any requested density bonuses/concessions, and use of any State/Federal agency housing development funds. A density bonus request letter has been submitted, which will meet this requirement. While a density bonus letter was included, it did not include the description of the housing type, concessions being requested, or parking requirements. The letter also did not include documentation to establish that applying all the development standards would physically preclude the development

16. Preliminary Grading Plan (Checklist Item C15)

- Checklist Item C15 requires submittal of a Preliminary Grading Plan. One was included in the submittal, however it does not distinguish between the existing and proposed contour lines and does not include a table that shows the proposed cubic yardage of cut, fill, import, export.

17. Tentative Tract Map (Checklist Item C19)

- Checklist Item C19 requires the submittal of a Tentative Tract Map. A Tentative Tract Map was submitted, but the submitted map does not include the required note stating the proposed condominium map is for 36 units and does not include the full legal description that matches the legal description in the Preliminary Title Report.

18. Hazardous Waste Statement (Checklist Item C20)

- Checklist Item C20 states "pursuant to Section 65962.5 of the California Government Code, a signed statement indicating whether the project and any alternatives are located on a site that is included on the lists prepared by the State Department of Health Services, State Water Resources Board, and the California Waste Management Board (Cortese List)." A general statement, in an email format, was submitted relating to a Department of Toxic Substances Control (DTSC) list only. Upon resubmittal, please provide a signed statement with all of the required information, including whether the project is located on a site that is included on other agency lists such as the State Department of Health Services, State Water Resources Board, and the California Waste Management Board.

19. Waste Management Plan (Checklist Item C21)

- Checklist Item C21 states “describe how the project will comply with CalRecycle’s requirements of AB 1826, SB 1383, and AB 341.” Although a Trash Pickup Exhibit was submitted, no documentation to demonstrate compliance with CalRecycle’s requirements was submitted, as noted above. Upon resubmittal, please include this information in the required Waste Management Plan.

20. OCFA – Development Plan/Site Review (Checklist Item C22 – Fire Master Plan)

- As part of the entitlement review process, the Project must be reviewed under Orange County Fire Authority’s PR105 review process (please see attached OCFA form). Please submit a separate set of the following items, which will be routed to OCFA by the City:
 - PDF on USB drive
 - Fee Payment of \$572

SECTION II: REPORTS AND STUDIES

The following list of reports and studies on the City’s Planning Application Submittal Checklist were not submitted or adequately completed, and are required to be submitted and/or adequately completed before the application can be determined to be complete.

21. Air Quality, Greenhouse Gas, & Health Risk Analysis (Checklist Item R1)

This analysis was not included in the submittal package and must be submitted to conform with the requirements described in the Application Checklist.

22. Housing Report (Checklist Item R5)

This report was not included in the submittal package and must be submitted to conform with the requirements described in the Application Checklist. The report must provide information and analysis on the impact of proposed development on the City’s supply of affordable and market-rate rental housing and tenants.

23. Noise Impact Assessment (Checklist Item R6)

This assessment was not included in the submittal package and must be submitted to conform with the requirements described in the Application Checklist. The assessment must analyze the impact of noise generated by a proposed development on the surrounding environment, the impact of noise from the surrounding environment on the proposed development, and the impact of noise from the proposed development on itself.

24. Sewer Study Assessment (Checklist Item R14)

This study was not included in the submittal package and must be submitted to conform with the requirements described in the Application Checklist. A Sewer Study must verify whether the existing sewer system can accommodate the proposed development, and if not, the study must identify needed improvements that would allow a development project to move forward.

25. Solar Panel Assessment (Checklist Item R15)

This assessment was not included in the submittal package and must be submitted to conform with the requirements described in the Application Checklist. A Solar Panel Assessment must analyze the

optimal location, mounting options, energy usage, expected energy output, and system size and production of the proposed solar panel installations.

SECTION III.

The submittal package includes a Memorandum asserting that the proposed project qualifies for a statutory exemption from CEQA pursuant to CEQA Guidelines Section 15183, Projects Consistent with a Community Plan or Zoning and a categorical exemption from CEQA pursuant to CEQA Guidelines Section 15332, In-fill Development Projects. It is the City's understanding that the applicant only intends to pursue the Class 32 categorical exemption pursuant to CEQA Guidelines Section 15332 and is no longer pursuing the statutory exemption for Projects Consistent with a Community Plan or Zoning described in CEQA Guidelines Section 15183. Therefore, this letter focuses on what additional information is needed for the City to evaluate and make a determination regarding the applicant's assertion that the proposed project qualifies for a Class 32 categorical exemption pursuant to CEQA Guidelines Section 15332 and is not conclusionary as to the ultimate CEQA review that may be required.

CEQA Guidelines Section 15332 states that Class 32 consists of projects characterized as in-fill development meeting the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

As acknowledged in the application materials, preparation of technical studies and analysis, based on substantial evidence, will be needed to determine whether the project meets all conditions for a Class 32 categorical exemption and to document none of the exceptions allowing for use of a Class 32 categorical exemption are applicable to the project and the site.

Technical studies needed to support the evaluation include, but may not be limited to:

- Air Quality
- Biological Resources Assessment
- Hazardous Materials Assessment (e.g., Phase I ESA, Phase II, if required)
- Hydrology/Preliminary WQMP
- Noise
- Transportation/VMT
- Sewer Study
- Water Capacity and Supply Study

If the technical studies identify the need for additional study, surveys, or analysis, these studies will be required. Additionally, further study/analysis may result from the third-party peer review of the applicant-

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Vesting Tentative Tract Map No. 19346

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prepared studies. The identified technical studies are not intended to be an exhaustive list of all studies that may be required by the City outside of the CEQA process.

Once the outstanding items are received and determined to be acceptable for processing, your application will be re-distributed to appropriate City departments and other reviewing agencies for review and comment.

If you have any questions or would like to schedule a meeting to review these comments, please feel free to contact me at (714) 313.-3713 or dblumenthal@sagecrestplanning.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Blumenthal', with a stylized flourish at the end.

David Blumenthal, AICP
Contract Planner

Cc: Community Development Director
Senior Planner