



Staff Report

File #: 23-0601

REQUEST FOR CITY COUNCIL ACTION

DATE: 08/02/2023

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:
CONDITIONAL USE PERMIT 2023-0002 TO ESTABLISH 50 APARTMENTS ON 2.96 ACRES, LOCATED ON THE WEST SIDE OF TEMESCAL CANYON ROAD AND ON THE NORTH AND SOUTH SIDES OF FASHION DRIVE, IN THE COMMERCIAL DESIGNATION OF THE DOS LAGOS SPECIFIC PLAN (APPLICANT: PAT TRITZ OF REXCO DEVELOPMENT)

EXECUTIVE SUMMARY:

This staff report asks the City Council to affirm the Planning and Housing Commission’s decision in granting Conditional Use Permit 2023-0002 (CUP2023-0002). CUP2023-0002 will allow for the establishment of 50, multifamily apartments on 2.96 acres zoned Commercial of the Dos Lagos Specific Plan (SP99-03). The Commercial zone allows multifamily residential with the approval of a Conditional Use Permit, which is the reason for CUP2023-0002. The apartments will be an extension of the multifamily development located to the west and will be operated by the same owner.

RECOMMENDED ACTION:

That the City Council:

- a. Take no action, thereby affirming the Planning and Housing Commission’s action granting CUP2023-0002, based on the findings contained in the staff report and conditions of approval.

OR

- b. Set the item for review at a subsequent meeting.

BACKGROUND & HISTORY:

The project site is part of a partially developed site that was intended to accommodate commercial land uses. Precise Plan PP2018-0003 was approved by the Planning Commission in 2018 and at the time the proposed development included a four-story hotel, a 2,500 square-foot restaurant with drive

-through services, 15,100 square feet of restaurant and retail space, and an automobile service station with a convenience store and drive-through car wash. Since the approval of the commercial development, the project site was partially developed with the hotel and the automobile service station, which includes the convenience store and self-service car wash. The owner of the property has not been able to attract other commercial uses to the site and the 50 apartments proposed by CUP2023-0002 will occupy the vacant pads once intended for commercial. The General Plan designation of the project site is Mixed Use, which allows residential to be developed in conjunction with commercial uses. Furthermore, the applicant was also the developer of the multifamily units to the west of the project site. The proposed multifamily residential units will be an expansion of the existing residential units to the west and operated by the same ownership.

ANALYSIS:

The project site is identified as Planning Area 1 of the Dos Lagos Specific Plan. The specific plan allocated 450 residential units to Planning Area 1. Prior residential development in Planning Area 1 includes 276 units. CUP2023-0002 will add 50 residential units to Planning Area 1, resulting in 326 units, which is below the maximum number of residential units allowed.

Site Plan

The project consists of seven residential buildings. The residential units include two-story townhomes and three-story stacked flats. Access to the project is from Fashion Drive, via Temescal Canyon Road and Dos Lagos Drive. Fashion Drive is an existing private street within the development, and it provides access to the other residential and commercial developments within Planning Area 1.

The residential units on the north side of Fashion Drive consist of 20 attached two-story townhomes and approximately 4,288 square feet of recreation space. The recreation space consists of a lawn and a pickleball court. The residential units on the south side of Fashion Drive consist of 10 attached two-story townhomes, and 20 stacked flats within three-story buildings. Approximately 1,270 square feet of recreation space is provided and consists of two separate lawn areas.

The buildings adhere to the development standards of the Dos Lagos Specific Plan for the Commercial zone, which includes the building setback from the streets, and the minimum building separation requirements.

Floor Plans

The residential units range from one-bedroom stacked units to three-bedroom, two-story townhomes. The units have a minimum floor area of 600 square feet or greater, which complies with the Dos Lagos Specific Plan's minimum living area requirement of 600 square feet for multiple-family residential units. The two-story townhomes have either a single-car or two-car garage, with direct access from the garage to each unit's living area. The buildings with the flats will have single-car garages, but no direct access to the interior of the unit.

A summary of the living spaces for the residential units is provided in Table A.

Table A - Summary of Living Spaces Unit Sizes

Type	Plan/Building	# of Units Provided	Unit Size	#Bed/Bath
Flat	Plan 1 / Building D*	4	600 sf	1 / 1
Flat	Plan 2 / Building D*	6	640 sf	1 / 1
Flat	Plan 5 / Building D*	4	830 sf	2 / 2
Flat	Plan 6 / Building D*	6	830 sf	2 / 2
Townhome	Plan 3 / Buildings A, B, C	10	820 sf	1 / 1
Townhome	Plan 4 / Buildings B, C	5	830 sf	1 / 1
Townhome	Plan 7 / Buildings A, B, C	10	1085 sf	2 / 2.5
Townhome	Plan 8 / Buildings B, C	5	1265 sf	3 / 2.5

Parking

The project is required to have 90 covered parking spaces and 10 guest parking spaces, for a total of 100 parking spaces. The project provides 57 garages and 33 covered carport spaces (90 covered spaces), and 22 uncovered guest spaces for a total of 112 parking spaces.

The parking requirement is based on the City’s requirements that were in effect at the time of the submittal of the applicant’s application. Per California Senate Bill 330 (SB 330), which is the Housing Crisis Act of 2019, a residential project is only subject to the development standards in effect at the time of submittal of an application. The following are the parking ratios that were effect when the applicant submitted their Development Plan Review application to the City.

- 1.5 covered parking space per unit, plus 1 uncovered guest space per 5 units.
- 2 covered parking spaces per unit, plus 1 uncovered guest space per 5 units.
- 2.5 covered parking spaces per unit, plus 1 uncovered guest space per 5 units.

For comparison purposes, if the project used the City’s current multifamily parking ratios, the project would have been required to provide 100 covered parking spaces instead of 90 covered spaces plus 15 uncovered spaces with 10 spaces assigned for guests for a total of 115 spaces. The project provides 112 spaces, which is three spaces less than the current requirement.

Architecture

The Dos Lagos Specific Plan’s Architectural Design Guidelines prescribes an Eclectic Mediterranean theme for development within the Specific Plan area. The residential buildings proposed for the project have smooth stucco walls, accented with stone veneer, metal railings and built-up flat roof. The architecture includes the use of strong color profiles and textured material to create contrast and visual interest; façade articulations to reduce building massing and volume; and deep recessed entryways to create a pedestrian friendly environment. The contemporary, streamlined exteriors present architectural features and a color scheme similar to the hotel and the Terrano Apartments located to the west.

Access And Circulation

Access to the project site is provided from Fashion Drive, which intersects with Temescal Canyon Road and Dos Lagos Drive. The entrance to the north and south portions of the project are located at the west perimeter of the project site. All internal drive aisles within the project are 24 to 28 feet in width. The main drive aisles are 28 feet in width, as required by the Fire Department.

The section of Temescal Canyon Road adjacent to the project site is fully improved; therefore, no additional improvement within the right-of-way or widening of the street is required with the project.

Landscaping, Fencing, and Walls

The conceptual landscape plan provides trees adjacent to Temescal Canyon Road and Fashion Drive, which enhances the entrance to the residential project. The interior parking areas are enhanced with deciduous trees in addition to hedges in front of the carport spaces facing Temescal Canyon Road, to reduce headlight glare impact.

Perimeter fencing, columns and driveway gates have consistent colors and designs as those existing at the multifamily development to the west. This includes six-foot high tubular steel fencing and steel framed driveway gates with seven-foot-high stone veneer pilasters. Pedestrian entries next to the driveway gates have perforated steel mesh for enhanced security. The entrances from Fashion Drive into the project will be gated.

Site Amenities and Open Space

The project is required to provide a minimum of 100 square feet of common recreation area per unit. As proposed, the north portion of the project provides a lawn area and a pickleball court, totaling approximately 4,288 square feet. The south portion has approximately 1,270 square feet of open lawn area. In total, the project provides 5,558 square feet of recreation area. Since the project is being developed as an expansion to the existing multifamily residential development located to the west, the residents will have access to the recreational amenities provided in that development, which includes a swimming pool and a hot tub.

Each of the proposed residential units are required to have a minimum of 50 square feet of private open space. The proposed project provides open space in the form of uncovered decks accessible from each unit's great room or living room.

FINANCIAL IMPACT:

The applicant paid the application processing fees of \$17,739.14 to cover the cost of the Conditional Use Permit.

ENVIRONMENTAL ANALYSIS:

The City adopted a Mitigated Negative Declaration (MND) for the commercial project approved by PP2018-0003 on August 20, 2018. Staff has prepared an Addendum to the previously adopted MND for the proposed project, pursuant to Section 15164 of the State CEQA (California Environmental Quality Act) Guidelines. The City, as the lead agency, determined that the proposed project and the Addendum demonstrate that the environmental analysis, impacts, and mitigation requirements identified in the previously adopted MND remain substantively unchanged despite project

modifications. The proposed project does not raise any new issues or result in impacts not previously analyzed in the prior MND, and none of the conditions described in Section 15162 of the State CEQA Guidelines requiring the preparation of a subsequent MND exist.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of July 10, 2023 the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Woody/Sherman) and carried unanimously that the Planning and Housing Commission adopt the Addendum to the adopted Mitigated Negative Declaration and Mitigation Monitoring Plan and Resolution No. 2612 granting CUP2023-0002, based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Locational and zoning map
2. Exhibit 2 - Site plan for CUP2023-0002
3. Exhibit 3 - Planning and Housing Commission staff report
4. Exhibit 4 - Draft minutes of the Planning and Housing Commission meeting of July 10, 2023