



City of
LA HABRA
City Council Agenda Report

Public Hearings
Item No. 1.

MEETING DATE: 03/17/2025

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JIM SADRO, CITY MANAGER
By: Ash Syed, Senior Planner

SUBJECT: A DULY NOTICED PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT PERMIT (PUD2M24-0002) TO CONSTRUCT 22 DWELLING UNITS (TOWNHOMES) AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16)

RECOMMENDATION:

That the City Council introduce the first reading of **ORDINANCE NO. 2025-__** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING A PLANNED UNIT DEVELOPMENT PERMIT (PUD2M24-0002) TO CONSTRUCT A 22-UNIT RESIDENTIAL COMPLEX (TOWNHOMES) (INCLUDING FOUR UNITS FOR SALE TO MODERATE-INCOME HOUSEHOLDS) AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT THE PLANNED UNIT DEVELOPMENT (PUD2M24-0002) IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "INFILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES.

DISCUSSION:

The Applicant, Chris Segesman, of Bonanni Development Company, is requesting approval of a Planned Unit Development (PUD) permit application (PUD2M24-0002) in order to construct 22 three-bedroom dwelling units (townhomes) on a 1.36-acre site, located at 300 South Walnut Street, with 15% (four) of the units made available for sale at an affordable cost to moderate-income households (the "Project").

Pursuant to La Habra Municipal Code (LHMC) Chapter 18.52 (PUD Planned Unit Overlay Zone), prior to the City Council's review of a PUD permit application, the proposed Project is reviewed by the Planning Commission and the Commission is to provide a recommendation to City Council regarding the approval of the subject permit. The proposed PUD permit application was reviewed by the Planning Commission on January 13, 2025 (see Attachment 2 for the staff report and Attachment 3 for the meeting minutes), in conjunction with a tentative tract map, which adopted Resolution No. 25-02 (Attachment 4) by a vote of 4-0, approving Tentative Tract Map 19344 (TTM24-0004) and recommending that the City Council introduce an Ordinance to approve the Planned Unit Development permit (PUD2M24-0002). The Planning Commission's approval of TTM24-0004 is conditioned upon the City Council's approval of PUD2M24-0002 and an Affordable Housing Agreement. The Affordable Housing Agreement will be before the City Council at a later date. During public comment at the Planning Commission meeting, nine residents stated that they did not support the project because of anticipated privacy and parking impacts that they believe would result from the proposed Project. During the Commission's deliberation of the project, the Commission noted that the Applicant met and/or exceeded all applicable requirements per the site's R-3 development standards. The Commission also noted that there are State Density Bonus Law regulations that entitle the Applicant to design a project utilizing State standards (i.e. modified parking requirements) that are significantly less restrictive than the La Habra Municipal Code and also the Applicant to take advantage of waiving development standards that would otherwise preclude the Applicant from providing affordable units.

The Project site is located on the east side of Walnut Street, approximately 700 feet south of the La Habra Boulevard intersection and approximately 500 feet north of the Union Pacific Railroad crossing (see Exhibit 1 below and Attachment 5). There is an existing legal, nonconforming industrial building on the Project site that was last occupied by Kilian Fire Sprinkler Corporation in 2021. The General Plan designates the Project site for Residential Medium-Density land use,

which allows for the development of up to 14 dwelling units per acre (du/ac). The subject property is not identified in the General Plan Housing Element as a site to meet the City's Regional Housing Needs Assessment (RHNA) allocation. In addition, the Conservation/Natural Resources chapter of the General Plan does not identify the Project site as an area of biological sensitivity (Chapter 6, Section A) and the Community Development chapter of the General Plan (Chapter 2, Section D) does not identify the site as an area of notable archaeological resources. The Project site is located within the Limited Multiple Family Dwelling (R-3) Zone and the Planned Unit Development (PUD) Overlay zone and is subject to LHMC Chapter 18.82 (Inclusionary Housing Units). The R-3 Zone implements the General Plan's Residential Medium Density land use designation. The PUD Overlay Zone provides development requirements that are supplementary to the regulations set forth in the base zoning designation. The General Plan land use designation, zoning, and existing land use for each of the properties surrounding the Project site are provided in Table 1 below.

Exhibit 1: Vicinity Map



Table 1: Surrounding Properties

Location	General Plan	Zoning	Existing Land Use
North:	Residential Low Density (up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential
East:	Residential Multi-Unit 1 (up to 15-24 units/acre)	Multi-Unit Dwelling (R-4)	Multi-Unit Residential
South:	Residential Low-Density (Up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential
West:	Residential Low Density (Up to 8 units/acre)	Single-Unit Dwelling (R-1c)	Single-Unit Residential

The Applicant will comply with LHMC Chapter 18.82 (Inclusionary Housing Units) by entering into an Affordable Housing Agreement with the City to sell four (15 percent) of the 22 units at an affordable cost to moderate-income individuals or families earning less than 110 percent of the median income. For-sale residential developments, such as the subject Project, are typically required by State law to be affordable to the first buyer, subject to an equity sharing agreement with the City, where the City receives a portion of any appreciation of the home at the time the original homeowner sells the home. The City places the funds from the equity sharing agreement into an affordable housing fund, which the City can use to facilitate future affordable housing. The various income limits, by affordability type and number of household members, as defined in Section 50093 of the California Health and Safety Code, applicable to the Orange County area, are shown in Table 2 below. These limits are based upon "area median income" which references the median family income of a geographic area of the state, as annually estimated by the United States Department of Housing and Urban

Development pursuant to Section 8 of the United States Housing Act of 1937. The affordable units will be constructed in the same manner as the rest of the overall residential project, and will have consistent exterior and interior design features, construction materials, furniture, and all other similar improvements. In addition, the affordable units will have the same access to common open space and facilities, and all other amenities as the other units in the proposed Project. The Affordable Housing Agreement will be brought before the City Council for approval at a later date, prior to the issuance of any building permits.

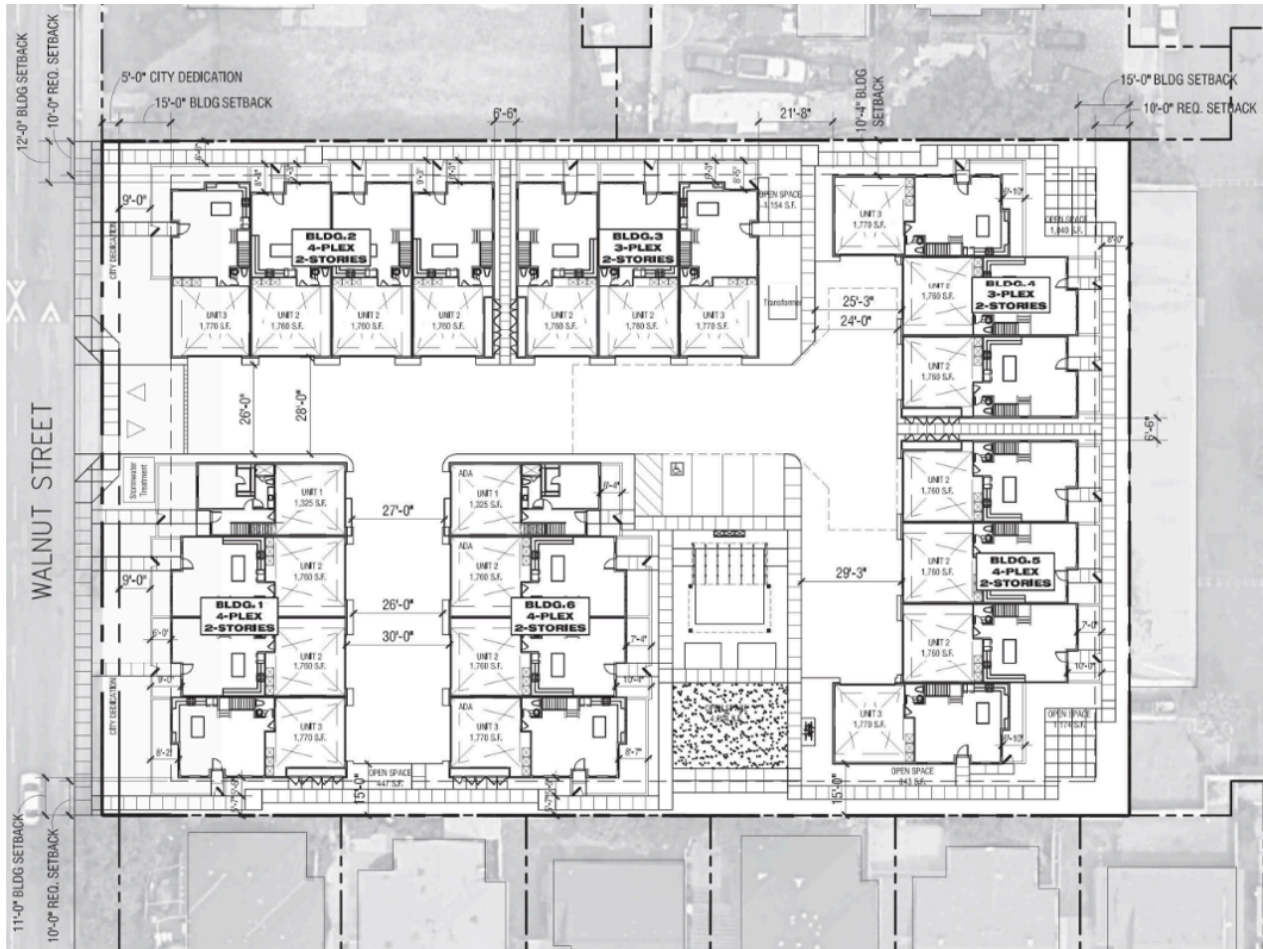
By providing affordable housing, the Applicant is eligible, and has elected to utilize, the State Density Bonus Law to increase density on the Project site beyond what the City's zoning currently allows for this location. Based on the size of the Project site, the City's R-3 Zone permits a maximum of 20 dwelling units to be developed on the property; the State Density Bonus Law (California Government Code Sections 65915-65918), which is implemented in LHMC Chapter 18.80 (Density Bonus and Other Affordable Housing Incentives), allows the Applicant to increase the permitted density (20 units) by 10 percent (2 units) in exchange for making at least 15 percent (4 units) of the 22 units affordable to moderate-income households. In addition, the Applicant is entitled to the parking requirements permitted under the State Density Bonus Law, as well as a waiver/reduction in the required width of the patios that are proposed to provide private open space for the Project, as further described below.

Table 2: Annual Income Limits in Orange County based on the Number of Members per Household

	1	2	3	4	5	6	7	8
Acutely Low	\$13,400	\$15,300	\$17,250	\$19,150	\$20,700	\$22,200	\$23,750	\$25,300
Extremely Low	\$30,150	\$34,450	\$38,750	\$43,050	\$46,500	\$49,950	\$53,400	\$56,850
Very Low Income	\$50,250	\$57,400	\$64,600	\$71,750	\$77,500	\$83,250	\$89,000	\$94,750
Low Income	\$80,400	\$91,850	\$103,350	\$114,800	\$124,000	\$133,200	\$142,400	\$151,500
Median Income	\$89,450	\$102,250	\$115,000	\$127,800	\$138,000	\$148,250	\$158,450	\$168,700
Moderate Income	\$107,350	\$122,700	\$138,000	\$153,300	\$165,600	\$177,900	\$190,150	\$202,400

The proposed Site Plan is depicted in Exhibit 2, below, and Attachment 6. The subject property has existing six-foot-tall chain link fences along the northern and southern boundaries of the site and a seven-foot-tall Concrete Masonry Units (CMU) block wall along the eastern boundary. The Applicant is proposing to retain the seven-foot-tall wall and remove the chain-link fences along the northern and southern boundaries, replacing them with six-foot-tall CMU block walls. The Applicant is also proposing to remove the two existing driveways along Walnut Street and create one new driveway from Walnut Street that will provide for ingress/egress into the Project site.

Exhibit 2: Site Plan



In order to determine the proposed Project's impact on traffic, a Trip Generation Analysis and Vehicles Mile Traveled (VMT) Screening Assessment was performed for the proposed Project. Based on the Institute of Transportation Engineers (ITE) trip generation rates, the existing land use and the project size, the net daily trips are expected to be 99 trips (148 estimated daily trips minus 49 estimated existing trips). The Project's trip generation does not exceed the County of Orange's 200 daily trip threshold. As such, the proposed Project is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections and traffic impact analysis is not required. Furthermore, based on the North Orange County Collaborative VMT Traffic Study Screening Tool (NOCC+), the proposed Project is screened out from a full VMT analysis based on its location within a Low VMT Area and is presumed to have a less than significant impact on VMT under CEQA. Therefore, no additional VMT analysis is required. Additionally, Walnut Street is classified as a Commuter Arterial roadway, which is designated as a two-lane undivided, unrestricted access roadway, with an ultimate right-of-way width of 60 feet and a curb-to-curb width of 40 feet. A five-foot street dedication along the Walnut Street frontage will be included as part of the construction to bring the curb-to-curb width up to the 40-foot standard.

As shown in Exhibit 2, the Applicant proposes to construct two three-unit buildings and four four-unit buildings. Each of the units within these buildings will have three bedrooms, an attached two-car garage and access to four guest parking spaces shared by all units, including an ADA-accessible parking space, located toward the center of the site. The Project is subject to the parking requirements set forth in the State Density Bonus Law, which are shown in Table 3 below. As indicated in the table, the Project will exceed the minimum required parking by State Law by 15 spaces; however, it will provide fewer spaces than the City's code would have required. State law prohibits the City from requiring any additional parking in excess of the State law requirements.

Table 3: Parking Requirements for Two & Three-Bedroom Units per State Density Bonus Law

	State Density Bonus Law Parking Requirements (per unit)	State Density Bonus Law Parking Requirements (per 22 units)	LHMC Parking Requirements (per 22 three-bedroom units)	Proposed Parking
Resident Parking	1.5 spaces	33 spaces	66 spaces	44 spaces
Guest Parking	0 spaces	0 spaces	11 spaces	4 spaces

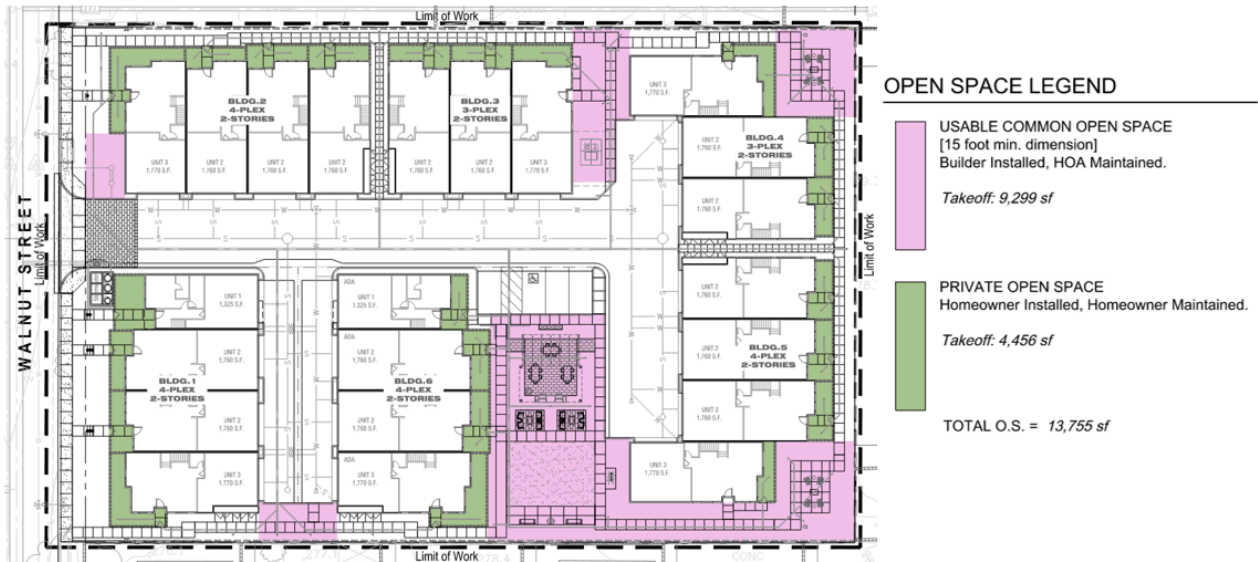
Staff reviewed the proposed project for conformance with the R-3 development standards, as summarized in Table 4 below. Although Section 18.52 of the LHMC (Planned Unit Development Overlay Zone) does not provide specific development standards, it does provide a level of flexibility for the developer to deviate from the established building standards of the underlying zoning designation for the purpose of constructing a project that is cohesive with the surrounding neighborhood. However, the proposed site design is consistent with LHMC Section 18.26.040 (Standards of Development [for the R-3 Zone]) and satisfies each of the development standards with regard to building setbacks, building height, and lot coverage as indicated in Table 4 below.

Table 4: R-3 Development Standards

	Required	Proposed
Front Setback (min)	15 ft	15 ft
Side (Interior) Setback (min)	5 ft	11 ft & 12 ft
Rear Setback (min)	10 ft	15 ft
Height (max)	36 ft	28 ft & 29.5 ft
Lot Coverage (max)	40%	39%

The proposed Project exceeds the minimum open space requirements for the PUD Overlay Zone, which requires 250 square feet of private and common open space per unit. The City's Code requires 5,500 square feet of private and public open space for this project; however, the proposed Project will have 13,755 square feet of public and private open space. As shown below in Exhibit 3, and in Attachment 7, private open space will be provided by ground-floor patios that range in size from 126 to 149 square feet; common open space will be provided throughout the Project site and will feature community seating arrangements and fire pits for gatherings as well as BBQ grills and picnic tables. As a condition of approval, the proposed Project must include dog waste bag dispensers in this area. Covenants, Conditions, and Restrictions (CC&Rs) will be recorded as part of the Tentative Tract Map to regulate common access and maintenance of common areas within the site.

Exhibit 3: Open Space Amenities



As shown in Table 5 below, the proposed width of the ground-floor patios does not meet the minimum eight-foot dimension required for the R-3 Zone; however, the length and the size of the overall patio area exceed the minimum requirements. The Applicant has conveyed that the reduced width of the patios is necessary due to the overall size of the site, because complying with the minimum dimension requirements for the width of the patios would decrease

the interior square footage and livable space and possibly even eliminate units. The Applicant is entitled to a waiver/reduction of the minimum dimension required for ground-floor patios under the State Density Bonus Law.

Table 5: Open Space Requirements

R-3 Zone	Minimum Dimension Required	Dimensions Proposed (Length x Width)	Minimum Area Required	Area Proposed
Private Area (Ground-Floor Patio)	8 ft	Unit 1: ~ 21.1 ft x 6.3 ft Unit 2: ~ 23.7 ft x 5.3 ft Unit 3: ~ 23.7 ft x 6.3 ft	96 sq ft	Unit 1: ~ 133 sq ft Unit 2: ~ 126 sq ft Unit 3: ~ 149 sq ft

Exhibit 4, below, and Attachment 8 depict the Project's Conceptual Landscape Plan, which features a variety of evergreen and deciduous trees, in addition to accent palm trees, shrubs, and ground cover, that are well suited to the local climate. African Sumac and Brisbane Box trees are placed along the Walnut Street frontage. Cape Myrtle and Wilsonii Olive trees are placed in the common open space area along the rear corners of the site. The landscape planters located along the southern and eastern boundaries contain clusters of California Sycamore, Fern Pine trees, and Purple Hopseed. The Conceptual Landscape Plan was reviewed and found to be conceptually suitable for the proposed Project. However, the draft resolution includes conditions of approval that require a final plan to be submitted, which must provide additional information showing that the final plan complements the design character of the site, particularly along the drive aisle and the individual entrances. The conditions of approval include requirements to increase tree sizes, include enhanced paving treatments, and consider the use of decorative pottery or other structured methods of protecting plant materials.

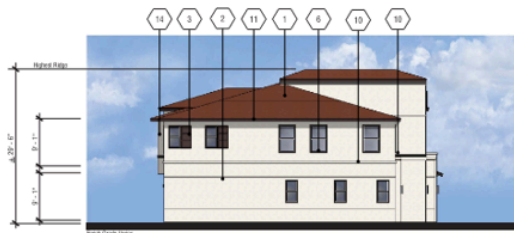
Exhibit 4: Landscape Plan



As shown below in Exhibit 5, and Attachment 9, the Applicant has designed the proposed Project to meet the requirements of LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development). Pursuant to LHMC Section 18.09.060 (Architectural Styles), the Applicant has chosen the Spanish Colonial Revival architectural style that includes Sherwin-Williams "Alpaca" and "White Snow" colored stucco exteriors with a variety of accents that include contrasting taupe foam window trims, "Red Oak" clay s-tile roofing, second-story wrought iron elements, and "Black Bean" wooden awnings, faux shutters, entry doors, and fascia trims. The ground-floor garage doors are comprised of anodized metal but have wood finish cladding, reminiscent of historic mission-style doors. The second floor of the buildings consists of various windows accented by wooden faux shutters. Additional pop-out accents along the sides of each building provide a varying perception of depth.

Exhibit 5: Elevations

Building 1 ("White Snow" Color Scheme) and Building 6 ("Alpaca" Color Scheme) –



Left



Front



Right



Rear

Building 2 (“Alpaca” Color Scheme) and Building 3 (“White Snow” Color Scheme) –



Left



Front



Right



Rear

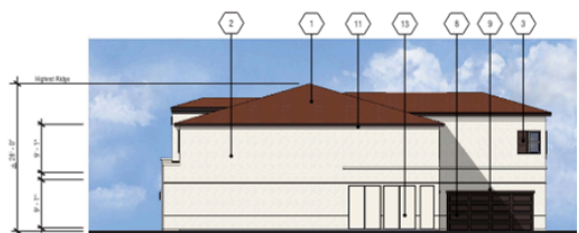
Building 4 (“Alpaca” Color Scheme) and Building 5 (“White Snow” Color Scheme) –



Left



Front



Right

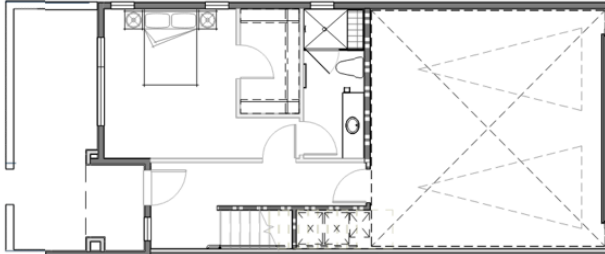


Rear

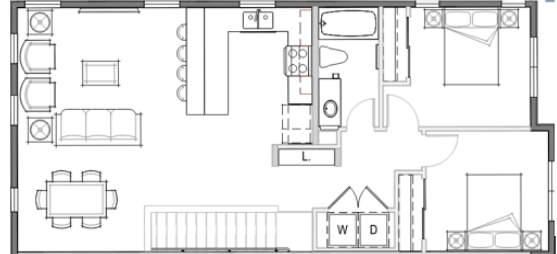
The proposed floor plans are shown below in Exhibit 6 and Attachment 10. The first floor in Unit 1 features a two-car garage, a foyer area, a master suite with an attached bathroom, and a staircase leading upstairs. The second floor features the primary living space with the kitchen, dining area, living room, washer/dryer, and a full bathroom shared

between two other bedrooms. The first floor in units 2 and 3 features a two-car garage and the primary living space, which includes the kitchen, dining area, living room, powder room, and a staircase leading upstairs. The second floor features the master suite with an attached bathroom, a designated laundry room for the washer/dryer, two other bedrooms and two full bathrooms. Building No. 6, which features one Unit 1, two Unit 2s, and one Unit 3, is designated as the ADA-accessible building, offering an ADA-accessible unit of each type. Because there is no communal trash enclosure proposed as part of this development, each unit features a three-foot wide area toward the back of the garage for the placement of a 65-gallon trash bin, a 65-gallon recycle bin, and a 35-gallon compost bin. Residents will be responsible for rolling out and placing the bins along the drive aisle during trash pick-up days.

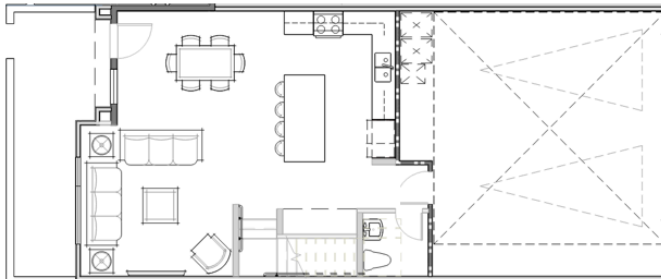
Exhibit 6: Floor Plans



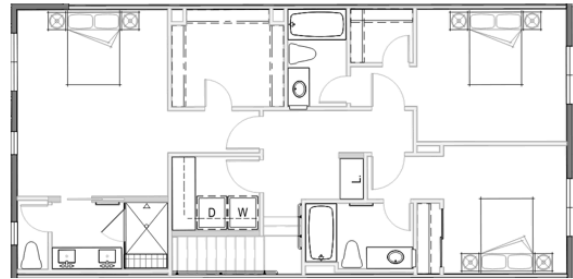
Unit 1 First Floor



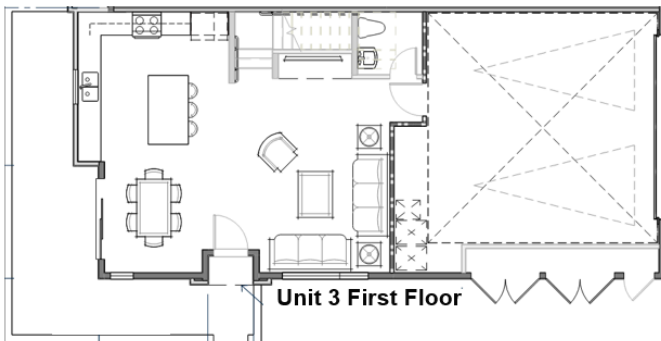
Unit 1 Second Floor



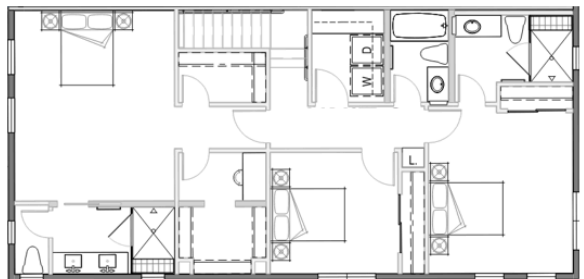
Unit 2 First Floor



Unit 2 Second Floor



Unit 3 First Floor



Unit 3 Second Floor

ANALYSIS:

Per the requirements of LHMC Chapter 18.52 (PUD Overlay Zone), after receiving the Planning Commission's recommendation on any PUD permit application, the City Council is required to conduct a public hearing on the application. After the hearing, the City Council is required to approve, approve with conditions, or deny the application, taking into account everything submitted to and considered by the Planning Commission. Pursuant to LHMC Section 18.52.100, the City Council may grant approval of a PUD permit only if it can make all of the findings required to be made by the Planning Commission. The required findings are listed below; following each finding is Staff's analysis of the proposed Project's ability to meet the required findings. The granting, either with or without conditions, or the denial of such an application by the City Council is final.

FINDINGS

A. That the location, design and proposed uses are compatible with the character of existing development in the vicinity.
The Project site is surrounded by residential uses. The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as the LHMC Chapter 18.09 Objective Design Standards for Multi-Unit Development and found to be consistent with these requirements. The Applicant has proposed a Spanish/Mediterranean design that includes Sherwin-Williams "Alpaca" and "White Snow" colored stucco exteriors with a variety of accents that

include contrasting taupe foam window trims, "Red Oak" clay s-tile roofing, second-story wrought iron elements, and "Black Bean" wooden awnings, faux shutters, entry doors, and fascia trims. The ground-floor garage doors are comprised of anodized metal but have wood finish cladding, reminiscent of historic mission-style doors. The second floor of the buildings consists of various windows accented by wooden faux shutters. Additional pop-out accents along the sides of each building provide a varying perception of depth.

By providing four units affordable to moderate-income households, the Applicant is eligible to utilize the State Density Bonus Law to increase the permitted number of units on the Project site, be subject to the State Density Bonus parking requirement for two and three-bedroom units, and reduce the PUD Overlay Zone's minimum requirement for ground-floor private patio dimensions. Therefore, the location, site design and proposed use is consistent with the surrounding residential developments within the vicinity as well as the site's zoning designation.

B. That the plan will produce, internally, an environment of stable and desirable character, and will not tend to cause any traffic congestion on surrounding or access streets.

The Project was screened through the North Orange County Collaborative VMT (Vehicle Miles Traveled) Traffic Study Screening Tool. According to the screening tool, the Project is located within a Low VMT Generating Zone. Per the Office of Planning and Research (OPR), a small project can be screened from VMT analysis if it is determined that the daily net trips will be less than 110 trips. Based on the Project size, the net daily trips are expected to be 99 trips (148 estimated daily trips minus 49 estimated existing trips). Additionally, Walnut Street is classified as a Commuter Arterial roadway, which is designated as a two-lane undivided, unrestricted access roadway, with an ultimate right-of-way width of 60 feet and a curb-to-curb width of 40 feet. While the number of trips generated by this development was anticipated in the Circulation Element of the General Plan, a five-foot street dedication along the Walnut Street frontage will be included as part of the construction to bring the curb-to-curb width up to the 40-foot standard. Otherwise, the proposed development is not anticipated to cause any further traffic congestion along Walnut Street or the surrounding area. Additionally, the interior drive aisles are of adequate and appropriate width for two-way vehicular traffic and circulation is satisfactory of the minimum 20-foot drive aisle width for fire access even on trash pick-up days. Lastly, building heights, lot coverage, landscaping, and vehicular access for this Project make for a development that is cohesive with the surrounding properties. Therefore, the Project will produce, internally, an environment of stable and desirable character, and will not tend to cause any traffic congestion on surrounding or access streets.

C. That all applications for the proposed use have been processed, including any conditional use permit applications.

The Applicant filed applications for Tentative Tract Map 19344 (TTM24-0004) and Planned Unit Development (PUD2M24-0002) for this proposed Project. At the January 13, 2025 Planning Commission meeting, the Planning Commission adopted Resolution No. 25-02, approving Tentative Tract Map 19344 (TTM24-0004) and recommending that the City Council introduce an Ordinance to approve Planned Unit Development (PUD2M24-0002). Therefore, all required applications have been processed.

D. That the standards of development applicable to the planned unit development are clearly designated in the proposed planned unit development ordinance or plans approved thereunder and/or supplementary text material.

The Project site is located within the Multi-Unit Dwelling (R-3) Zone, which implements the General Plan's Residential Medium Density land use designation, and the Planned Unit Development (PUD) Overlay Zone. The regulations set forth in the PUD Overlay Zone are in addition to the regulations set forth in the underlying zone (R-3 Zone). The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and found to be consistent with the development standards pertaining to building height, lot coverage, setbacks, and onsite landscaping. Pursuant to the State Density Bonus Law, by providing affordable housing, the Applicant is eligible to increase the permitted number of units on the Project site. Based on the size of the Project site, the R-3 Zone permits a maximum of 20 dwelling units to be developed on the property; State Density Bonus Law, which is implemented in LHMC Chapter 18.80, allows the Applicant to increase the permitted density (20 units) by 10% (2 units) in exchange for making at least 15% (4 units) of the 22 total units affordable to moderate-income households. Additionally, pursuant to the State Density Bonus Law, the Applicant is entitled to a waiver/reduction in the PUD Overlay Zone's ground-floor private patio dimensions. Further, the Project is subject to State Density Bonus Law parking requirements, which the Applicant is exceeding by providing 15 more parking spaces than required by the State for this site. Therefore, the applicable development standards are clearly designated.

E. That the proposed development will be well integrated into its setting.

The subject site is located within a residential area, in the Limited Multiple Family Dwelling (R-3) Zone. The existing building on the site was last occupied in 2021 by Kilian Fire Sprinkler Corporation, a nonconforming use. The proposed development of the site with a multi-unit residential project will bring the site into conformance with the current zoning designation. There are single-story single-unit residences to the north, south, and west of the site and a two-story multi-unit apartment complex to the east. The development includes new six-foot tall block walls along the northern and southern boundaries and the reuse of the existing seven-foot-tall block wall along the eastern boundary to ensure both security and privacy for both tenants of this development and residents of the surrounding properties. Therefore, the proposed development will be well integrated into its setting.

F. That provision is made for both public and private open space, at least equivalent to that required in the primary zone.

The proposed Project meets the minimum open space requirements for the PUD Overlay Zone, which requires 250 square feet of private and common open space per unit. As shown in the table below, the proposed width of the ground-floor patios does not meet the minimum eight-foot dimension required for the R-3 Zone; however, the Applicant is entitled to and has requested a waiver/reduction in the minimum dimensions pursuant to the State Density Bonus Law. The Applicant has conveyed that the reduced width of the patios is necessary due to the overall size of the site because complying with the minimum dimension requirements for the width of the patios would decrease the interior square footage and livable space and possibly even eliminate units. Further, the size of the overall patio area exceeds the minimum requirements.

Open Space Requirements

R-3 Zone	Minimum Dimension Required	Dimensions Proposed (Length x Width)	Minimum Area Required	Area Proposed
Private Area (Ground-Floor Patio)	8 ft	Unit 1: ~ 21.1 ft x 6.3 ft Unit 2: ~ 23.7 ft x 5.3 ft Unit 3: ~ 23.7 ft x 6.3 ft	96 sq ft	Unit 1: ~ 133 sq ft Unit 2: ~ 126 sq ft Unit 3: ~ 149 sq ft

Therefore, provision is made for both public and private open space, at least equivalent to that required in the primary zone.

G. That suitable provision is made, where appropriate, for the protection and maintenance of private areas reserved for common use.

The Project will provide a total of 9,299 square feet of common usable yard area that will feature a patio cover with lighting, barbeque grills, and a seating area. The community amenities will be maintained through the establishment of Covenants, Conditions and Restrictions (CC&Rs), which is a condition of approval for the Tentative Tract Map. Further, the conditions of approval for the Planned Unit Development require the development of the project to be in substantial conformance with the final plans as approved by the Planning Commission and City Council. Therefore, suitable provision is made for the protection and maintenance of private areas reserved for common use.

H. That the proposed development does not negatively impact the City's ability to provide services over the short and long term to City residents because the projected cost of providing City services to the property outweighs the economic benefits of the project to the City.

The Project scope involves the demolition of an existing nonconforming industrial building and redevelopment of the site with a multi-unit residential complex on a parcel zoned for multi-unit use. There will be no substantial change to the City's ability to provide services to the site as a trip generation analysis was prepared and concluded that the net daily trips along Walnut Street as a result of the Project are expected to be 99 trips (148 estimated daily trips minus 49 estimated existing trips), which is below the 110 trip threshold that would trigger a VMT study and further analysis of anticipated traffic around the site. The site is adequately served by the La Habra Police Department, the Los Angeles County Fire Department, the City of La Habra (water, trash, and sewer), and parks. In addition, each public safety division of the City has also reviewed the Project and provided any necessary conditions of approval. All Project-related public utilities, infrastructure, and services are already in place; therefore, the Project does not negatively impact the City's ability to provide services over the short and long term to City residents.

I. That the proposed project complies with all requirements of the California Environmental Quality Act.

This Project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be categorically exempt under Section 15332, Class 32: "In-fill Development Projects" of the CEQA Guidelines in that the Project is consistent with the General Plan designation and all applicable General Plan policies, the Project site is less than five acres and surrounded by urban uses. The site is currently developed with a legal, nonconforming industrial building that was last occupied by Kilian Fire Sprinkler Corporation in 2021. As a result, the Project site has no value as a habitat for rare or endangered fish or wildlife. The Project was screened through the North Orange County Collaborative VMT (Vehicle Miles Traveled) Traffic Study Screening Tool. VMT measures the per capita number of car trips generated by a Project and distance vehicles will travel to and from a project. The use of VMT for analyzing transportation impacts emphasizes the reduction in the number of vehicle trips and vehicle miles traveled to encourage the development of jobs, housing and commercial uses in proximity to each other and near public transportation. According to the screening tool, the Project is located within a Low VMT Generating Zone. Per the Office of Planning and Research (OPR), a small project can be screened from VMT analysis if it is determined that the daily net trips will be less than 110 trips. Based on the Project size, the net daily trips are expected to be 99 trips (148 estimated daily trips minus 49 estimated existing trips). Therefore, the Project is not subject to a VMT analysis. Lastly, approval of the Project would not result in significant impacts to noise, air quality or water quality, as the project is a residential development proposed on a residentially zoned parcel and surrounded by existing residential developments on all sides. Because this is a redevelopment project, the site can and will continue to be adequately served by all utilities and public services. Therefore, the Project is categorically exempt from CEQA.

J. That there is reasonable assurance that the applicant intends to and will be able to proceed with the execution of the

project without undue delay.

The Applicant has indicated that they will submit construction drawings for building plan check immediately upon completion of the entitlement process. Therefore, the Applicant has provided a reasonable assurance that the Applicant intends to and will proceed with execution of the Project without undue delay.

K. That there is substantial compliance with the spirit and intent of this title.

The General Plan designates the Project site for Residential Medium Density (Up to 14 units/ac) land use, and it is located within the Limited Multiple Family Dwelling (R-3) Zone, which implements the General Plan's Residential Medium Density land use designation, and the Planned Unit Development (PUD) Overlay Zone. The regulations set forth in the PUD Overlay Zone are in addition to the regulations set forth in the underlying zone (R-3 Zone). The Project has been reviewed under the development standards of the R-3 Zone and the PUD Overlay Zone as well as the LHMC Chapter 18.09 (Objective Design Standards for Multi-Unit Residential and Mixed-Use Development) and found to be consistent with these requirements, except for those development standards for which the Applicant is entitled to, and has elected to utilize, waivers/reductions pursuant to the State Density Bonus Law. By providing affordable housing, the Applicant is eligible to utilize the State Density Bonus Law to increase the permitted number of units on the Project site. Based on the size of the Project site, the R-3 Zone permits a maximum of 20 dwelling units to be developed on the property; the State Density Bonus Law, which is implemented in LHMC Chapter 18.80, allows the Applicant to increase the permitted density (20 units) by 10% (2 units) in exchange for making at least 15% (4 units) of the 22 units affordable to moderate-income households. Additionally, pursuant to the State Density Bonus Law, the Applicant is entitled to a waiver/reduction in the PUD Overlay Zone's ground-floor private patio dimensions. Further, the Project is subject to State Density Bonus Law parking requirements, which the Applicant is exceeding by providing 15 more parking spaces than required for this site. Therefore, there is substantial compliance with the spirit and intent of the Zoning Ordinance.

Pursuant to the State of California Housing Accountability Act (California Government Code Section 65589.5):

(1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

As set forth in this staff report, the proposed project complies with all applicable general plan, zoning, and subdivision standards and criteria. Therefore, pursuant to the Housing Accountability Act, if the City Council seeks to disapprove or reduce the density of the proposed housing development project, it would need to first make written findings supported by a preponderance of the evidence that (1) the project would have a specific adverse impact on public health or safety, and (2) there is no feasible method to satisfactorily mitigate or avoid the adverse impact identified other than disapproval of the project or approval of the project on the condition that it be developed at a lower density.

PLANNING COMMISSION ACTION:

Moved by Chair Manley and seconded by Commissioner Ramsland, Approving Resolution No. 25-02 Entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING TENTATIVE TRACT MAP NO. 19344 (TTM 24-0004) TO ALLOW A RESIDENTIAL SUBDIVISION TO CREATE 22 CONDOMINIUM UNITS AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16), SUBJECT TO CONDITIONS, MAKING THE REQUIRED FINDINGS AND RECOMMENDING THAT THE CITY COUNCIL APPROVE PLANNED UNIT DEVELOPMENT 24-0002 TO CONSTRUCT A 22-UNIT RESIDENTIAL COMPLEX (INCLUDING FOUR UNITS FOR SALE TO MODERATE-INCOME HOUSEHOLDS) AT 300 SOUTH WALNUT STREET (ASSESSOR'S PARCEL NUMBER 298-066-16), AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS, AND MAKING THE DETERMINATION THAT TTM 24-0004 IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15332, CLASS 32: "INFILL DEVELOPMENT PROJECTS" OF THE CEQA GUIDELINES.

The roll call vote was as follows:

AYES: COMMISSIONERS : MANLEY, RAMSLAND, MEHECHA, CARDENAS

NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE

FISCAL IMPACT/SOURCE OF FUNDING:

The Applicant has paid the \$10,778 processing cost associated with the Planned Unit Development. Staff anticipates that the permit fees associated with constructing the proposed Project will be approximately \$1,100,000. Finance Department staff has evaluated the existing property valuation of \$2,802,843 against the anticipated value of the property with the proposed Project (\$15,000,000) and determined that the City's portion of the annual property tax will increase from the current \$4,955 to approximately \$26,520.

GENERAL PLAN RELEVANCE/CITY COUNCIL GOALS & OBJECTIVES:

The project is consistent with the following General Plan policies:

LU 1.2 Development Capacity
LU 2.1 Places to Live
LU 4.1 Development Compatibility
LU 4.4 Design Review
LU 5.5 Revitalization of Obsolete and Underused Properties
LU 6.4 Housing Type Distribution
LU 7.2 New Residential Development
LU 7.3 Housing Character and Design
LU 7.7 Incompatible Uses
LU 9.1 Character and Design
LU 9.2 Amenities
LU 9.3 Development Transitions
H 1.3 Support Private Sector Housing Production
H 1.4 Variety of Housing
H 1.5 Market and Non-Market Housing Production Needs
H 1.7 Inclusionary Housing

The project is consistent with the following City Council goals and objectives:

Goal 5: Development Activity and Business Assistance

Objective Q: Facilitate the development of high-quality housing, at a variety of income levels, to help meet projected demand, as set forth in the Regional Housing Needs Assessment (RHNA)

Attachments

1. Proposed Ordinance
 2. PC Staff Report from 1-13-2025 Meeting
 3. PC Minutes from 1-13-2025 Meeting
 4. PC Resolution No. 25-02
 5. Vicinity Map
 6. Site Plan
 7. Open Space Amenities
 8. Landscape Plan
 9. Elevations
 10. Floorplans
 11. Legal
 12. PowerPoint Presentation
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