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## SUBDIVISION COMMITTEE PRELIMINARY REPORT

**DATE:** December 6, 2023

**TO:** OC Subdivision Committee

**FROM:** OC Development Services / Planning

**SUBJECT:** Vesting Tentative Tract Map 19116 for a 10-unit detached condominium Planned Development

**PROPOSAL:** A proposed map for condominium purposes to facilitate the development of a 10-unit Planned Development. The associated Planning Application PA21-0111 was approved for a Planned Development by the Planning Commission on December 8, 2021.

**ZONING:** North Tustin Specific Plan (NTSP) - "Residential Multiple Family" (RMF) District and R1 "Single Family Residential"

**GENERAL PLAN:** 1B Suburban Residential

**LOCATION:** The property is located at 1091, 1111 and 1121 Wass Street in the North Tustin unincorporated area, within the Third (3rd) Supervisorial District. (APN 501-071-07, -08, and -09.)

**OWNER /SUBDIVIDER:** REECO Communities LLC, Property owner Hunsaker & Associates, Agent

**STAFF CONTACT:** Kevin Canning, Contract Planner  
Phone: (714) 667-8847  
Email: [Kevin.Canning@ocpw.ocgov.com](mailto:Kevin.Canning@ocpw.ocgov.com)

### RECOMMENDED ACTIONS

OC Development Services recommends that the Subdivision Committee:

1. Receive staff report and public testimony as appropriate;
2. Find that the proposed project qualifies for an exemption from CEQA per Section 21159.25 of the Public Resources Code; and,
3. Approve VTTM19116, subject to the attached Findings and Conditions of Approval, as may be modified by the Committee at the hearing.

NOTE: Per State Law, for any improvements required prior to the recordation of a final map, the developer may instead enter into an agreement with the County of Orange guaranteeing all required improvements. Said agreement shall be accompanied by financial security.

**BACKGROUND AND EXISTING CONDITIONS**

The project site is comprised of three existing parcels all fronting onto Wass Street in the North Tustin Specific Plan (NTSP) area. Two of the lots lie within the “Residential Multiple Family” (RMF) District of the NTSP. The third lot is within a standard R1 Zoning District, outside of the NTSP. One of the RMF lots is currently developed with a single-family home with two accessory structures, these structures would be removed for the proposed project. The other two lots are currently vacant.

The project site is situated on the boundary between the unincorporated County and the City of Tustin across Wass Street to the south. It is surrounded on all sides by existing residential development of varying types – single family, 2 to 10-unit multiple family developments and a large apartment complex.

Planning Application 20-0133 was approved by the Planning Commission on December 8, 2021. Since that time, various conditions have delayed the final processing and proposed approval of the subject map. PA20-0133 remains valid until December 8, 2024, and the applicants have submitted a request for a one-year extension of the approval.

Proposed Project

The project proposes a planned development (PD) consisting of ten detached condominium units on a 38,008 square foot site (0.87 acres). The development will consist of two-story structures and include five units with a floor plan of 3 bedrooms (2,033 sf) and five units with a floor plan 4 bedrooms (2,282 sf). All units will have an attached two-car garage and private yard areas. The combined project site is 38,008 square feet in gross area, and 36,058 square feet in net area (after the dedication of a portion of the frontage for necessary street widening purposes). The project would propose a net density of 12.0 dwelling units per acre.

**SURROUNDING LAND USE**

The project site is designated “Suburban Residential” (1B) in the County of Orange General Plan. The project site is within two zoning designations, as noted above. An aerial photograph of the site and surrounding residential parcels is provided below. Zoning and existing land uses for other surrounding properties near the project site are as follows:

Direction	Zoning	Existing Land Use
Subject Site	NTSP RMF (Residential MultipleFamily) and R1 Single Family	Residential and vacant
North	NTSP RMF 7000 (PD) 3,000	Apartment complex
East	R1 Single-Family Residential	Single family residential
South	(City of Tustin) R4 Suburban Residential	Multiple and single family
West	NTSP RMF	Multi-family residential

**DISCUSSION/ANALYSIS**

Drainage

With the review of PA20-0133, the applicant submitted a Conceptual Water Quality Management Plan and a Preliminary Hydrology and Hydraulics Report which were reviewed and found

acceptable. A Final WQMP will be required prior to the issuance of grading permits.

### Recreation and Open Space

The proposed map is not required to provide any improvements or dedications associated with the County Master Plan of Regional Recreation Facilities; Master Plan of Regional Riding and Hiking Trails; Resources Element (Open Space Component); or the County Bikeway Plan. The developer will be required to pay in-lieu local park fees for Community Analysis Area (CAA) 42 prior to the issuance of building permits.

### Public Services & Utilities

- Schools - This property is within the boundaries of the Tustin Unified School District. The developer is subject to the provisions of Assembly Bill AB 2926, or other mitigating measures designed to provide for school facilities and/or funding, such as community facilities districts.
- Water/Sewer – Water service will be provided by the City of Tustin and sewer service will be provided by the East Orange County Water District. These agencies did not identify any system deficiencies that this project would exacerbate. Each agency may require its own agreements or improvements from the developer prior to any service connections.
- Fire Protection and Safety – Orange County Fire Authority (OCFA) previously reviewed during the processing of PA20-0133 and indicated their approval subject to the review and approval of a Fire Master Plan, which is recommended as a condition of approval.

### Traffic/Circulation

- Scenic Highway Corridors – There are no Scenic Highways applicable to this map.
- Access/Highways/Streets/Roads - Access to the site is provided by Wass Street. Internal access will be provided by a private drive. The project also proposes to widen Wass Street by 10 feet to its ultimate right-of-way width across the project frontage.
- Major Thoroughfare and Bridge Fee Program - This project lies within the area of benefit of the Foothill/Eastern Transportation Corridor, Zone B. The developer is required to pay Foothill/Eastern Major Thoroughfare and Bridge fees in accordance with the adopted program.

### **DEVIATION REQUEST**

No deviation requests were submitted

### **REFERRAL FOR COMMENT AND PUBLIC NOTICE**

Copies of the tentative map application submittal package were distributed for review and comment to County staff. Through a collaborative effort with County staff, the applicant adequately addressed all comments. As of the writing of this staff report, no further comments have been received from any County divisions.

The project was reviewed by the North Tustin Advisory Committee on February 17, 2021 and recommended approval with three project modifications. These dealt with a requested increased wall height along the easterly wall (for increased privacy), HOA restrictions on use of garages for

other than parking cars, and a structure height limited of two stories. The applicant accepted these comments and modified the project plans before the Planning Commission's approval.

A Notice of Public Meeting was mailed to all property owners of record within 300 feet of the subject site on November 22, 2023. Additionally, notices were posted at the site, and a notice was published in a newspaper of general circulation, as required by established public hearing posting procedures. No public comments have been received to date.

### **CEQA COMPLIANCE**

The California Environmental Quality Act (CEQA) provides statutory exemptions for specific types of projects, which include housing projects. Statutory exemptions are specific exemptions from CEQA granted by the State Legislature. Section 21159.25 of the Public Resources Code exempts residential and mixed-use housing projects from compliance with CEQA provided certain conditions are met. These conditions pertain to consistency with applicable general plan designations and zoning regulations, density consistent with adjacent development, location in an unincorporated area, size of development, lack of habitat value, no significant effects relating to transportation, noise, air quality, greenhouse gas emissions, or water quality, availability of utilities, and on legal parcels within the boundaries of an urbanized area or urban cluster.

A review of the proposed project's plans and proposal resulted in a determination that all required conditions of Section 21159.25 have been met and the project may be found statutorily exempt from CEQA. Use of a Statutory Exemption is consistent with Section of the Orange County 2020 Local CEQA Procedures Manual.

### **CONCLUSION**

Based upon the review of the subject submittal, staff supports approval of the applicant's proposed Vesting Tentative Tract Map 19116 pursuant to the Orange County Subdivision Code, Orange County Codified Ordinances (OCCO), Subarticle 5 (Processing Procedures for Tentative Maps).

Submitted by:



Kevin Canning, Contract Planner  
Planning, OC Development Services

Concurred by:



Justin Kirk, Deputy Director  
OC Public Works/Development Services

### **CERTIFICATION**

I hereby certify that Vesting Tentative Tract Map 19116 was approved by the Orange County Subdivision Committee on December 6, 2023, subject to any amendments reflected in the Final Staff Report and the findings in Appendix A and the conditions in Appendix B.

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Lily Sandberg,  
Subdivision Committee Chairperson

**APPENDICES**

- A. Revised Recommended Findings
- B. Revised Recommended Conditions of Approval

**ATTACHMENTS**

- 1. VTTM19116 map exhibit
- 2. PA20-0133 Planning Commission Staff Report – for information only

**APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Subdivision Committee on this application to the Orange County Planning Commission within 10 calendar days of the decision upon submittal of required documents and a filing fee of \$500.00 filed at 601 N. Ross St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to OC Development Services.