



Planning Commission Agenda Report

Meeting Date: August 3, 2023

Department: Community Development

INITIATED BY: Marie Luna, Senior Planner

SUBMITTED BY: Gayle Ackerman, AICP, Director of Community Development

REVIEWED BY: Amy Stonich, AICP, Assistant Director of Community Development

SUBJECT: THE MEADOWS GENERAL PLAN AMENDMENT 06-23-5639, AND NAKASE AREA PLAN AMENDMENT 06-23-5640, TO ALLOW A CHANGE IN THE LAND USE DESIGNATION FROM PUBLIC FACILITY TO LOW DENSITY RESIDENTIAL (2-7 DU/AC), ALLOW A CHANGE IN THE ZONING DESIGNATION FROM SCHOOL SITE TO NEIGHBORHOOD 6 AND ALLOWFOR LOW DENSITY (5-7 DU/AC) DEVELOPMENT TO BE PERMITTED IN THE NEIGHBORHOOD,AND TO ALLOW ALL RELATED APPLICABLE CHANGES TO THE AREA PLAN TEXT, TABLES, EXHIBITS, AND CONVERSION OF PUBLIC TO PRIVATE STREETS AS APPLICABLE.

EXECUTIVE SUMMARY:

The City Council approved the Nakase Planned Community on January 21, 2020. The Planned Community permitted a maximum of 675 residential units, a maximum of 101 senior affordable rental units, as well as a 10-net acre school site offered to the Saddleback Valley Unified School District ("SVUSD"). The City Council also approved a Development Agreement with Toll Brothers West, Inc. ("Owner"), which allowed that in the event that the SVUSD did not accept the school site, the owner would be permitted to construct additional units on the school site, provided that the total number of residential units in the Nakase Planned Community, excluding the senior affordable units, did not exceed 675. On March 9, 2023, SVUSD declined acceptance of the school site (Attachment 4). On June 15, 2023, a document terminating the school site offer was recorded with the County (Attachment 5).

General Plan Amendment ("GPA") 06-23-5639 for the Nakase Planned Community (aka: The Meadows) would re-designate the General Plan land use designation of the school site from public facilities to low density residential (2-7

du/ac). Area Plan Amendment (“AP”) 06-23-5640 would revise the zoning from Elementary School Site (ESS) within The Meadows to Neighborhood 6. Neighborhood 6 would become a new residential neighborhood located at the southeast corner of Bake and Rancho Parkways. Presently 541 residential homes, excluding the affordable senior units, have been permitted at The Meadows. This GPA (GPA 06-23-5639) and Area Plan Amendment (AP 06-23-5640) would allow residential units to be developed on the school site, provided the overall number of residential units developed in the Nakase Planned Community does not exceed 675, and the density of Neighborhood 6 does not exceed 7 du/ac. The subsequent submittal of a Tentative Tract Map will determine the exact number of homes to be developed in the new Neighborhood 6. The subsequent submittal of a Site Development Permit will determine site development standards, including height, setbacks, lot coverage, architecture, floor plans, conceptual grading, etc.

The Planning Commission’s action would be a recommendation to the City Council.

Exhibit 1 – Nakase Planned Community (aka: The Meadows)



SITE INFORMATION:

Site Address	The site is located at the southeast corner of Bake Parkway and Rancho Parkway	
Assessor Parcel Number(s)	612-221-10	
Applicant/Agent	City of Lake Forest on behalf of Toll Brothers West, Inc.	
Property Owner	Toll Brothers West, Inc.	
General Plan Designation	Public Facility	
Zoning District	Nakase Planned Community	
Surrounding Area		
	Land Uses	Zoning
North	Residential/Office/Hospitality (Staybridge Suites) (Plaza Pet Hospital)	Urban Activity-Baker Ranch Planned Community
South	Medium Density Residential (The Meadows Neighborhood 2)	Nakase Planned Community
East	Office/Retail Commercial (24-Hour Fitness; Home Depot)	Urban Activity-Baker Ranch Planned Community
West	Low-Medium Density Residential (Neighborhood 1)	Nakase Planned Community
Location Map		



RECOMMENDED ACTION(S):

1. Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL FIND LAND USE CHANGES TO THE NAKASE PLANNED COMMUNITY (AKA: THE MEADOWS) PROPOSED UNDER GENERAL PLAN AMENDMENT "GPA" 06-23-5639 TO CHANGE THE PUBLIC FACILITY LAND USE DESIGNATION TO LOW

DENSITY RESIDENTIAL AND AREA PLAN AMENDMENT 06-23-56 TO CHANGE THE SCHOOL SITE DESIGNATION TO NEIGHBORHOOD 6, INCLUDING ALL APPURTENANT TEXT, TABLES, AND EXHIBITS, ARE CONSISTENT WITH THE ENVIRONMENTAL IMPACT REPORT (SCH #2018071035) FOR THE NAKASE PLANNED COMMUNITY CERTIFIED BY THE CITY COUNCIL ON JANUARY 21, 2020, PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND STATE CEQA GUIDELINES SECTION 15162.

2. Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT ("GPA") 06-23-5639 AMENDING THE GENERAL PLAN LAND USE DESIGNATION FOR THE SCHOOL SITE (APN 612-221-10) LOCATED WITHIN THE NAKASE PLANNED COMMUNITY (AKA: THE MEADOWS) LOCATED AT SOUTHEAST CORNER OF BAKE PARKWAY AND RANCHO PARKWAY FROM PUBLIC FACILITY TO LOW DENSITY RESIDENTIAL (2-7 DU/AC); FILED BY THE CITY OF LAKE FOREST ON BEHALF OF TOLL BROTHERS WEST, INC. AND MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND STATE CEQA GUIDELINES SECTION 15162.
3. Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF AREA PLAN ("AP") 06-23-5639 AMENDING AP 05-18-5166 TO REPLACE ALL REFERENCES TO THE SCHOOL SITE LOCATED WITHIN THE NAKASE PLANNED COMMUNITY (AKA: THE MEADOWS) LOCATED AT THE SOUTHEAST CORNER OF BAKE PARKWAY AND RANCHO PARKWAY TO REFERENCE A NEW RESIDENTIAL NEIGHBORHOOD, NEIGHBORHOOD 6, ADD REFERENCES AS APPLICABLE THROUGHOUT THE DOCUMENT TO LOW DENSITY RESIDENTIAL; CHANGE TABLES AND EXHIBITS ACCORDINGLY, AND REDESIGNATE THE PUBLIC STREETS THAT WOULD HAVE PROVIDED ACCESS TO THE SCHOOL SITE, INCLUDING EMY WAY ("A" STREET) TO A PORTION OF GREENLEAF ("B" STREET), RANCHO PARKWAY TO A PORTION OF GREENLEAF ("B" STREET), AND ALL OF LASSEN STREET ("BB" STREET), PRIVATE STREETS; .FILED BY THE CITY OF LAKE FOREST ON BEHALF OF TOLL BROTHERS WEST, INC., AND

MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166
AND STATE CEQA GUIDELINES SECTION 15162.

BACKGROUND:

The Meadows is a residential community which currently consists of five residential neighborhoods, a senior affordable apartment complex, a school site, seven parks, and open space. The Meadows is within the Nakase Planned Community (subject to the Nakase Area Plan) and is located at the southeast corner of Bake Parkway and Rancho Parkway. The Nakase Area Plan serves as the Planned Community program for the Nakase Property now referred to as The Meadows. The Area Plan regulates the planning and development of The Meadows.

The Meadows was approved by the City Council on January 21, 2020, under General Plan Amendment (“GPA”) 05-17-5033, Zone Change (“ZC”) 05-17-5034, Area Plan (“AP”) 05-18-5166, Vesting Tentative Tract Map (“VTTM”) 18142 and a Development Agreement. Approval allowed for a master plan development of a maximum of 776 units including up to 675 residential units, and up to 101 affordable senior apartments, a 10-net acre elementary school site, seven privately owned parks for public use, and open space.

Subsequent to the master plan development approval in 2020, site development permits for each of the five residential neighborhoods, senior affordable apartments, and parks were approved by the Planning Commission. Approval of the site development permits resulted in fewer units than the total number of units permitted in the Area Plan. In total, 541 residential units and 65 senior affordable apartments for a total of 606 units were entitled for construction. Toll Brothers West Inc. (“Toll Brothers”), is now proposing to replace the 10-net acre school site with a new residential neighborhood, Neighborhood 6. Future construction of up to 70 units (10 acres of land developed at a density of up to 7 du/ac) in this new Neighborhood would result in a total of 611 units (excluding the senior affordable units) in the Planned Community, which is below the 675 total number of residential units (excluding the senior affordable units) permitted in the Planned Community.

The Development Agreement between the City and Toll Brothers required Toll Brothers to offer the school site to Saddleback Valley Unified School District (“SVUSD”) for the development of a 10 net-acre elementary school. The Development Agreement indicates Toll Brothers has a vested right to construct additional low and medium density residential units on the school site if SVUSD declines the school site offer. In a letter dated March 9, 2023, the SVUSD Board of Directors declined the offer, an Irrevocable Offer of Dedication (IOD) citing declining student

enrollment (Attachment 4). A recorded document rejecting the IOD is included as Attachment 5.

In order for Toll Brothers to proceed with developing units at the school site a City Council approved GPA and AP amendment, as well as subsequent Planning Commission approval of a Tentative Tract Map ("TTM") and Site Development Permit(s) ("SDPs") are required. In accordance with the Development Agreement, the City has taken the lead on the GPA and AP and Toll Brothers will later initiate the TTM and SDP.

DISCUSSION

Staff has prepared this General Plan Amendment and Area Plan Amendment to enable Toll Brothers West, Inc. to exercise their vested right to develop units in place of the school site now that SVUSD has declined to accept the school site. The General Plan Amendment amends the General Plan land use element to amend the school site land use designation from Public Facility to Low Density Residential. The Area Plan Amendment amends the Nakase Area Plan to amend the Area Plan by replacing the school site with a new low density residential neighborhood, Neighborhood 6. It also replaces formerly public streets with private streets, as discussed below.

Designate Public Streets Private

Under the Nakase Area Plan streets and portions of streets providing access to the school site had been designated public. Now under the Area Plan Amendment all of the streets within The Meadows will be designated private. These streets that will be redesignated from public to private include a portion of Emy Way ("A" Street) to a portion of Greenleaf ("B" Street), Rancho Parkway to a portion of Greenleaf ("B" Street), and all of Lassen Street ("BB" Street). Emy Way would have provided access to the school from Bake Parkway. Greenleaf would have provided access to the school from Rancho Parkway, and all of Lassen Street, which intersects with both Emy Way and Greenfield would have provided access to the school. Lassen Street and portions of Emy Way and Greenfield will, under the Area Plan Amendment, become private as shown in Exhibit 2, below.

the approval of the Nakase Area Plan required the provision of 11.32 acres of park and recreational facility public park credits. Toll Brothers met this requirement by providing seven (7) private parks and a trail, all available for public use. Therefore, no additional park dedication is required.

Planning Commission Recommendations

A General Plan Amendment and Area Plan Amendment is subject to City Council approval. As such, the Planning Commission will act in an advisory role and recommend an action on this General Plan Amendment and Area Plan Amendment to the City Council. Staff recommends adopting the following draft resolutions recommending:

1. That the City Council find that land use changes proposed under General Plan Amendment 06-23-5639, and Area Plan Amendment 06-23-5623 consistent with the Environmental Impact Report (SCH #2018071035) certified by the City Council on January 21, 2020, for the Nakase Planned Community (Attachment 1).
2. That the City Council approve General Plan Amendment 06-23-5639. The resolution includes the proposed change in land use designation from public facility to low density residential (2-7 du/ac) and a revision reflecting these changes to the City's General Plan Land Use Map and General Plan Land Use Development Potential Summary, Table LU-1 (Attachment 2, Exhibit A).
3. That the City Council Approve Area Plan Amendment 06-23-5640. The resolution includes a proposed change in designation from School Site to Neighborhood 6, along with a listing of changes required to the Nakase Area Plan text, tables, and exhibits (Attachment 3, Exhibit A).

ENVIRONMENTAL REVIEW:

The City Council certified a Final Environmental Impact Report ("EIR") (SCH #2018071035) for the Nakase Nursery Planned Community (The Meadows) on January 21, 2020. The project modifications were assessed pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (Cal. Code Regs., § 15000 et seq.) When a project is modified after an EIR for the project has been certified, pursuant to State CEQA Guidelines section 15162, no subsequent EIR shall be prepared for that project unless: 1) Substantial project changes are proposed which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect.; 2) Substantial changes have occurred with

respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) New information of substantial importance, which was not known and could not have been known at the time the previous EIR was certified, has come to light and indicates there will be new or substantially more severe environmental impacts than were previously disclosed. The proposed modifications will not result in any new environmental impacts, or substantially more severe environmental impacts, and therefore none of the circumstances identified in State CEQA Guidelines section 15162 have arisen. In addition, the proposed modifications would be required to comply with all mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) that was adopted in connection with the previous EIR. Therefore, the previously certified EIR serves as the environmental documentation for the project and the revised project is in compliance with the requirements of CEQA. Pursuant to Public Resources Code section 21166 and State CEQA Guidelines section 15162, no further environmental review is necessary. The previously certified EIR is on file and available for public review at the Planning Division, Lake Forest City Hall, 100 Civic Center Drive, Lake Forest, California 92630. The previously certified EIR (SCH #2018071035) and Nakase Area Plan are on file and available for public review at the Lake Forest City Hall, 100 Civic Center Drive, Lake Forest, California 92630 or on the City's website at <https://www.lakeforestca.gov/en/departments/community-development/housing/new-neighborhoods/meadows>. The applicant and all persons either favoring or opposing this proposal are invited to present their views at this hearing. It is requested that any supportive documents and/or written responses be submitted prior to this public hearing.

PUBLIC NOTICING:

In accordance with the requirements of Section 9.184.040(C)(2) of the Municipal Code of the City of Lake Forest, this project has been noticed in a newspaper of general circulation on July 20, 2023. In addition, on July 20, 2023, public notices were posted at City Hall and sent to owners of all property within 300 feet of the project boundary.

ATTACHMENTS:

1. PC CEQA Resolution
2. PC GPA Resolution, including Attachment A
3. PC Area Plan Resolution, including Attachment A
4. SVUSD Board of Education Letter dated March 9, 2023
5. Document recorded by SVUSD rejecting the IOD for the school site