

# CITY OF LAGUNA HILLS



## Supplemental Agenda Material Memo

Supplemental Agenda Materials related to an item on a City Council Agenda, submitted to the City Council after distribution of the agenda packet, will be available for public inspection at the same time the materials are distributed to the City Council. Supplemental Agenda Materials are available for inspection during normal business hours in the City Clerk's office located at 24035 El Toro Road, Laguna Hills, California. In addition, such materials will be made available for public review at the same time the materials are distributed to the City Council on the City's website at: <https://lagunahillsca.portal.civicclerk.com/> and at the respective public meeting.

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DATE: February 24, 2026

TO: City Council  
City Staff

FROM: Jennifer Lee, City Clerk

SUBJECT: Agenda Item No. 5.5.1 - (Vesting Tentative Tract Map (VTTM) / Site Development Permit (SDP) / Precise Plan (PP) / Conditional Use Permit (CUP) / Parking Use Permit (PUP) No. 0209-2025)

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Please see the attached revised Resolution for Item No. 5.5.1 on tonight's Agenda.

Attachments:

Revised Resolution No. PA2026-02-24-X

RESOLUTION NO. PA2026-02-24-X

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, CONDITIONALLY APPROVING VESTING TENTATIVE TRACT MAP / SITE DEVELOPMENT PERMIT / PRECISE PLAN / CONDITIONAL USE PERMIT / PARKING USE PERMIT NO. 0209-2025, A REQUEST BY JOHN STACK, ON BEHALF OF KINGSBARN CAPITAL AND DEVELOPMENT, LLC, TO PERMIT A PROJECT THAT CONSISTS OF: THE SUBDIVISION OF AN EXISTING 18.5-ACRE PARCEL LOCATED AT 23272, 23282, 23332, 24411, AND 23422 MILL CREEK DRIVE AND 24461 AND 24411 RIDGE ROUTE DRIVE (APN 588-161-06, 588-161-07 588-161-08 588-161-09 588-161-10, 588-161-11, 588-161-12, AND 588-161-13); DEMOLITION OF SEVEN EXISTING OFFICE BUILDINGS AND SURFACE PARKING AND THE CONSTRUCTION OF A NEW 480-UNIT RESIDENTIAL DEVELOPMENT CONSISTING OF 259 ATTACHED SINGLE FAMILY UNITS, 221 MULTI-FAMILY UNITS, INCLUDING 24 AFFORDABLE UNITS FOR VERY LOW INCOME HOUSEHOLDS, WAIVERS OF DEVELOPMENT STANDARDS PER STATE DENSITY BONUS LAW, AND A 6-STORY, 380-STALL PARKING STRUCTURE ON LOT 4; AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS AN INFILL DEVELOPMENT HOUSING PROJECT PURSUANT TO ASSEMBLY BILL 130 (PUBLIC RESOURCES CODE SECTION 21080.66)

The Planning Agency of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, Kingsbarn Capital and Development, LLC (the “Applicant”) has requested approval of the subdivision of an existing 18.5-acre parcel currently containing seven office buildings and surface parking into four residential parcels, two lettered lots for private park space, and two lettered lots for private streets, the demolition of the seven existing office buildings and a surface parking lot, the construction of a new 480-unit residential development consisting of 259 attached duet, duplex, and triplex single family (for-sale) units and 221 (for-rent) multi-family apartment units, including 24 multi-family affordable units for very low income households, and a 380-stall parking structure on proposed Lot 4 (the “Project”); and

WHEREAS, the Subject Property is generally located at the corner of Mill Creek Drive and Ridge Route Drive; and

WHEREAS, on October 28, 2024, the Applicant submitted an SB 330 preliminary application to the City for a 464-unit residential development and associated structured parking on the Subject Property; and

WHEREAS, on January 23, 2025, the Applicant submitted a formal land use application to the City for the Project that was consistent with the preliminary application, which the City determined and notified the Applicant was incomplete on February 21, 2025; and

WHEREAS, on March 19, 2025, the Applicant submitted a revised land use application to the City for the Project, which the City determined and notified the Applicant was complete on April 18, 2025, in accordance with Government Code Sections 65941.1(e) and 65943; and

WHEREAS, on June 17, 2025, the City subsequently provided technical comments and timely written notice to the Applicant pursuant to Government Code Section 65589.5(j)(2)(A) of those City plans, programs, policies, ordinances, standards, and requirements that the proposed Project was, or potentially was, inconsistent, not in compliance, or not in conformity with; and

WHEREAS, on June 30, 2025, the Legislature adopted, and the Governor signed, Assembly Bill ("AB") 130, which was an urgency measure that took effect immediately; and

WHEREAS, among other changes, AB 130 added Section 21080.66 to the Public Resources Code, providing that infill housing development projects meeting specified criteria are statutorily exempt from review under the California Environmental Quality Act ("CEQA"); and

WHEREAS, on September 26, 2025, the Applicant submitted supplemental application materials to the City, which included a new project scope, an increase in dwelling units, vesting tentative tract map revisions, site plan changes, and responses to comments from the June 17, 2025, letter; and

WHEREAS, on December 19, 2025, the Applicant submitted a revised entitlement package to address the comments from the September 26, 2025 submittal; and

WHEREAS, as revised, the final Project application is for "Terravita," a 480-unit residential development project, including 24 affordable units for very low-income households, associated structured parking, and certain waivers of development standards that would physically preclude the Project at the proposed density pursuant to the State Density Bonus Law (Government Code section 65915); and

WHEREAS, on September 26, 2025, the Applicant notified the City that the proposed Project is exempt from CEQA as an infill development housing development project pursuant to AB 130 (Public Resources Code Section 21080.66); and

WHEREAS, subdivision (b) of new Section 21080.66 of the Public Resources Code provides for local governments to offer and to engage in a process to consult with each California Native American tribe that is traditionally and culturally affiliated with the project site in order to identify whether a tribal cultural resource could be affected by the proposed project and to find measures that would avoid significant impacts to tribal cultural resources; and

WHEREAS, the City consulted with those California Native American tribes that the Native American Heritage Commission (NAHC) identified as traditionally and culturally affiliated with the proposed Project site for the purposes of identifying measures to avoid significant impacts to tribal cultural resources that could potentially be affected by the proposed Project which consultations concluded on or about January 7, 2026; and

WHEREAS, the Project requires approval of a Vesting Tentative Tract Map, Site Development Permit, Precise Plan, Conditional Use Permit and a Parking Use Permit; and

WHEREAS, the Project has been designed to incorporate certain incentives or concessions, waivers or reductions of development standards, and reduced parking ratios pursuant to the State Density Bonus Law (Government Code Section 65915); and

WHEREAS, the Project site has a General Plan Land Use Designation of Mixed Use, is designated in the General Plan Housing Element as an underutilized site that could accommodate a future housing development, and has a zoning designation of Mixed Use District with Housing Overlay ("MXU/H"); and

WHEREAS, the Planning Agency has considered evidence and testimony presented by City staff, the Applicant, the public, and other interested parties at a duly noticed public hearing held on February 24, 2026; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. That the Project is statutorily exempt from CEQA as an infill development housing project pursuant to AB 130 (Public Resources Code Section 21080.66).

SECTION 3. That the conditions imposed on the Project are reasonable and do not reduce the density of the Project or render the Project infeasible.



SECTION 4. The Planning Agency hereby determines that the required findings by the City for approval of Vesting Tentative Tract Map / Site Development Permit / Precise Plan / Conditional Use Permit / Parking Use Permit No. 0209-2025 have been met and made as follows:

Vesting Tentative Tract Map

1. The proposed map is consistent with the Laguna Hills General Plan.

The proposed map will subdivide an existing 18.5-acre site for the purpose of development of 480 new housing units. The Project site is located within the General Plan Mixed Use land use designation and has a zoning designation of Mixed Use District with Housing Overlay ("MXU/H") The Mixed Use land use designation and MXU/H district identify high-density residential uses as appropriate for this site. Additionally, the site is designated in the General Plan Housing Element as an underutilized site that could accommodate a future housing development. The General Plan Land Use Element states that a lot designated with the Housing (H) Overlay Zone in the Laguna Hills Municipal Code may be developed at residential densities between 20 and 50 dwelling units per acre, with no FAR restrictions for residential development, regardless of the underlying land use designation. The proposed map subdivides the existing lot into four separate residential lots and four lettered lots to accommodate the Project. The proposed map furthers the intent of the Land Use and Housing Elements of the General Plan and the MXU/H district by facilitating a project that includes the development of a high-density, attached single family (for-sale) and multiple-family (for-rent), 480-unit housing project. Furthermore, the proposed Project would implement several General Plan goals and policies, including Goals LU-2, LU-3, LU-4, H-2, and H-3, and Policies LU1.4, LU-2.2, LU-3.3, LU-3.6, LU-4.1, LU-4.2, LU-4.6, and H-2.1.

2. The design and improvement of the proposed subdivision is consistent with the Laguna Hills General Plan.

The Project site is located within the General Plan Mixed Use land use designation and is designated in the General Plan Housing Element as an underutilized site that could accommodate a future housing development. The site has a zoning designation of Mixed Use District with Housing Overlay ("MXU/H"). The Mixed Use land use designation is implemented by the specific development standards and policies outlined in the MXU and H districts, and the General Plan Land Use Element states that a lot designated with the Housing (H) Overlay Zone in the Laguna Hills Municipal Code may be developed at residential densities between 20 and 50 dwelling units per acre, with no FAR restrictions for residential development, regardless of the underlying land use designation. The Project proposes a residential density of 25.9 dwelling units per acre, which is within the maximum allowable number of dwelling units per acre in the H Overlay district. The site currently includes seven existing office buildings and a surface parking lot which will be demolished. The MXU envisions high density residential uses and incorporates design and improvement standards to support those types of projects. Additionally, as a designated site for high-density housing in the Housing Element, the design and improvement of the subdivision of land to accommodate the development of the housing is supported by the General Plan. The site is physically

suitable for the proposed type of development in that it is of a reasonable shape, size, and topography to accommodate a residential subdivision.

The 18.5-acre site is currently developed with seven existing commercial office buildings and an associated surface parking lot on relatively flat topography. The site is surrounded by public roads and share property lines with other developed properties such as an office, retail center and church. The proposed subdivision creates new lots lot of substantial size, utilizable shape, and flat topography which would create a viable area for high density residential development. Therefore, the site physically suitable for the proposed type of development.

Furthermore, the proposed Project would implement several General Plan goals and policies, including Goals LU-2, LU-3, LU-4, H-2, and H-3, and Policies LU1.4, LU-2.2, LU-3.3, LU-3.6, LU-4.1, LU-4.2, LU-4.6, and H-2.1.

3. The requirements of the California Environmental Quality Act have been satisfied.

The AB 130 checklist submitted by the Applicant and peer-reviewed by the City's technical consultants demonstrates that the Project satisfies the requirements of AB 130's statutory CEQA exemption for infill housing developments (Public Resources Code Section 21080.66), including requirements regarding site size, density, general plan and zoning consistency, protected species, historic resources, contaminated property, and fire hazards. The Project site is currently mapped within a special flood hazard area by the Federal Emergency Management Agency (FEMA). A hydrology analysis prepared by the Applicant and peer-reviewed by the City, however, demonstrates that the site is not actually located in a special flood hazard area. Approval of the Project would be conditioned on the Applicant obtaining a Letter of Map Revision or Amendment from FEMA.

4. The site is physically suitable for the proposed density of development.

The project proposes a residential density of 25.9 dwelling units per acre, which is within the maximum allowable number of dwelling units per acre in the H Overlay district. The engineering and traffic analyses prepared for the Project demonstrate that the site is physically suitable for the proposed density of development and, as conditioned, the Project will not create adverse impacts on the site.

In addition, the increased water demand and sewer flows anticipated to generated by the Project were analyzed and it was determined that the Project will not have a significant impact on regional water supply capacity or regional wastewater treatment capacity and that no significant regional or local water or sewer impacts are anticipated.

5. 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.

The Project shall be constructed and operated in compliance with all applicable environmental laws and regulations, including but not limited to: the Migratory Bird

Treaty Act (16 U.S.C. §§ 703–712) and California Fish and Game Code Sections 3503, 3503.5, and 3513 (protection of migratory birds and their nests); the California Endangered Species Act (Fish & Game Code §§ 2050 et seq.); Fish and Game Code Section 4150 (protection of nongame mammals, including bats); California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.98 and 5097.99 (discovery and treatment of human remains); Penal Code Section 622.5 (protection of objects of archaeological or historical interest); South Coast Air Quality Management District Rules 403 (Fugitive Dust), 1113 (Architectural Coatings), and 1143 (Consumer Paint Thinners and Multi-Purpose Solvents); California Air Resources Board In-Use Off-Road Diesel-Fueled Fleets Regulation (13 CCR §§ 2449 et seq.) and Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (13 CCR § 2485); City of Laguna Hills Municipal Code Chapter 5-24 (Noise Control) and Chapter 6-16 (Noise Disturbances); and Senate Bill 1383 (Chapter 395, Statutes of 2016) and its implementing regulations (14 CCR, Division 7, Chapter 12), and CALGreen Code Section 5.408 (construction and demolition debris diversion). For these reasons, 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.

6. The design of the subdivision and the type of improvements proposed are not likely to cause serious public health problems.

The subject property is not located on a site with potential hazardous waste per the State Department of Health Services, State Water Resources Board, and the California Waste Management Board. Nonetheless, per AB 130, any contamination discovered on the Property must be remediated per State law before any certificates of occupancy may be issued. Additionally, the Applicant prepared a Construction and Operational Health Risk Assessment (HRA) to evaluate the potential health risk impacts to sensitive receptors and adjacent workers during construction and operation of the Project. (HRA, Urban Crossroads, March 6, 2025, p. 1.) The HRA concluded that Project would not cause a significant human health or cancer risk. (HRA, p. 1.)

7. 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.

As conditioned, the proposed subdivision and associated improvements will not conflict with any public access easements of record or acquired by court judgment. Utility easements not related to public access in conflict with the proposed project will be quitclaimed and new utility easements will be dedicated.

8. The design and improvement of the proposed subdivision is suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations.

The site currently contains seven professional office buildings and a surface parking lot which is the site of the proposed residential structures. The site is large enough to accommodate the development per the MXU/H standards. Therefore, the design and improvement of the proposed subdivision is suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations of the MXU/H. The base density of the new residential development is consistent with the density permitted by the MXU/H, and with the exception of the waiver or reduction of development standards that would preclude development of the Project, as permitted by the H Overlay district zoning and the State Density Bonus Law, the Project meets all applicable Development Code requirements and Objective Design Standards.

9. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.

The Project would meet the applicable MXU/H standards and SDBL waivers, including setbacks, and meets the minimum open space area required for the new development of the residential development. This would accommodate landscaping that can be provided throughout the site with adequate setbacks, which would provide for natural/passive cooling opportunities.

Furthermore, the construction of the residential development shall be required to comply with the California Energy Commission's adopted Building Energy Efficient Standards that require the inclusion of energy conservation features in residential development, and to incorporate energy-saving design solutions to reduce energy consumption by at least 10 percent below the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California Energy Efficiency Standards for Residential and Non-Residential Buildings). The proposed design of the subdivision provides for future passive or natural heating or cooling opportunities, to the extent feasible.

10. 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.

The subdivision would include high-density residential development within the City's Mixed Use General Plan Land Use Designation and the MXU/H zoning, both of which promote the development of high-density residential structures. The site is identified in the Housing Element as appropriate for the development of housing to help the City meet its regional housing need. The use of pedestrian paths and connections, and Code compliance on-site parking spaces, further promotes the stated need of efficient circulation throughout the Project site. The location of the site is within an area with access to existing public services and there is no evidence the proposed density will create undue burdens on existing public services. The proposed housing units address the housing needs of the region at an appropriate scale and in a suitable area to absorb more residential density.

### Site Development Permit

1. That the site design complies with standards of the development code.

The Project complies with all the development standards outlined for properties within the MXU/H districts, including density, lot area standards, building height, setback, landscape coverage, open space, and amenity standards of the MXU/H and Objective Design Standards ("ODS"). Under State Density Bonus Law ("SDBL"), the project qualifies for modifications of development standards that would have the effect of physically precluding the construction of the proposed density bonus units or the requested developer's requested concession or incentive where there is no feasible method to satisfactorily mitigate the specific adverse impact.

2. That the site is suitable for the proposed development.

The site is currently improved with seven professional office buildings and a surface parking lot with landscaping. The site is generally flat and considered a corner lot with access to two public roadways, as well as access to nearby services and amenities. Additionally, the site was studied and determined to be an underutilized site that could accommodate a future housing development. The project was analyzed for impacts to the community, including but not limited to potential impacts involving health risks, noise, vibration, traffic and circulation, soils and geology, hydrology, and water quality. The site is surrounded by public roads and shares property lines with a commercial center to the south, church complex with a reservoir to the east, and an office building to the north. Across Mill Creek Drive to the west is an existing residential neighborhood with 2-story condominiums. The future residents can easily be served by the various retail and personal services in the immediate vicinity.

3. That the project is consistent with the general plan and applicable design guidelines.

The proposed project is within the Mixed Use General Plan land use designation area, which identifies the Project site as a "future study area" where intensification and redevelopment is expected to occur. Both the General Plan and MXU/H promote high-density residential uses. The General Plan 6<sup>th</sup> Cycle Housing Element (2021-2029) designates the property as an underutilized site for multiple-family, high-density housing in the Housing Element. The Project implements the General Plan vision for the MXU/H by providing for the redevelopment of an 18.5-acre property with existing professional office buildings with surface parking by adding a new 480-unit housing development to the site. The proposed Project conforms to the MXU/H and ODS development standards, with the exception of qualified waivers under SDBL.

The proposed Project is consistent with and help implement the following goals of the General Plan Land Use and Housing Elements:

- Goal LU-2. Ensure development is compatible and interdependent with neighboring uses

- Goal LU-3. Encourage infill development that involves the revitalization of property in an economically and environmentally sustainable manner.
  - Goal LU-4. Place a high priority on design, architecture, and landscaping that reflect the community's identity and gracious lifestyle.
  - Goal H-2. Facilitate the development of a range of housing types, densities, and affordability levels to meet the diverse needs of the community for all economic levels and age groups and special needs groups, such as large families, female-headed households, the disabled, seniors, and the homeless.
  - Goal H-3: Ensure that adequate housing opportunities are available to all persons in Laguna Hills without discrimination in accordance with federal and state fair housing laws.
  - Policy LU-1.4: Promote walkability throughout the community through enhanced pedestrian amenities, attractive streetscapes, plazas, and civic gathering areas.
  - Policy LU-2.2: Improve connections with surrounding uses by enhancing landscaping, providing pedestrian connections, incorporating green areas, and planting street trees.
  - Policy LU-3.3: Ensure safe, efficient pedestrian connections are made between adjacent neighborhoods, sidewalks, parking areas, and entrances to stores.
  - Policy LU-3.6: Promote the design and placement of buildings to provide opportunities for solar and wind energy and passive cooling.
  - Policy LU-3.10: Create safe, inviting, and functional pedestrian and cyclist environments in new public and private development.
  - Policy LU-3.11: Provide incentives for development that enhance the environment, offer excellent urban design, and provide public amenities.
  - Policy LU-4.1: Create distinctive gateway architecture, landscaping, and signs at major entries to the community and in community activity centers.
  - Policy LU-4.2: Create street frontages with architectural and landscape interest to provide visual appeal to the street and enhance the pedestrian experience in new development and redevelopment.
  - Policy LU-4.6: Ensure site design respects natural topography and takes advantage of views of scenic resources such as natural open spaces, creeks, and the hillsides.
  - Policy H-2.1: Provide opportunities for higher density residential development, mixed use residential/commercial development, and transit-oriented development in appropriate areas of the City.
4. That the site design and structural components are appropriate for the site and function of the proposed uses.

The site is designed for high-density residential and partially underground structured parking for residents with appropriate vehicular access and circulation

and enhanced pedestrian access and circulation in and around the Project site. The design of the residential buildings is intended to be consistent with the Spanish Style architectural elements in the ODS standards. Proposed Spanish Style building materials include wrought iron railings, recessed entrances, multi-pane windows, dark brown wood elements, clay tile vents, arched entryways, recessed niches, decorative tiles, fabric awnings, gutters, exposed beams, shutters, contrasting earthtone colors, and red clay tile. The massing is managed by varying the facades by utilizing balconies, contrasting colors, roof height/pitch variation, and materials. All mechanical equipment will be ground-mounted behind each attached single family building and not within public view. In addition, the proposed project complies to the ODS's design guidelines for residential development, including roofs that incorporate pitches, ridges, ridgelines and materials that are common to the area; overhangs and insets of fenestration that is consistent with its architectural style; entryways that directly access to the street, either individually or for the entire building; entryways that are architecturally enhanced to complement the structure; and building massing that respects the surrounding structures and step down at the corners.

### Precise Plan

1. That the plan and the uses proposed are consistent with the general plan.

The Mixed Use land use designation was envisioned to facilitate high-density residential development. Consistent with the Land Use Element Goals listed above, the Precise Plan promotes walkability throughout the community, incorporates green areas and the planting of street trees, provides for opportunities for solar energy and passive cooling, provides public amenities, creates distinctive gateway architecture, landscaping, and signs at major entries, creates street frontages with architectural and landscape interest, and ensures site design respects natural topography. Lastly, the site is designated in the General Plan Housing Element as an underutilized site that could accommodate a future housing development.

2. That the proposed plan is consistent with adopted development standards for the area in which proposed.

The proposed plan is consistent with all lot area standards, building height, setback, landscape coverage, open space, and amenities standards of the MXU/H and ODS, with the exception of the modifications to the development standards permitted under SDBL. In addition, the proposed plan is consistent with all objective design standards within the ODS related to residential development including pedestrian paths and linkages, screening of all utility and mechanical equipment, adequate private and common open space areas, minimizing the visual impact of parking, safe and well-lighted areas, variations in building façade and roof planes, and building setbacks.

3. That the plan promotes community image and enhances compatibility of uses in the plan area.

The plan is consistent with the design and landscaping standards of the MXU/H district, with the exception of several SDBL waivers, and promotes pedestrian circulation in and around the Project site. The new housing development will enhance the community character and will serve to meet housing demands in the area. Landscaping used in strategic places will help define the character of the property. Taken collectively, the architectural and landscape design features of the Project promote community image and enhance compatibility of uses in the plan area as envisioned in the MXU/H and ODS.

4. That the plan will reduce undesirable environmental consequences while improving economic needs of the area and community.

The Project is an infill housing development that enhances community character and promotes a more walkable environment within its portion of the MXU/H. The Project implements General Plan and MXU/H policies for the area and will reduce undesirable environmental consequences by removing an existing asphalt parking lot, thereby reducing runoff and associated heat-island effects of asphalt parking lots and replacing it with residential units of various sizes. Additionally, a substantial amount of landscaping will be provided within private and common areas. The proposed residential development provides more housing options for residents in an area that contains a variety of services, such as employment centers, shopping centers, and offices, within walking distance. Lastly, all new development will be required to comply with updated building codes and standards that will improve energy and water use efficiency.

5. That the plan is sufficiently detailed to ensure design values and controls needed to achieve a balance and integration of uses.

The site plan and associated architectural plans provide sufficient detail of the site design in terms of pedestrian and vehicular access in and around the Project site. Lot 1 is designed as an independent parcel that does not share access with Lots 2, 3, and 4. Lots 2 and 3 share parking and access for the single family attached units on both parcels. Lot 4 will not share access with the other three parcels. However, the driveways, private streets, and gates are all designed to allow efficient circulation throughout the entire Project site. The plans also provide sufficient detail on materials proposed for the new residential buildings, as well as the landscaping, to integrate the uses into the MXU/H district area.

#### Conditional Use Permit

1. That the proposed use is consistent with the general plan;

The Project site is located within the General Plan Mixed Use land use designation. The Mixed Use land use designation identifies high-density residential uses as appropriate for this site. Additionally, the site is designated in the General Plan Housing Element as an underutilized site that could accommodate a future housing development. The proposed project furthers the intent of the Land Use and Housing Elements of the General Plan by facilitating a project that includes the development of a high-density, multiple-family, 221-unit housing project, including 24 affordable units for very low-income households on Lot 4.



2. That the nature, condition and development of adjacent uses, buildings and structures have been considered and the proposed conditional use will not adversely effect or be materially detrimental to the adjacent uses, buildings, or structures;

The site is currently improved with a seven professional office buildings and a surface parking lot with landscaping. The site is generally flat and considered a corner lot with adjacent access to two public roadways, and access to nearby services and amenities. The project was analyzed for impacts to the community, including but not limited to potential impacts to health risks, noise, traffic and circulation, soils and geology, hydrology, and water quality. The site is surrounded by public roads and shares property lines with a commercial center to the south, church complex with a reservoir to the east, and an office building to the north. Across Mill Creek Drive to the west is an existing residential neighborhood with 2-story condominiums. The multi-family development on Lot 4 has been designed to minimize grading, provide access points along public streets and not through adjacent private properties, provide sufficient landscaping buffers around the perimeter of the Project site, and provide Code compliant on-site parking to minimize any potential impacts on adjacent properties.

3. That the proposed site is adequate in size and shape to accommodate the use and integrate it with the existing and planned uses in the vicinity;

The Mixed Use land use designation is implemented by the specific development standards and policies outlined in the MXU/H and ODS. The site currently includes seven existing office buildings and a surface parking lot which will be demolished. The MXU/H envisions high density residential uses and incorporates design and improvement standards to support those types of projects. Additionally, as a designated site for high-density housing in the Housing Element, the design and improvement of the subdivision of land to accommodate the development of the housing is supported by the General Plan. Lastly, the density, architecture, access points to public streets, on-site pedestrian and vehicular circulation, and parking has been designed to be compatible with existing and planned uses in the vicinity.

4. That all required development standards prescribed by this code can be achieved;

Section 9-10.050 of the Laguna Hills Municipal Code ("LHMC") requires a conditional use permit for multi-family developments in the MXU/H zoning district. The proposed plan is consistent with all lot area standards, building height, setback, landscape coverage, open space, and amenities standards of the MXU/H, with the exception of the modifications to the development standards permitted under SDBL. In addition, the proposed plan is consistent with all objective design standards within the ODS related to single family attached and multi-family residential development including pedestrian paths and linkages, screening all utility and mechanical equipment, adequate private and common open space areas, minimal visual impact of parking, safe and well-lighted areas, variations in building façade and roof planes, and building setbacks.

5. That the conditions and limitations placed upon the use are necessary to ensure compatibility with adjacent or abutting uses and the preservation of the public peace, safety, and welfare.

The Project is an infill housing project that enhances community character and complements surrounding land uses in the vicinity. The Plan implements General Plan and MXU/H policies for the area and will reduce undesirable environmental consequences by removing an existing asphalt parking lot, thereby reducing runoff and associated heat-island effects of asphalt parking lots and replacing it with residential units of various sizes. The project was analyzed for impacts to the community, including but not limited to potential impacts to parking, air quality, noise, traffic and circulation, soils and geology, grading, and hydrology. The conditions of approval listed below will ensure compatibility, and minimize any potential impacts on adjacent uses.

#### Parking Use Permit

Pursuant to Laguna Hills Municipal Code Section No. 9-44.110, parking structures, including underground or subterranean structures, shall require a Parking Use Permit and shall be designed to meet the following guidelines in addition to standards contained in this chapter:

- A. Minimum Access Width. Any driveway providing access to a parking structure shall have a minimum width of twenty-eight (28) feet. If a toll or fee booth is located in the driveway area, the driveways on either side of the booth shall have a minimum width of fourteen (14) feet. A sidewalk with a minimum width of six feet shall be provided to link the structure to the public walkway.
- B. Integral Design. Parking structures should be designed as an integral component of the coordinated site plan and architectural theme.
- C. Interior Treatment. The interior treatment of a parking structure shall be of a light color. The treatment shall include a coordinated interior sign program designed to identify parking levels and locate stairwells, elevators, phones, exits, and other interior features.
- D. Ramp Transitions. All ramps shall be provided with transition zones at the top and bottom of the ramp. Ramps with a grade of ten percent or less shall have a transition zone at least eight feet in length. Ramps with a grade of greater than ten percent shall have transition zones at least twelve (12) feet in length. The grade of a transition zone shall not exceed one-half the grade of the ramp it serves.
- E. Elevators. Parking structures of two stories or more shall incorporate at least one passenger elevator meeting handicap standards. Additional elevators are required for a multi-level structure accommodating two hundred fifty (250) or more parking stalls subject to approval by the Community Development Director.
- F. Mirrors for Sight Distance. Blind corners shall be provided with viewing mirrors maintained in a position and condition to provide adequate sight distance.

SECTION 5. Pursuant to California Government Code Section 65863, the Planning Agency finds that, although the proposed project will result in fewer lower income units than were assumed for the Project site in the Housing Element, and that the remaining sites identified in the Housing Element will not be adequate to accommodate the City's share of the regional housing need for lower income households pursuant to Section 65584, the City is precluded by State law from disapproving the proposed Project on this basis and must identify and make available additional adequate sites to accommodate the City's share of the regional housing need for lower income households within 180 days. This finding is based on the following:

1. The Project site includes three properties that were identified in the City's certified Housing Element as having a realistic capacity to accommodate 689 lower income units. The proposed project includes 456 above moderate-income units and 24 lower (very low) income units. As a result, the proposed project provides fewer lower income units than projected for the Project site in the Housing Element.
2. At the time the Housing Element was prepared and adopted, the City's RHNA was calculated to be 1,985 units, consisting of 921 lower-income units, 354 moderate-income units, and 710 above moderate-income units. The sites identified in the certified Housing Element and anticipated ADUs were determined adequate to accommodate a total of 3,061 units, including 619 more units than the City's unmet RHNA in the lower income category, 51 more units than the City's unmet RHNA for the moderate-income category, and 406 more units than the City's unmet RHNA for the above-moderate income category. Overall, the sites identified in the adopted Housing Element and anticipated ADUs reflected a total capacity surplus of 1,076 units.
3. Since the beginning of the 6<sup>th</sup> RHNA cycle, the City has approved or permitted 20 lower-income housing units, 446 above moderate-income housing units, 11 lower income ADUs, and 16 above-moderate income ADUs. Prior to approval of the proposed Project, the remaining sites identified in the City's Housing Element were adequate to accommodate the City's RHNA in all income categories, including a capacity surplus of 402 lower income housing units.
4. After accounting for permitted and entitled units since the beginning of the 6th RHNA cycle, and the 456 above-moderate income and 24 very low income housing units in the proposed Project, the remaining sites identified in the City's Housing Element will continue to be adequate to accommodate the City's RHNA in the moderate and above-moderate income categories, however, the City will have a deficit of 261 lower income units. Due to this anticipated deficit, the City will no longer have an adequate inventory of sites available to accommodate its remaining RHNA obligation for lower income households during the current Housing Element planning period.
5. Government Code section 65863(c)(2) applies and states: "*If the approval of a development project results in fewer units by income category than identified in the jurisdiction's housing element for that parcel and the jurisdiction does not find that the remaining sites in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need by income level, the jurisdiction shall within 180 days identify and make available additional adequate sites to*

*accommodate the jurisdiction's share of the regional housing need by income level. Nothing in this section shall authorize a city, county, or city and county to disapprove a housing development project on the basis that approval of the housing project would require compliance with this paragraph."*

6. Therefore, the City will need to take additional action to meet the requirements of Government Code Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584.
7. To comply with Government Code Section 65863 (No Net Loss Law), the City will identify alternative sites to replace the loss of units described above within 180 days of project approval.

SECTION 6. In addition to the foregoing, the facts and findings set forth in the staff report made a part of the record of the public hearing are hereby incorporated herein by this reference.

SECTION 7. Based upon the above findings, the Planning Agency of the City of Laguna Hills does hereby approve VTTM/SDP/PP/CUP/PUP No. 0209-2025, subject to the following conditions:

GENERAL

1. The following Conditions of Approval ("Conditions") shall be binding and enforceable against, and, whenever used herein, the term "Applicant" shall mean and refer to, each of the following: the project applicant, John Stack, on behalf of Kingsbarn Capital and Development, LLC, the owner(s) of the property, and each of their respective successors and assigns.
2. Unless the context dictates otherwise, whenever the term "this Permit" is used in the following Conditions of Approval, it shall collectively refer to VTTM/SDP/PP/CUP/PUP No. 0209-2025 approved pursuant to this Resolution. Failure to abide by and faithfully comply with all conditions of approval shall constitute grounds for revocation and/or termination of the Vesting Tentative Parcel Map, Site Development Permit, Precise Plan, Conditional Use Permit and Parking Use Permit approved in conjunction with the Project, as applicable.
3. Unless the context dictates otherwise, whenever the term "Project" is used in the following Conditions of Approval, it shall collectively refer to the plans presented at the February 24, 2026, meeting of the Laguna Hills Planning Agency (Plan or Plans), and other studies and exhibits submitted to the City by the Applicant to depict the subdivision of and improvements to be constructed on the Applicant's property, consisting of an approximately 18.5-acre parcel located at 23272, 23282, 23332, 24411, and 23422 Millcreek Drive and 24461 and 24411 Ridge Route (APN 588-161-06, 588-161-07 588-161-08 588-161-09 588-161-10, 588-161-11, 588-161-12, and 588-161-

13) (the “Subject Property”) as part of the Project, as modified by these Conditions of Approval.

4. The application is a plan for location and design of uses, structures, features, and materials submitted by this application and shown on the approved plans. Development shall be consistent with the approved Plans, as modified by these Conditions of Approval, and all applicable architectural design guidelines and all other development standards specified in the Laguna Hills Municipal Code (“LHMC”). Any relocation, alteration, modification, or addition to any use, structure, feature, or material, not specifically approved shall require an application for a Changed Plan (CP) to VTTM/SDP/PP/CUP/PUP No. 0209-2025, unless the Community Development Director (“Director”) determines the proposed change is immaterial and consistent with the provisions and the spirit and intent of the original approval. The Director may approve minor modifications to these Conditions of Approval through the Changed Plan process.
5. To the fullest extent permitted by law, the Applicant shall, at its sole cost and expense, protect, defend, indemnify, and hold harmless the City, its elected and appointed officers and officials, employees, agents, departments, agencies, authorized volunteers, consultants, attorneys, boards, commissions, and committees, and instrumentalities thereof (“Indemnitees”), from and against any and all claims, liabilities, losses, fines, demands, penalties, lawsuits, writs of mandamus, and any other claims or actions or proceedings of any kind whatsoever (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to, arbitrations, mediations, and other such procedures), judgments, orders and decisions (collectively “Claims” and “Actions”), brought against the Indemnitees, which seek to attack, challenge, modify, set aside, void, or annul any action of or any permit or approval issued by the Indemnitees (including actions approved by the voters of the City) for, in connection with, or concerning the approval of this Permit and/or the approval of other applications, permits, or agreements required by these Conditions, including without limitation, the lot line adjustment consolidating and adjusting existing parcel lines on the Subject Property. It is expressly understood and agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the defense of the Indemnitees for the Claims and Actions, and that the Applicant shall promptly reimburse the City for all costs and expenses directly and necessarily incurred by the City in the course of the defense, including reasonable attorneys' fees. The City shall promptly notify the Applicant of any Claims and Actions brought against the Indemnitees and shall cooperate in the defense of any such Claims and Actions. If the

Applicant fails to so defend the Claims and Actions, the City shall have the right but not the obligation to do so and, if it does, the Applicant shall promptly pay the City's full cost thereof.

6. Except as otherwise mandated by State law, approval of this Permit constitutes approval of the proposed Project only to the extent that it complies with the City's Development Code and any other applicable zoning regulations in effect on the date the application was deemed complete pursuant to subdivision (h)(5) of Government Code section 65589.5. Approval does not include any action or findings as to compliance or approval of the Project regarding any other applicable ordinance, regulation, or requirement.
7. Failure to abide by and faithfully comply with any and all Conditions of Approval shall constitute grounds for revocation of this Permit by the Laguna Hills Planning Agency.
8. The Applicant shall agree in writing to these conditions of approval within 30 days of the Planning Agency's approval.
9. The conditions of Project approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees. The Applicant is hereby notified that the 90-day period in which the Applicant may protest the fees, dedications, reservations, or exactions imposed on this Project through the Conditions of Approval, commencing from the date of approval of the Project, has begun. The Project is subject to the following development impact fees in effect:
  - a. Park In-Lieu Fee of \$15,636 per unit for each of the 259 units proposed for Lots 1, 2, and 3 pursuant to LHMC Chapter 8-06 and City Council Resolution No. 2018-11-13-3
  - b. Citywide Park Fee of \$15,636.00 per unit for each of the 221 apartment units within the multi-family building proposed on Lot 4 pursuant to LHMC Chapter 8.07 and City Council Resolution No. 2018-11-13-3.
10. Pursuant to City Council Resolution No. 2017-07-11-2, the Applicant shall reimburse the City for any outstanding fees for processing of this Permit within 60 days of the Planning Agency's approval. The Applicant shall be responsible for payment of all applicable fees pertaining to development of the Project pursuant to the City's Comprehensive Fee Schedule. All outstanding fees and expenses shall be paid in full prior to a final inspection of the Project improvements.
11. Unless a time extension is granted pursuant to Laguna Hills Municipal Code

Section 9-92.080(L), this Permit shall expire and be of no further force or effect if the subject development and construction necessary and incidental thereto is not initiated and commenced within two (2) years of the Planning Agency's approval and thereafter diligently advanced until completion of the Project. In the event construction of the Project is commenced, but not diligently advanced until completion, the rights granted pursuant to this Permit shall expire if the building permits for the Project expire. Initiated and commenced is defined as issuance of a precise grading permit within two years of the date of approval of the Subject Project and commencement of grading prior to expiration of the grading permit, and subsequently, issuance of a building permit for the foundation of the building shell prior to the expiration of the grading permit and commencement of construction prior to expiration of the building permit.

12. Within 48 hours from project approval, the Applicant shall submit to the City a check in the amount of \$50.00, made payable to the Orange County Clerk-Recorder, for filing the Notice of Exemption.
13. A final Tract Map shall be recorded within two (2) years of February 24, 2026 that is in substantial conformance with the Vesting Tentative Tract Map, unless the Applicant has filed a request for extension consistent with the provisions of City requirements and the California Subdivision Map Act.
14. The Applicant may prepare multiple final Tract Maps in conformance with the State's Subdivision Map Act, the County's map processing manual, the City's municipal code, and as determined and approved by the City Engineer, which may require the posting of security instruments guaranteeing the construction of future improvements. The Applicant shall submit each final Tract Map for plan check to both the City Engineer and County Surveyor and pay all applicable plan check fees to both agencies. The Applicant shall submit a current title report, supporting documents, and traverse closure calculations for plan check. Following recordation of each final Tract Map, the Applicant shall provide the City with a duplicate Mylar of the recorded document.
15. After each final Tract Map has been recorded by the County Clerk's Office, the Applicant shall provide the City with a duplicate mylar and scanned TIFF files of each map.
16. Prior to the commencement of map checking, a deposit shall be posted for map check fees. Map check fees will be based on time and materials to be invoiced at the completion of the map check process. All map check fees shall be paid in full before the map will be sent to City Council for approval.

17. Prior to the issuance of Certificate of Use and Occupancy on any Lot, all survey monumentation shall be placed by a California Licensed Land Surveyor as required by and shown on the map for that Lot.
18. Prior to recordation of each Final Tract Map for the Project site: (i) the proposed parcel divisions of the Final Tract Map shall be in substantial compliance with the approved tentative map; and (ii) the existing parcel conditions of any Final Tract Map shall reflect a lot line adjustment consolidating and adjusting existing parcel lines on the 23330 Mill Creek Drive office building site, as reviewed and approved by the Community Development Director and City Engineer, and as recorded at the Orange County Recorder's office.

#### PLANNING DIVISION

19. The Applicant shall maintain the Subject Property in compliance with property maintenance standards as set forth in LHMC Chapter 9-74. This includes prohibitions on outdoor storage and maintenance of the premises that cause obnoxious odors.
20. No permanent overhead utilities shall be installed.
21. Prior to issuance of any grading permits, the Applicant shall submit the Project's grading plan to the Community Development Director for review and approval. The grading plan shall be consistent with the architectural site plan as approved by this Permit to the reasonable satisfaction of the Community Development Director.
22. Prior to the issuance of a building permit, the Applicant shall submit a final landscape and irrigation plan to the Community Development Director for review and approval. The plan shall demonstrate compliance with the provisions of Laguna Hills Municipal Code Chapters 9-46 and 9-47, including sufficient wall screening, landscaping, planter size and shade trees along the site perimeter and within the Project parking lot, installation of "Smart" landscape irrigation controllers, low precipitation-rate sprinkler heads, and water efficient landscaping, as applicable.
23. Prior to the issuance of a building permit, the Applicant shall submit a lighting and photometric plan to the Community Development Director for review and approval. The Community Development Director may require additional lighting if lighting levels at approved pedestrian walkways and internal intersections under construction are insufficient to comply with the requirements of LHMC Chapter 9-40, when completed. The plan shall include a photometric analysis of proposed lighting and shall comply with lighting requirements of the Laguna Hills Municipal Code, including that light



and glare shall not be projected beyond the boundaries of the Subject Property. The City may withhold issuance of a Certificate of Use and Occupancy for any building or portion thereof if the lighting associated with such building has not been installed.

24. Outdoor security and other lighting shall be designed and maintained so as not to illuminate beyond the Subject Property. All exterior lights shall be focused inward and away from surrounding uses and adjacent residential properties. Prior to the issuance of a building permit, the Applicant shall provide an updated photometric plan showing compliance with the Laguna Hills Municipal Code. Pursuant LHMC Section 9-40-170, exterior lighting shall be shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel, and shall be directed downward and away from adjoining properties and public rights-of-way. No lighting shall blink, flash, or be of unusually high intensity or brightness. All lighting fixtures shall be appropriate in scale, intensity, and height to the use served.
25. Prior to issuance of a Certificate of Use and Occupancy, the Applicant shall submit a Master Sign Program for review and approval pursuant to Laguna Hills Municipal Code Chapters 9-42 and 9-92 and the Mixed Use District. Signage within the parking structure shall be included as part of the Master Sign Program for the property.
26. The Applicant shall comply with all temporary and permanent sign requirements of the City's Sign Ordinance, as specified in Laguna Hills Municipal Code Chapter 9-42, and the Mixed Use District. The Applicant shall not use or display any prohibited signs listed in LHMC Section 9-42.260.
27. Prior to the issuance of a building permit, the Applicant shall submit a striping and signage plan that includes information demonstrating compliance with the requirements of Subsection K of Laguna Hills Municipal Code Section 9-44.060 (Design standards for parking facilities). Subsection K establishes criteria that apply to the siting of all parking facilities, whether above or below grade in structures or at surface level. The plan shall be reviewed and approved as part of the building permit review process.
28. Prior to issuance of a building permit, the Applicant shall provide evidence to the reasonable satisfaction of the Community Development Director that there are no easements (including, but not limited to, easements for reciprocal access and/or parking or utilities) that conflict with the proposed Project.

29. One or more sets of Covenants, Conditions and Restrictions (CC&Rs) collectively covering the entire Subject Property shall be submitted to the Community Development Director and City Attorney for review and approval prior to the recordation of each final map corresponding to the area that will be subject to the CC&Rs, the cost of which shall be borne by the Applicant. Prior to the acceptance each set of CC&Rs for review, the Applicant shall submit a deposit in the amount as determined by the Community Development Director to cover the cost of said review. The Community Development Director may require replenishment of the deposit fund should the cost of reviewing the CC&Rs exceed the amount deposited. The CC&Rs shall be consistent with the Project approval, shall run with the land and shall bind all current and future owners and tenants of all or portions of the site. As applicable, the CC&Rs shall, at a minimum, include the following provisions:
- a. Detailed provisions pertaining to responsibilities for operating, funding, and maintaining of all commonly owned areas, landscaping, utilities, parking areas, streets, lighting, and all other structures.
  - b. Attach, incorporate, and require compliance with the Conditions of Approval by the individual property owners and evidence and provide record notice of the approved precise plan for development.
  - c. Detailed provisions pertaining to responsibilities for operating, funding, and maintaining the water quality BMPs required per the WQMP and implementation of the approved O&M Plan.
  - d. Permit and provided enforceable provisions regarding the sharing of parking between the residential uses on Lots 2 and 3 including all current and future reciprocal access and parking easements between and among the various parcels on the Property, including all fire lanes required by the Orange County Fire Authority (OCFA).
  - e. Include enforceable parking requirements consistent with any applicable City Code provisions (like parking of recreational vehicles, etc.).
  - f. Limit placement of trash bins in front of the single-family attached residences to pick-up days only.
  - g. Prohibit short term rentals, time shares, and fractional ownership of units.
  - h. Provide that a violation of the Conditions of Approval constitutes a violation of the CC&Rs and allow the City, at the City's sole discretion, to enforce provisions of the CC&Rs benefitting the City, conditions of approval, and all City codes against individual property owners and the HOA(s).
  - i. Require City approval for any amendments or termination of any provisions of the CC&Rs required by these Conditions of Approval and/or intended to benefit the City.
  - j. The CC&Rs shall specify, without limitation, that the park on Lot D will be

held open and accessible for the residents of each of Lots 1, 2, 3, and 4, and that the pool/clubhouse on Lot C will be open to and accessible to the residents of each of Lots 2 and 3, as proposed by the Applicant.

#### AFFORDABLE HOUSING OBLIGATIONS

30. At Applicant's request, Applicant has been granted reduced parking ratios, an incentive/concession allowing all affordable units to be studio units, and multiple waivers or modifications of applicable development standards pursuant to the State Density Bonus Law (Government Code section 65915). To comply with the provisions of Government Code section 65915, Applicant has offered to, and shall limit, at least twenty four (24), or five percent (5%), of the apartment studio units in the multi-family building constructed on Lot 4 of the Project site for rental and occupancy by very low-income households, as defined in Section 50105 of the Health and Safety Code, at an affordable rent, as defined in Section 50053 of the Health and Safety Code, (the "affordable units") for a minimum period of 55 years from issuance of a Certificate of Use and Occupancy.
31. To ensure that the affordable units Applicant is required to develop pursuant to the State Density Bonus Law are constructed, Applicant has expressly offered and agrees to the following:
  - a. Concurrent with recordation of the final map that includes Lot 4, Applicant shall record a covenant or other deed restriction on Lot 4 in a form approved by the City Manager and City Attorney, intended to expressly benefit the City, which requires that any development on Lot 4 include the development of a minimum of 24 studio units affordable to very low income households. This deed restriction shall provide that it may not be amended, terminated, or removed without the express written consent of the City.
  - b. Prior to issuance of a Certificate of Use and Occupancy for the last residential unit proposed for Lots 2 and 3, as shown on the Project Plans, the Applicant shall obtain a building permit and commence construction on Lot 4. For purposes of this Condition, "commence construction" shall mean passed first inspection for work pursuant to a duly issued building permit.
  - c. As security for Applicant's compliance with its obligation to develop the affordable units, prior to approval of thany final map for any part of the Project, Applicant agrees to provide the City with a deposit, letter of credit, or other form of security in a form, and from a financial institution, acceptable to the City Manager, which provides for the City to receive a payment of Five Hundred Thousand Dollars (\$500,000) to offset

anticipated costs and damages City will incur in the event Applicant fails to commence construction of the multifamily building on Lot 4 within the time set forth in (b), above, or thereafter allows the building permit(s) issued by the City to expire and ceases construction prior to the issuance of a Certificate of Use and Occupancy for the building. City shall release said security upon issuance of a final Certificate of Use and Occupancy for the multifamily building on Lot 4, and Applicant shall be entitled to return of all funds deposited in furtherance of said security and any interest that has accrued thereon. Applicant further agrees to periodically renew said instrument as needed to ensure its obligation to commence and complete construction of the affordable units as provided herein remains secured until completion of the multifamily building.

- d. In order to enable the City to adequately enforce the continued affordability of all affordable rental units, prior to recordation of the final map that includes Lot 4, the property owner(s) of Lot 4 shall enter into and record an affordable housing regulatory agreement ("regulatory agreement") with the City, in a form acceptable to the City Manager.
32. The City Manager shall be authorized to enter into and implement the regulatory agreement on behalf of the City with respect to Lot 4. The regulatory agreement shall be prepared by the City at the Applicant's expense, and the Applicant shall reimburse the City for the actual fees and costs incurred by the City in conjunction with negotiation and preparation of the regulatory agreement and review of the initial marketing and management plan required as part of the regulatory agreement. [Unless otherwise provided by State law or determined by the City Manager, the regulatory agreement shall include provisions addressing or providing for the following:
- a. The regulatory agreement shall require that 24 affordable studio units remain affordable to, and be occupied by, very low income households at an affordable rent for a minimum of 55 years from issuance of a certificate of occupancy.
  - b. Location requirements for the affordable units shall be set forth in the regulatory agreement. The affordable units shall be integrated with the market rate units so that there is a mix of affordable and market rate units throughout the multi-family building, and the project shall comply with the requirements set forth in Health and Safety Code Section 17929.
  - c. The affordable units in the multi-family building shall be constructed concurrently with the market rate units in the multi-family building.

- d. The affordable units shall be constructed and maintained with the same exterior appearance and interior features, fixtures, and amenities and shall use the same type and quality of materials as provided for market rate units in the multi-family building. Finishes and features shall be durable, of good quality, and consistent with contemporary standards for new housing.
- e. Occupants of the affordable units shall have the same access to the common entrances of the building as the occupants of market rate units and shall be provided or have access to the same amenities as the occupants of market rate units.
- f. The owner of Lot 4 shall verify and certify, prior to the initial occupancy, and annually thereafter, that each tenant household occupying each affordable unit meets the applicable income and eligibility requirements established for the affordable unit, and to annually prepare a compliance report and certify that the affordable units are in compliance with the regulatory agreement.
- g. The owner of Lot 4 shall be required to maintain or cause to be maintained the interior and exterior of the project and the site in a decent, safe and sanitary manner, and in accordance with the standard of maintenance of first class multifamily rental apartment complexes within Orange County.
- h. The owner of Lot 4 shall be required to maintain tenant leases, income certifications, and other books, documents, and records related to the rental of the affordable units and operation of the project for a period of not less than five (5) years after creation of each such record; to allow the City to inspect any such books, documents, or records and to conduct an independent audit or inspection of such records at a location that is reasonably acceptable to the City Manager upon prior written notice; and to permit the City and its authorized agents and representatives to access the property and examine the housing units and to interview owners, occupants, tenants and employees for the purpose of verifying compliance with the regulatory agreement.
- i. The regulatory agreement shall contain uniform provisions regarding property management and management responsibilities and shall require the owner of Lot 4 to prepare and obtain the City's approval of a marketing and management plan for the project prior to the issuance of a Certificate of Use and Occupancy for any portion of the Project. The marketing and management plan shall address in detail, without limitation, the following matters: (i) how the owner plans to market the affordable units to prospective tenant households; (ii) procedures for the

selection of tenants of affordable units, including a description of how the owner plans to certify the eligibility of tenant households; (iii) procedures for annually verifying income and recertifying the eligibility of tenants of affordable units; (iv) the standard form(s) of rental agreement(s) the owner proposes to enter into with tenants of affordable units; (v) procedures for the collection of rent; (vi) procedures for eviction of tenants; (vii) procedures for ensuring that the 24 studio units are maintained and that affordable units do not become congregated to a certain area of the building; (viii) procedures for complying with the owner's monitoring and record keeping obligations; (ix) the owner's property management duties; (x) the owner's plan to manage and maintain the project and the affordable units; (xi) the rules and regulations of the property and manner of enforcement; and (xii) and a program addressing security and crime prevention at the project.

- j. The regulatory agreement shall contain a provision requiring the owner of Lot 4 to pay the City an annual administration fee to reimburse the City for the City's review of annual compliance reports and conduct of inspections and/or audits.
- k. The regulatory agreement shall require the owner of Lot 4, at its expense, to defend (with counsel acceptable to City and subject to approval by owner), indemnify, and hold harmless City, and its officers, agents, employees and representatives from any and all losses, liabilities, claims, lawsuits, causes of action, judgments, settlements, court costs, attorneys' fees, expert witness fees, and other legal expenses, costs of evidence of title, costs of evidence of value, and other damages of whatsoever nature arising out of or in connection with owner's failure to perform its obligations under the agreement, the owner's ownership or operation of the site, or the development of the project, except for such liability arising from the gross negligence or willful misconduct of City.
- l. The regulatory agreement shall remain a non-subordinate covenant and as an encumbrance running with the land for the full term thereof. In no event shall the regulatory agreement be made junior or subordinate to any deed of trust or other documents providing financing for the construction or operation of the project, or any other lien or encumbrance whatsoever for the entire term of the required covenants.

#### BUILDING DIVISION

- 33. The Applicant shall be responsible for ensuring all applicable building permits are obtained for any activity requiring a permit. Construction shall comply with the 2025 California Building, Plumbing, Mechanical, Electrical, and Green Building Codes, as may be amended, or the applicable California

Building Code in effect at the time of building permit issuance. Any required documents submitted for the purpose of building permit issuance shall be accurately labeled and reflect all work to the reasonable satisfaction of the Community Development Director.

34. At the time of document submittal for permit issuance, the Applicant shall demonstrate compliance with California Disabled Accessibility requirements, as required by Chapter 11 of the California Building Code if applicable.
35. The Applicant shall comply with all general construction water quality requirements, as required by the LHMC 5-36.
36. Prior to issuance of each building permit, the Applicant shall submit to the Community Development Director all required approvals from the Orange County Fire Authority.
37. Prior to issuance of each building permit for the demolition of any existing building, the Applicant shall submit to the Community Development Director evidence of all required approvals from South Coast Air Quality Management District or provide verification of plan submittal, as applicable.
38. The Applicant shall demonstrate compliance with all applicable building energy efficiency standards established by the California Energy Commission that are in effect at the time of the issuance of any permit.
39. During construction, adequate emergency access shall be maintained to the site at all times in accordance with any requirements of the Orange County Fire Authority (OCFA).
40. Prior to the commencement of any work, the Applicant shall provide a contact number to the Community Development Director for the public to call concerning dust, noise, or other construction-related impacts. The information shall also be posted on site in a manner approved by the Community Development Director.

#### ORANGE COUNTY FIRE AUTHORITY (OCFA)

41. The applicant must formally submit the following plans to OCFA and gain OCFA approval before City grading and building permits issuance;

Prior to issuance of a building permit:

- fire master plan (service code PR145)
- architectural plans (service codes PR200-272), *the building must comply with CBC sections 506 and 510 requirements for construction type and number of stories.*

- photovoltaic plans (service request PR363) if *applicable*
- fire sprinkler system (service codes PR410-425)
- underground piping (service codes PR470-475)
- fire sprinkler system (service codes PR400-425)
- Chemical Classification (service codes PR315-322) if applicable

Prior to concealing interior construction:

- fire alarm system (service code PR500-PR530)

For the R3 Residential Buildings:

Prior to OCFA clearance of a final map or issuance of a precise grading permit or a building permit, if a grading permit is not required:

- fire master plan (service code PR145)

Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection

Temporary/Final Occupancy Inspections: Prior to issuance of temporary or final certificate of occupancy, all OCFA inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested. Inspections shall be scheduled at least five days in advance by calling OCFA Inspection Scheduling at 714-573-6150.

## PARKING STRUCTURES

42. The parking structure shall be designed to include pavement treatments/materials or finishing techniques that reduce noise generated by automobile tire squeal. All pavement treatments and materials shall be subject to the reasonable approval of the Community Development Director prior to building permit issuance for any parking structure.
43. Prior to building permit issuance for the parking structure, the Applicant shall confer with the Orange County Sheriff's Department (OCSD) to identify features consistent with best practices identified in "Crime Prevention Through Environmental Design in Parking Facilities" or other standards acceptable to OCSD that could be incorporated into the parking structure for which a building permit is requested.

## MECHANICAL EQUIPMENT

44. Mechanical equipment, storage, trash areas, and utilities installed at ground



level shall be architecturally screened by solid or semi-solid material from public view to the reasonable satisfaction of the Community Development Director. The method of screening shall be architecturally compatible in terms of materials, color, shape, and size. The screening design shall blend with the building design and include landscaping when on the ground. For rooftop mechanical equipment, building parapet walls shall be at least as high as the equipment and vents installed on each building. For any roof-top equipment, in lieu of fully screening the equipment, the Applicant may provide a "line of sight" study to the Director that indicates no screening is required given the location of mechanical equipment on the roof of a building relative to one or more viewpoints within the Project (as reasonably determined by the Community Development Director) at finished grade. Roof mounted solar panels are excluded from this requirement so long as the overall height of the equipment is as close to the height of building parapet walls as possible, or where integrated into an accessory building such as a roof top carport.

#### PUBLIC WORKS DEPARTMENT

45. Prior to the issuance of any grading permit or building permit, security instruments shall be posted guaranteeing construction of on-site and off-site improvements in accordance with LHMC Section 10-16.300, and these Conditions of Approval. Security instruments shall include a grading bond and a landscape bond, unless the latter is waived by the Community Development Director.
46. The Applicant shall comply with the recommendations in the Geotechnical Evaluation Report prepared for the Project (Exhibit B).
47. Prior to the issuance of a Certificate of Use and Occupancy, the applicant shall pay for all required geotechnical testing services for improvements in the public right-of-way, which shall be invoiced by the City based on time and materials. These fees will be in addition to all applicable encroachment, grading, subdivision, etc. inspection fees. These fees must be paid in full prior to release of any grading bonds.
48. Prior to the issuance of a building permit, the Applicant shall submit a grading and erosion control plan for any on-site drive aisle, parking space, sidewalk and/or other hardscape improvements. As applicable, the grading plan shall show the construction of all curb and gutter, asphalt and concrete pavement, sidewalk, storm drain, sewer and water systems (for reference only) and other improvements, and must include a horizontal control plan.

49. Prior to release of any grading bonds, the Project improvements must be completed to the reasonable satisfaction of the City Engineer. This includes completion of all punch list items, approved mylar as-builts, underground inspections (for storm drain systems, if any), required paperwork (such as soils reports, certifications, etc.). All associated permits will be considered active, until all items (including paperwork) have been completed to the reasonable satisfaction of the City Engineer. All permits must be current (not expired) at time of bond release. The Applicant is advised that there may be permit renewal fees if said permits have expired prior to completion of all above listed items.
50. All grading and storm drain plans shall be prepared on City standard ARCH D size sheets by a licensed civil engineer and shall be submitted to the City Engineer for approval. All landscaping plans shall be prepared on City standard ARCH D size sheets by a licensed landscape architect and shall be submitted to the City Engineer for approval. All plans must be in substantial conformance with the approved site/concept plans. Plan check and inspection fees shall be paid by the Applicant in accordance with the City's fee schedule.
51. Prior to the release of any grading bonds, all grading, storm drain, and landscaping plans associated with the Project shall be as-built upon completion of the Project. Once the as-built drawings are approved, the Applicant shall provide the City with a duplicate mylar of the plans and scanned PDF or TIFF files of all plans.
52. Prior to the issuance of a precise grading permit, all on-site improvement construction (parking lots, sidewalks, ramps, grading) shall be bonded for with the precise grading plan and permit.
53. Prior to the issuance of any grading permit, erosion control, demolition, and earth moving work shall be bonded for with the rough or precise grading plan and permit, whichever occurs first.
54. Prior to work in the public right-of-way, an encroachment permit shall first be obtained from the City Engineer. The City Engineer at his sole discretion may require the posting of an encroachment permit bond to guarantee the completion of work in the public right-of-way.
55. A portion of the Project site is located in a special flood hazard area (SFHA) Zone A floodplain as designated by the Federal Emergency Management Agency (FEMA) on the Flood Insurance Rate Map (FIRM) Panel No. 06059C0426J, effective December 3, 2009. Zone A is identified as an area

subject to flooding as a result of the 1-percent annual chance (100-year) or greater storm event. A technical analysis prepared by the Applicant and peer-reviewed by the City shows that the Project site is not actually located in a SFHA. The Applicant shall prepare and process a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) with FEMA to modify the floodplain limits on the project site. In the event that FEMA does not issue a LOMA or LOMR, the Project will be required to comply the City's floodplain management regulations (LHMC Chapter 9-66), Appendix G of the California Building Code, and/or meet the requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations, as applicable.

#### PUBLIC WORKS DESIGN CONDITIONS

56. Grading of the Subject Property shall be in accordance with the City of Laguna Hills Grading Code and Manual and to the reasonable satisfaction of the City Engineer. Any grading required outside of the Project boundaries will require either slope easements or right-of-entry letters from the adjacent property owners.
57. Prior to the issuance of a grading permit, the following on site (private property) improvements shall be designed in a manner meeting the approval of the City Engineer in conformance with Laguna Hills Municipal Code Section 10-16.020:
  - a. All provisions for surface drainage.
  - b. All necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff.
  - c. All structural pavement sections for on-site and off-site streets, including all newly constructed or reconstructed parking lots, shall be submitted to and approved by the City Engineer. The soils engineer shall submit pavement section recommendations based on "R" Value analysis of the subgrade soils and approved City traffic indices. In no event shall the minimum pavement sections be less than the City's engineering standard plan minimum pavement sections.
58. Prior to the issuance of any building permit, the Applicant shall provide a Certified Access Specialist (CAsp) report reviewing existing pathways, sidewalks and access ramps for on-site access a along the accessible pathways for compliance with the Americans with Disabilities Act (ADA) for approval by the City Engineer and the Building Official. Accessible pathways

shall not include a path within any drive aisle, except as necessary to cross a drive aisle at 90° to the drive aisle. The CASp report shall include an implementation plan to correct all deficiencies noted and as reasonably approved by the City Engineer and the Building Official.

59. Prior to the issuance of a Certificate of Use and Occupancy, any sidewalk or pathway on the Project site not in compliance with ADA standards and the CASp report, as approved by the City Engineer and the Building Official, shall be reconstructed to the City's standards.
60. Prior to the issuance of a precise grading permit, a horizontal control plan showing dimensioning of drive aisle, driveway, parking stall, and hardscape improvements shall be prepared for review and approval by the City Engineer. If not otherwise shown on the Vesting Tentative Tract Map, minimum dimensions for drive aisles, driveways, and parking stalls shall adhere to City engineering standard plans and the Municipal Code. The City of Laguna Hills has adopted County of Orange Public Works Standard Plans as its engineering standard plans.
61. Prior to the issuance of a Certificate of Use and Occupancy, the Applicant shall demonstrate to the reasonable satisfaction of the City Engineer that a corner cut-off area is created at the intersection of each driveway serving the Project and a public street that satisfies the requirements of LHMC Section 9-40.160 or otherwise provides traffic vision clearance meeting the corner vision clearance requirements set forth in the California Department of Transportation Highway Design Manual or other applicable published public safety standard.
62. Prior to the issuance of a building permit, the Applicant shall provide plans demonstrating compliance with Laguna Hills Municipal Code Section 9-40.200 (Undergrounding of utilities) which states, in pertinent part: "Utilities shall be placed underground. If an above-ground electrical transformer is located outdoors on any site, it shall be screened from view with a solid wall and landscaping and not located in any setback area."

#### PUBLIC WORKS CONSTRUCTION CONDITIONS

63. Perimeter fencing shall be installed that has green screen material or approved equal. The fence/screen material shall be properly maintained and be free of rips, tears, fraying, graffiti, and any other damage or vandalism.
64. The Applicant shall comply with all requirements of the Orange County Stormwater Program "Construction Runoff Guidance Manual" during the

construction of the Project. The requirements contained in this manual shall be incorporated into the grading plans.

65. All concrete (including sidewalk) that comes in contact with native soils shall contain Type V cement.
66. Prior to the issuance of a Certificate of Use and Occupancy, all uplifted, subsided or severely worn curb, gutter and sidewalk that fronts the Project in the public rights-of-way along Mill Creek Drive and Ridge Route Drive shall be removed and replaced. This includes uplifted, subsided or severely worn curb and gutter and sidewalk that was in this condition prior to the start of construction. Limits of removal and replacement will not be marked out until immediately prior to occupancy so that all damage that occurred during construction can be included in the limits of replacement.
67. Prior to the issuance of a Certificate of Use and Occupancy, all City Street pavement restorations shall be completed to the reasonable satisfaction of the City Engineer.
68. If any asphalt pavement cuts are made into existing City roadways, the subject roadway shall be ground down and overlaid from the gutter line to the centerline or median of the roadway for any cuts made in that portion of the roadway, and to the reasonable satisfaction of the City Engineer.
69. During the course of the Project construction, no public streets shall be utilized for temporary storage of any construction materials and no vehicles shall be off-loaded of deliveries or filled with materials on any public street.
70. Prior to the issuance of any grading permits, a haul route plan for all exports/imports from/to the site shall be submitted for review and approval by, and to the reasonable satisfaction of, the City Engineer. The haul route shall not utilize any arterial highway prior to 9:00 am or after 4:00 pm daily. In addition, a construction vehicle routing plan shall be submitted for review and approval by, and to the reasonable satisfaction of, the City Engineer prior to any demolition or construction work.
71. During the course of Project construction, no construction equipment traffic shall access or depart the site during morning or evening traffic peak periods, which are 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday.
72. The Applicant shall comply with all applicable laws and regulations, including, without limitation:

a. All applicable federal and state laws regarding the protection of biological resources, including but not limited to the Migratory Bird Treaty Act (16 U.S.C. §§ 703–712), the California Endangered Species Act (Fish & Game Code §§ 2050 et seq.), and Fish and Game Code Sections 3503, 3503.5, 3513, and 4150. In furtherance of these requirements, and consistent with the recommendations of the Biological Constraints Analysis prepared by Psomas dated October 15, 2024, the following shall apply:

(i) Vegetation removal and ground disturbance shall occur between September 16 and January 14 to avoid potential impacts to active nests of migratory birds and raptors. If clearing must occur between January 15 and September 15, a qualified biologist shall conduct a pre-construction nesting bird survey. If active nests are detected, the active nesting area shall be avoided until the biologist confirms that nesting is complete and all young have fledged.

(ii) Due to past records of tricolored blackbird occurring on adjacent property, if vegetation removal or ground disturbance occurs during the nesting season (January 15 through September 15), the pre-construction survey required by subpart (i) shall include a survey for tricolored blackbird within 300 feet of project activity areas. If active nesting is confirmed within 300 feet, no project activity shall occur within 300 feet of the active nesting colony until a qualified biologist confirms that nesting is complete.

(iii) Prior to demolition or removal of structures or mature trees with cavities or crevices suitable for bat roosting, a qualified biologist shall conduct a survey to identify potentially occupied roost sites. If active roosts are detected, the biologist shall install exclusionary devices during a period when bats are absent and confirm vacancy before demolition or removal proceeds.

b. All applicable rules and regulations of the South Coast Air Quality Management District (SCAQMD), including but not limited to Rule 403 (Fugitive Dust) and Rule 1113 (Architectural Coatings), and all applicable regulations of the California Air Resources Board (CARB), including but not limited to the In-Use Off-Road Diesel-Fueled Fleets Regulation (13 CCR §§ 2449 et seq.) and the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (13 CCR § 2485).

c. Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.98 and 5097.99 regarding the discovery and treatment of human remains, and with Penal Code Section 622.5 regarding the protection of objects and sites of archaeological or historical interest.

d. All applicable provisions of Laguna Hills Municipal Code Chapter 5-24 (Noise Control) and Chapter 6-16 (Noise Disturbances).

e. All applicable California Division of Occupational Safety and Health (Cal/OSHA) regulations, including CCR Title 8, Division 1, Chapter 4, Subchapter 4 (Construction Safety Orders).

f. All applicable requirements of SB 1383 (Chapter 395, Statutes of

2016) and its implementing regulations (14 CCR, Division 7, Chapter 12), and with CALGreen Code Section 5.408 regarding diversion of construction and demolition debris.

#### PUBLIC WORKS DRAINAGE AND HYDROLOGY CONDITIONS

73. In accordance with Laguna Hills Municipal Code Section 10-16.340, which requires conformance with the Grading Manual, prior to the issuance of a grading permit, a hydrology and hydraulic study (including off-site areas affecting the development) shall be prepared by a qualified civil engineer and approved by the City Engineer. The report shall include detailed drainage studies indicating how the grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.
74. Prior to the issuance of grading permits or the approval of improvement plans, a recorded drainage acceptance letter for any concentration or increase of drainage runoff to adjacent properties shall be required.
75. All storm drain systems shall be designed and constructed in accordance with the County of Orange Local Drainage Manual, Orange County Public Works Standard Plans, and applicable City standard engineering plans.
76. Prior to the issuance of a Certificate of Use and Occupancy, any storm drains modified by the Project, if any, shall be inspected by the County of Orange Underground Inspection Team (the City will arrange for the inspection). There will be additional fees for this inspection.

#### PUBLIC WORKS SOLID WASTE AND RECYCLING CONDITIONS

77. The Applicant shall comply with all requirements set forth in Laguna Hills Municipal Code Chapter 5-32.210 and 5-48 (Construction and Demolition Waste Recycling Program) and related CalRecycle regulations. Prior to issuance of building permits, the Applicant shall submit and obtain approval of a waste reduction and recycling plan as prescribed by the C&D Compliance Official and submit all applicable fees and security deposits.
78. Prior to the issuance of a building permit, the Applicant shall provide for review and approval by the City Engineer a trash and recycling plan detailing the expected trash and recycled material volume produced by the proposed apartment building at the Project. Accordingly, all existing and proposed

trash bin enclosures shall be sized to accommodate the required number of trash and recycling bins as required by the plan. At a minimum, any trash bin enclosure shall be built according to the City's standard engineering plan, which requires a floor drain connected to the sanitary sewer system and a solid roof to prevent rain water intrusion, and shall accommodate one three-yard trash bin and one three-yard recycling bin (approximate dimensions 40" wide x 82" long) and one organics recycling cart (approximate dimensions 30" wide x 36" long) and enough room for personnel to access the trash bins. No trash bin shall be located outside an enclosure approved by the Community Development Director. If, at any time in the future it is determined by the Public Works Director that the trash enclosure is inadequate, the property owner at its expense shall expand the trash enclosure to accommodate extra bins as evidenced by operations or shall order more frequent trash and recycling bin pick-ups. All trash, storage of cartons, containers, and other discarded items shall be screened from public view at all times. LPMC Section 5-32.040 requires that the storage and collection of mixed solid waste and divertable materials be within enclosures.

79. Prior to the issuance of a Certificate of Use and Occupancy, in accordance with Section 5-32.100 of the Laguna Hills Municipal Code, the applicant shall subscribe to the City's franchise waste hauler's organics recycling service as required by State Senate Bill 1383. Further information can be found here: <https://www.ci.laguna-hills.ca.us/211/Recycling-For-Businesses>
80. Prior to the issuance a grading permit, the Applicant shall provide a will serve letter from the City's franchise solid waste hauler demonstrating that the site and proposed plan of development will allow the franchise solid waste hauler to service the Project.

#### PUBLIC WORKS STORM WATER / WATER QUALITY CONDITIONS

81. All projects, in conjunction with a grading permit, require the preparation of an erosion control plan in conformance with the City of Laguna Hills Grading and Excavation Code. All erosion control plans shall incorporate Best Management Practices to the maximum extent possible. In addition, erosion control shall be implemented during construction year-round.
82. Prior to the issuance of any grading permit, evidence that proper clearances have been obtained from the San Diego Regional Water Quality Control Board such as the filing of a Notice of Intent to Discharge, shall be provided to the City Engineer. If a permit is required, the Applicant will be required to prepare a Storm Water Pollution Prevention Plan.



83. Prior to the issuance of a Certificate of Use and Occupancy, "No Dumping - Drains to Ocean" shall be stenciled directly above any inlets or an approved stencil shall be used to paint this message on inlets.
84. Prior to issuance of any precise grading permit, a Water Quality Management Plan (WQMP) shall be approved by the City Engineer. The WQMP shall be prepared in conformance with the City's WQMP Instructions and Template. The project design and construction shall comply with the requirements of the latest edition of the City's National Pollutant Discharge Elimination System (NPDES) Permit issued by the Santa Ana Regional Water Quality Control Board. Copies of the Permit may be downloaded from the Water Board's website at [www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego). This order and the City's NPDES Local Implementation Plan (LIP) require the City to classify this Project as a priority project. The Applicant will be responsible for complying with the "priority development project" requirements of this Permit, which requires the Project to incorporate source control BMPs and structural treatment BMPs. The Applicant is advised that there are additional plan check fees for the review of this document.
85. Prior to the issuance of a Certificate of Use and Occupancy, all water runoff from the site (including sheet flow), including existing areas, shall be required to be filtered with a water quality device approved by the City Engineer, prior to the discharge of the water to the street gutter or storm drain system. This may require the installation of trench drains the entire width of the entrances to collect and treat sheet flow leaving the site.
86. Prior to the issuance of a Certificate of Use and Occupancy, the property owner shall furnish a recorded copy of a Maintenance Agreement outlining post construction Best Management Practices (BMP's) in accordance with the County of Orange Drainage Area Management Plan Appendix for New Development. The following non-structural BMP's are required to be implemented by the current property owner, and all subsequent property owners to satisfy National Pollution Discharge Elimination System requirements and requirements outlined in the Orange County Drainage Area Management Plan. A copy of these conditions of approval shall be provided to all subsequent property owners. The following BMP's will be required:
  - a. Storage and Repair of Motor Vehicles - The property owner shall not allow motor vehicles stored on the premises to be washed on site, unless a car wash facility is proposed that is connected to the sanitary sewer system. Motor vehicles may be lightly rinsed (with no detergents, soaps,

or surfactants) provided that de-ionized water is used sparingly and any runoff is diverted to a landscaped area or collected on-site and disposed of into the sanitary sewer system. Vehicles parked at this facility that show evidence of leaking fluids must be stored with drip pans located to catch the leakage and protected from mixing with stormwater. All hazardous pollutants spilled from stored vehicles shall be cleaned and picked up immediately with an appropriate "dry method" absorbent material and disposed of properly. All spills must be contained and cleaned up on the premises.

- b. Litter Control - The property owner will be required to implement trash management and litter control procedures in the common areas aimed at reducing pollution of drainage water. The property owner may contract with their landscape maintenance firm to provide this service with the regularly scheduled maintenance, which should consist of litter patrol, emptying of trash receptacles in common areas, and noting trash disposal violations and reporting the violations to the property owner for investigation.
- c. Trash Enclosures and Dumpsters - The property owner shall post signs on trash enclosure gates that state "Keep Dumpster Lids Closed." The property owner will monitor dumpster usage such that dumpsters are not overfilled and the dumpster lids can close completely. The property owner shall increase the trash pickup schedule as necessary to prevent dumpsters from overfilling.
- d. Landscape Maintenance - Ongoing maintenance must be consistent with the City's adopted water conservation ordinance, plus fertilizer and pesticide usage consistent with the "County Management Guidelines for Use and Fertilizers and Pesticides." Landscaping irrigation systems shall be adjusted and properly maintained to prevent over spray runoffs.
- e. Green Waste Disposal - Green waste shall not be blown or swept into, or disposed of, in the street, gutter, public right-of-way, or storm drain catch basins or inlets. Leaf blowers, if used, shall be used to move green waste into piles so they can be swept and picked up and disposed of in green waste recycling containers.
- f. Employee Training - The property owner shall prepare a training manual(s) for existing and future employees. The manual should include information on non-point source pollution and how to use proper Best Management Practices (BMPs) to minimize runoff pollutants. Training

shall be provided upon hire and at regular intervals thereafter.

- g. Catch Basin/Inlet Inspection - The property owner must inspect all catch basins/inlets on site and clean the catch basins, if necessary, prior to the storm season (no later than October 15 each year).
- h. Lot/Street Sweeping - The property owner must sweep outdoor lots regularly (minimum monthly), and prior to the storm season (no later than October 15 each year). Sweeping shall be done with a vacuum-type sweeper. Under no circumstances are outdoor areas/lots to be rinsed or washed with water unless said rinse/wash water is collected and disposed of properly (i.e. into the sewer).
- i. Catch Basin Stenciling - All catch basins/inlets/outlets on site must be marked using the City's "No Dumping - Drains to Ocean" curb marker or stenciled using an approved stencil shall be used to paint this message on the top of curb directly above the inlet, and on one side of the curb face. Labeling for catch basins is to be inspected regularly and maintained so as to be reasonably legible at all times. The inspection and maintenance is to be performed by the property owner. This stencil is to alert the public/employees to the destination of pollutants discharged into the storm water.
- j. BMP Maintenance - The property owner shall be responsible for implementation of each non-structural BMP and regularly scheduled cleaning of all BMP structural facilities (catch basin, storm drains, trash enclosures, etc.).
- k. Title 22 CCR Compliance - The property owner must comply with Title 22 of the California Code of Regulations and relevant sections of the California Health and Safety Code regarding hazardous waste management, which will be enforced by County Environmental Health on behalf of the State.
- l. Haz-Mat Disclosure Compliance - The property owner shall comply with County and City ordinances.
- m. Uniform Fire Code Implementation - The property owner shall comply with Article 80 of the Uniform Fire Code.
- n. Spill Response Plan/Kit- The property owner shall develop a spill response plan and maintain a spill response kit on site. Employees shall

be properly trained to use the spill response kit. Owner shall maintain absorbent materials in the spill response kit to adequately contain any spills that can be anticipated (i.e. oil drips, engine coolant, etc.).

87. Prior to the issuance of a precise grading permit, the Applicant shall provide plans and supporting documentation for the review and approval of the City Engineer showing that areas requiring regular washing/cleaning (including dumpster areas) are isolated from the storm drain system. No discharge from such areas shall be allowed into the storm drains. This plan may be incorporated into the WQMP.
88. Prior to the issuance of a Certificate of Use and Occupancy, catch basin filters shall be installed on all catch basins which drain the subject site, including any existing catch basins. Specification sheets shall be submitted to the City Engineer for approval prior to the installation of the filters.

#### PUBLIC WORKS WATER, SEWER, AND UTILITIES CONDITIONS

89. On-site water and sewer facilities that will not be maintained by El Toro Water District shall be plan checked and inspected by the City's Building Department. All fees shall be paid in accordance with the City's fee schedule.
90. Any above ground valve assemblies or back-flow devices shall be placed on private property and an easement dedicated to El Toro Water District.
91. Prior to the issuance of a Certificate of Use and Occupancy, any damage, either structural or aesthetic, to any public and/or private streets as a result of utility connections to service the Project shall be repaired by the Applicant to the reasonable satisfaction of the City Engineer, which may include repaving the street from curb-to-curb. The improvements will not be accepted by the City until the necessary repairs are completed.
92. Any above ground utility cabinets shall be placed on private property and an easement dedicated to the appropriate utility company (if required).
93. No above ground utility structures, cabinets, pipes, or valves shall be constructed within the public right-of-way.

#### PUBLIC WORKS LANDSCAPING-RELATED CONDITIONS

94. The maintenance of any landscaping between the curb and the right-of-way line of any street abutting the parcel shall be the responsibility of the owner of that parcel in accordance with City of Laguna Hills Municipal Code Section 12-12.360, unless a recognized association or district has assumed

responsibility for said maintenance.

95. All landscape plans shall reflect all improvements shown on the final approved grading plans and building plans including, but not limited to, improvements such as ramps, walkways, driveways, planter areas, fire access lanes, ingress and egress to buildings, and appurtenances constructed to support the use of any improvements such as gates, handrails, fences, or walls.

#### TRAFFIC AND PARKING CONDITIONS

96. Prior to the issuance of a precise grading permit, a plan for the placement and installation of traffic signing, pavement delineation, and other traffic devices on the subject property shall be prepared for review and approval by the City Engineer. Parking stalls shall be sized and striped according to City engineering standard plans and the Municipal Code, and stop signs along with stop legend bar shall be provided at all locations as specified by the City Engineer. The City of Laguna Hills has adopted County of Orange Public Works Standard Plans as its engineering standard plans.
97. Prior to the issuance of a grading permit, the Applicant shall provide a construction management plan that demonstrates how existing tenants in the existing office building at 23330 Mill Creek Drive during project construction will maintain access to adequate parking and parking lot circulation in addition to vehicle and pedestrian access. The plan shall ensure the proposed buildings maintain the following: 1) adequate site access (vehicular and pedestrian); 2) adequate parking; 3) access to public and private transportation facilities; 4) utility services; and 5) access to adjoining properties that are in existence. In approving the plan, the Public Works Director and Community Development Director may consider the historical vehicular and pedestrian connections between the Subject Property and adjacent properties, and the location of existing driveway entrances/exits. The Applicant shall ensure improvements to remain, or any new improvements required in the approved plan, are maintained in a safe condition for the use of vehicles and pedestrians for as long as the improvements are needed to serve affected buildings until the Project is completed. Prior to City approval of the construction management plan, the Applicant shall obtain approval of the Orange County Fire Authority (OCFA) and provide proof of OCFA approval to the Community Development Director. As reasonably determined by the Community Development Director and Public Works Director, the plan shall be implemented and periodically updated prior to commencement of any project phasing.

## CONSTRUCTION ACCESS

98. During construction of the Project, the Applicant shall maintain adequate site vehicular and pedestrian ingress and egress for customers of adjacent commercial uses and utilize temporary directional signage in the public right-of-way as needed to the reasonable satisfaction of the Public Works Director and Community Development Director. Required directional signage shall comply with City standards and specifications, including but not limited to, the CalTrans design manual, the California Manual of Uniform Traffic Control Devices, and/or as recommended by the American Association of State Highway and Transportation Officials (AASHTO). Required private directional signage shall be provided as appropriate at the reasonable discretion of the Community Development Director.
99. During any construction, adequate emergency access for police, fire, and paramedic vehicles, to the standards of, and approval of, the OCFA, shall be maintained on the Subject Property at all times.
100. Prior to the issuance of any demolition, grading, building or other permit within a District, the Applicant shall submit a construction staging plan to the Community Development Director identifying areas to be used for equipment and material storage, placement of construction trailers, portable restrooms, delivery areas for loading and unloading of materials and equipment, construction waste diversion processing, and construction employee parking. The Applicant shall periodically submit an updated construction staging plan, as needed and/or when reasonably requested by the Community Development Director. Appropriate pedestrian and vehicular safety barriers shall be installed in all areas as required by the Community Development Director prior to the issuance of permits. In addition, prior to the issuance of any permits within a District, an on-site pedestrian and vehicle parking circulation plan shall be submitted to the City for review and approval by the Public Services Director and Community Development Director identifying pedestrian and vehicle access, including temporary parking for disabled patrons for businesses that will remain open during construction.
101. During the course of construction, the Applicant shall immediately respond to requests made by a City inspector to reasonably resolve any public safety or access issues identified during the work. Modifications to an approved construction staging plan shall be made when requested by a City inspector within 48 hours, or as soon as possible as determined by the Community Development Director.

## COVENANT AGREEMENT

102. The approved Project consists of four separate residential parcels containing residential buildings at various densities, including a parcel with a six story residential building with structured parking, which share access and parking, along with four lettered lots for recreation, open space, and private streets, and includes approval of a precise plan of development covering all parcels in accordance with the requirements of the Mixed Use District. Accordingly, prior to or concurrent with recordation of the first final map, the then current property owner(s) of any portion of the Subject Property shall enter into and record a Covenant Agreement or Agreements (or other appropriate document acceptable to the City) with the City in a form reasonably approved by the City Attorney and City Manager, unless CC&Rs that include and address the requirements herein have been approved by the City and recorded pursuant to Condition No. 29. The City Manager shall be authorized to execute the Covenant Agreement(s) on behalf of the City. Evidence of the recordation of the Covenant Agreement(s) shall be provided to the City within five (5) business days of recordation. The Applicant shall provide City with a current title report and/or other evidence satisfactory to the City evidencing title ownership of any portion of the Subject Property at the time of recordation of the Covenant Agreement(s). The Applicant shall reimburse the City for all legal costs incurred by the City associated with implementation of and/or compliance with this condition.

The Covenant Agreement(s) shall:

- a. Run with the land and be binding upon all current and future owners and tenants of any portion the Subject Property and their respective heirs, successors, and assignees;
- b. Evidence and provide record notice of the approved precise plan for development of all portions of the Subject Property as depicted on the plans and specifications submitted to the City in conjunction with this Permit;
- c. Require all portions of the Subject Property to be developed, used, and maintained in a manner consistent with this Permit, as it may be amended from time to time, and the pertinent specifications and standards contained in these Conditions of Approval, and the City's Development Code;
- d. Provide for, or reference and incorporate, all current or future reciprocal access and parking easements between and amongst the various parcels on the Subject Property that are necessary to implement this Permit, including the shared parking for the residential uses on Lots 2

and 3 and all fire lanes as required by the Orange County Fire Authority (OCFA);

- e. Establish maintenance standards acceptable to the City for all exterior Project components and areas of the Subject Property and adjacent portions of the right-of-way which Applicant is required to maintain pursuant to these Conditions, including, but not limited to, vehicular, bicycle and pedestrian facilities, parkways, parking facilities, open spaces, landscape areas, furniture and shade structures, signage, utilities, sanitary sewer facilities, and storm water drainage devices, and provide for the allocation of responsibility for maintenance of such components and areas in compliance with such standards and the funding thereof;
- f. Include provisions identifying an entity or entities responsible for ongoing implementation and funding of the Operations and Maintenance (O&M) Plan associated with the Water Quality Management Plan (WQMP) for the Project and compliance with the LHMC Chapter 5-36 and other applicable National Pollutant Discharge Elimination System (NPDES) regulations;
- g. Provide that the Covenant Agreement may not be substantively amended or terminated without prior written City approval;
- h. Provide that the City may, but shall not be obligated to, enforce the provisions of the Covenant Agreement; and
- i. Address and assign responsibility for compliance with Covenant Agreement should portions of the Subject Property be, or in the future come, under separate ownership.

If and to the extent any of these required provisions are included and addressed in CC&Rs approved by the City pursuant to Condition No. 29, they need not be separately included or addressed in a Covenant Agreement, and a Covenant Agreement may provide for the release of any covenant included in the Covenant Agreement upon recordation of CC&Rs that include and address the requirement.

#### PROTECTION OF TRIBAL CULTURAL RESOURCES: GABRIELENO BAND OF MISSION INDIANS – KIZH NATION

103. Retention of Tribal Monitor. The Gabrieleno Band of Mission Indians – Kizh Nation (“Kizh”) shall designate a monitor. (“Kizh Monitor”) The Kizh Monitor will be retained by the Applicant prior to the commencement of any ground-disturbing activity. As used herein, “ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, boring, grubbing, tree removal, grading, excavation, drilling, and trenching,



104. Site Access and Safety. The Kizh Monitor shall comply with the Applicant's reasonable site access and workplace safety requirements.
105. Compensation. The Applicant shall compensate the Kizh Monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for tribal cultural resource monitoring, taking into account the scope and duration of the Project.
106. Avoidance of Tribal Cultural Resources. The Applicant shall avoid tribal cultural resources where feasible, consistent with Public Resources Code (PRC) section 21084.3(a) and 21083.2(b). Where feasible, the Applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.
107. Treatment of Tribal Cultural Resources. All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner consistent with PRC Section 21083.9.
108. Records Search. A California Historical Resources Information System archaeological records search and a tribal cultural records search shall be completed for the Project site.
109. Sacred Lands Inventory. A Sacred Lands Inventory request shall be submitted by the Applicant to the Native American Heritage Commission.
110. The Applicant shall comply with Section 7050.5 of the Health and Safety Code and Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.
111. The Applicant shall apply tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific, environmental context and conditions of the project.

PROTECTION OF TRIBAL CULTURAL RESOURCES: PAUMA BAND OF LUISENO MISSION INDIANS ("PAUMA"):

112. The Applicant shall promptly notify Pauma of any inadvertent discoveries of potential tribal resources, sacred sites, or ancestral remains, if there are any

during ground disturbing activities.

PROTECTION OF TRIBAL CULTURAL RESOURCES: GABRIELENO BAND OF MISSION INDIANS – JUANEÑO BAND OF MISSION INDIANS, ACJACHEMEN NATION

113. Retention of Tribal Monitor. The Juaneno Band of Mission Indians, Acjachemen Nation, shall designate a monitor. (“JBMIAN Monitor”) The JBMIAN Monitor will be retained by the Applicant prior to the commencement of any ground-disturbing activity. As used herein, “ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, boring, grubbing, tree removal, grading, excavation, drilling, and trenching.
114. Monitoring Locations and Frequency. The JBMIAN Monitor shall monitor during ground-disturbing activities in the following locations: (i) within the Project site boundary and (ii) off-site within areas previously identified by JBMIAN as containing potential JBMIAN tribal cultural resources. JBMIAN shall not rotate monitoring responsibilities with other tribes. The frequency and duration of tribal monitoring shall be determined by the JBMIAN Monitor and shall occur as necessary, based on the nature, location, and intensity of ground-disturbing activities and the potential for impacts to tribal cultural resources. JBMIAN has indicated an intent to monitor approximately 2–3 days per week or half days, depending on the tribal resources identified, if any.
115. Monitoring Agreement. Prior to the commencement of any ground-disturbing activity, the Applicant and JBMIAN shall execute a written agreement memorializing the roles, authority, and responsibilities of JBMIAN during ground-disturbing activities, including, at a minimum, (i) protocols in the event of an unanticipated discovery of tribal cultural resources, including procedures for documenting discoveries at the time they occur, treatment measures taken, and confirmation that work did not resume until treatment was completed; (ii) protocols for documenting tribal disposition decisions for recovered resources, including reburial, return, or other treatment; (iii) confidentiality provisions for the location and nature of discovered tribal cultural resources; and (iv) recordkeeping requirements, including monitoring logs and consultation records. A copy of this written agreement shall be submitted to the City prior to any ground-disturbing activities.
116. Compensation. The Applicant shall compensate the JBMIAN Monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for tribal cultural resource monitoring, taking into account the

scope and duration of the Project.

117. Coordination and Meetings. Good faith coordination before and during ground-disturbing activities shall occur between the JBMIAN Monitor and the Applicant. A joint construction meeting shall be conducted between the Applicant and the JBMIAN Monitor prior to the commencement of ground-disturbing activities to coordinate anticipated construction and monitoring.
118. Site Access. The JBMIAN Monitor on the Project site shall comply with the Applicant's reasonable site access and workplace safety requirements.
119. Avoidance of Tribal Cultural Resources. The Applicant shall avoid tribal cultural resources where feasible, consistent with Public Resources Code (PRC) section 21084.3(a) and section 21083.2(b). Where feasible, the Applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes. All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner.
120. Discovery of Tribal Cultural Resources (Non-Human Remains). Upon discovery of any tribal cultural resources other than human remains, the JBMIAN Monitor and the Applicant shall jointly determine if preservation of the resource in place is feasible. If preservation in place is not feasible, the JBMIAN Monitor will recover and retain the tribal cultural resource. The decision to preserve in place or recover a resource shall occur expeditiously (approximately fifteen to twenty minutes).
121. Discovery of Human Remains. Upon discovery of human remains or burial grounds, all construction activities within a 100-foot radius of the discovery shall be halted or redirected until the discovery can be evaluated by the JBMIAN Monitor. The Applicant shall comply with Health and Safety Code Section 7050.5 and Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law. The location and nature of discovered human remains or burial grounds shall be kept confidential to the extent permitted by law to prevent further disturbance.
122. Tribal Ceremonies and Blessings. If desired by JBMIAN, the Applicant shall accommodate tribal ceremonies or blessings safely and respectfully prior to and/or during construction, as requested by JBMIAN. Records of coordination and confirmation that such ceremonies or blessings were accommodated shall be maintained by JBMIAN.

123. Documentation of Tribal Cultural Resources. Documentation of recovered tribal cultural resources, including descriptions and records of discoveries, shall be prepared and submitted by the JBMIAN Monitor to the City if desired by JBMIAN.
124. Conclusion of Monitoring and Final Report. Tribal monitoring shall conclude upon the earlier of the following: a) written confirmation from JBMIAN that all ground-disturbing activities have been completed; or b) written confirmation from the City that all ground-disturbing activities have been completed. JBMIAN shall submit a written report to the City at the conclusion of ground-disturbing activities summarizing the results of tribal monitoring and documenting any tribal cultural resources identified or recovered, if desired by JBMIAN.
125. Records Search. A California Historical Resources Information System archaeological records search and a tribal cultural records search shall be completed for the Project site.
126. Sacred Lands Inventory. A Sacred Lands Inventory request shall be submitted by the Applicant to the Native American Heritage Commission.

#### HAZARDOUS SUBSTANCES

127. The Applicant and Project shall be subject to the following required Conditions pursuant to subdivision (c)(1) of Section 21080.66 of the Public Resources Code:
  - a. The Applicant shall complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.
  - b. If a recognized environmental condition is found, the Applicant shall complete a preliminary endangerment assessment, as defined in Health & Safety Code Section 78095, prepared by a qualified environmental assessor to determine the existing of any release of a hazardous substance on the site and to determine if the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
  - c. If a release of a hazardous substance is found to exist on the Project site, no Certificate of Use and Occupancy shall be issued until the Applicant provides satisfactory evidence to the City that the release has been removed or any effects of the release have been mitigated to levels

required by current federal and state statutory and regulatory standards.

- d. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, no Certificate of Use and Occupancy shall be issued until the Applicant provides satisfactory evidence to the City that the effects of the potential exposure have been mitigated to levels required by current federal and state statutory and regulatory standards.

APPLICANT ASSISTANCE PER NOT NET LOSS LAW

133. Pursuant to Government Code section 65863(e), Applicant has offered and agrees to reimburse the City in an amount not to exceed \$50,000 for costs incurred by the City to identify, rezone, and/or make available additional adequate sites to accommodate the City's share of the regional housing need by income level pursuant to Government Code section 65863(c)(2). Such reimbursement shall be made by Applicant within 30 days of written request by City following City's incurring said costs.

PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of February 2026.

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Don Caskey, Chair

ATTEST:

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Jennifer Lee, City Clerk

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) ss  
CITY OF LAGUNA HILLS   )

I, Jennifer Lee, City Clerk of the City of Laguna Hills, California, DO  
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution  
No. PA2026-02-26-X adopted by the Planning Agency of the City of Laguna Hills,  
California, at a Regular Meeting thereof held on the 24<sup>th</sup> day of February 2026, by the  
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

---

Jennifer Lee, City Clerk

**Subject:** FW: Alicia Parkway/Aliso Hills Drive Storage Lot

-----Original Message-----

From: Teresa Hillis <hillis4fam89@sbcglobal.net>  
Sent: Tuesday, February 24, 2026 3:59 PM  
To: Jennifer Lee <jlee@lagunahillsCA.gov>  
Subject: Alicia Parkway/Aliso Hills Drive Storage Lot

Sent from my iPhone

Dear Jennifer,

I was told by Patricia Thee you could pass on a concern of mine to the City Council.

My concern is the on-going practice of construction vehicles (and receptacles and such) being stored at the vacant lot at the corner of Alicia Parkway and Aliso Hills Drive. I realize there's limited vacant lots in our city, but there must be another place to park these vehicles besides the entrance to my neighborhood.

I appreciate your help passing this concern onto the City Council.

Thank you,  
Teresa Hillis  
24611 La Cienega St.  
Laguna Hills

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[https://us1.proofpointessentials.com/app/report\\_spam.php?mod\\_id=11&mod\\_option=logitem&report=1&type=easyspam&k=k1&payload=53616c7465645f5f9332f0fd07bd37174690e7fab41232439a2bcbcb748bf35ee93624ea580c01d30a1ce9a015f48d0e36ec55cec675b897bdb02829702af1fc55b2e9b50be8b546ddc0b408e8ace376107eed54bf7ddede09f9c6e890cf182400c8547083d063757ee5ed13de5301e0c0295bd16bf5295362c1162f438b9c7710388d9477cd7135fc57ac97d9679e1497431771b855ea3a1602e92783fd0580f](https://us1.proofpointessentials.com/app/report_spam.php?mod_id=11&mod_option=logitem&report=1&type=easyspam&k=k1&payload=53616c7465645f5f9332f0fd07bd37174690e7fab41232439a2bcbcb748bf35ee93624ea580c01d30a1ce9a015f48d0e36ec55cec675b897bdb02829702af1fc55b2e9b50be8b546ddc0b408e8ace376107eed54bf7ddede09f9c6e890cf182400c8547083d063757ee5ed13de5301e0c0295bd16bf5295362c1162f438b9c7710388d9477cd7135fc57ac97d9679e1497431771b855ea3a1602e92783fd0580f)



January 14, 2026

Dear Laguna Hills City Council Members,

On January 9, 2025 we met with your consulting group to review proposed plans for development of approximately 480 units on Mill Creek Drive in Laguna Hills, California. Based on the information presented to us, we strongly support the project.

Thank you for your consideration of our concerns related to potential traffic increase along Mill Creek Drive, and its possible impact on student safety. We understand traffic mitigation and safety considerations should also be coordinated with local law enforcement and relevant agencies.

Additionally, thank you for your support in maintaining no-parking zones along Mill Creek Drive, minimizing parking congestion and maintaining traffic flow critical to our school's operations.

We appreciate the opportunity to review and discuss this project, and look forward to our new neighbors.

Sincerely,



Bill Bermingham  
Executive Director  
New Vista School



**From:** Erik Dunkelberg <erikdunk@yahoo.com>  
**Sent:** Saturday, February 14, 2026 10:47 AM  
**To:** Public Comments  
**Subject:** Opposition to Proposed Kingsbarn Capital and Development Residential Project at Mill Creek Drive and Ridge Route Road (Hearing Date: 2/24/2026)

To Whom It May Concern:

I am writing in response to a letter you sent regarding "Vesting Tentative Tract Map / Site Development Permit / Precise Plan / Conditional Use Permit / Parking Use Permit, a request by Kingsbarn Capital and Development, LLC, for approval of a residential development project...at the intersection of Mill Creek Drive and Ridge Route Road." The public hearing for this project is currently scheduled for February 24, 2026.

Since my wife and I are unable to attend the hearing, we would like to voice our opposition to this project here. We have been residents of nearby Laguna Village for ten years. Our home is directly across from the proposed building site (we are on the other side of Mill Creek Drive).

While we understand the City's desire to provide more housing, we believe that the proposed six story building and number of units would adversely affect the area. Wholly out of alignment with the other buildings and structures in the vicinity, a six story building would lessen property values for many of the area's residents. In addition, the area is incapable of accommodating the added congestion wrought by a community of that size.

We realize that the developer wants the maximum return on their investment, but we urge the City to consider the detrimental impact of this project. If it is not possible to select a different location, perhaps reducing the number of stories and/or number of units in the community are viable options.

Respectfully,

Erik Dunkelberg

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**From:** Sherri Snyder <snydersherri@gmail.com>  
**Sent:** Sunday, February 15, 2026 11:18 AM  
**To:** Public Comments  
**Subject:** Opposition to Proposed Kingsbarn Residential Project at Mill Creek Drive and Ridge Route Road (Public Hearing Date: 2/24/2026)

To Whom It May Concern:

I received the City's notice regarding the 2/24/2026 public hearing for a "request by Kingsbarn Capital and Development, LLC, for approval of a residential development project...at the intersection of Mill Creek Drive and Ridge Route Road."

I am a resident of Laguna Village (my home is located along Mill Creek Drive, directly across from where this community would be built). This proposed development deeply concerns me and my neighbors, and I would like to express opposition to it.

Firstly, the area is by no means capable of handling the congestion and resultant stress that a 480-unit community would place upon it, particularly when one considers that other such communities are concurrently being considered along Mill Creek Drive and in the surrounding area.

In addition, our property values, which have already been adversely impacted by the California insurance crisis, will plummet. Aside from the significant increase in traffic, all of the residents on my side of my community (encompassing nine streets) will lose their beautiful mountain views (a real estate agent estimated that this loss alone will equate to around \$20,000 to \$30,000 in value per household). What's more, those of us living on the three streets closest to this proposed six-story community will literally live in the shadow of it, not seeing the sun until around midday each day.

Many of us here in Laguna Village are furthermore very concerned about the environmental pollution (sound, air, etc.) such a large community would cause. As you surely know, our area is close to several vulnerable wildlife habitats. Since you note in your abovementioned hearing notice that the applicant (Kingsbarn Capital and Development) "has requested that the Planning Agency determine that the proposed project is exempt from review under the California Environmental Quality Act," my neighbors and I have concluded that this proposed development will violate the environmental safeguards provided for by law. We therefore urge you to honor and preserve the safety and integrity of our living environment.

In conclusion, my neighbors and I call upon you to find an alternative location for this community.

Sincerely,  
**Sherri Snyder**

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**From:** sachadelane <sachadelane@aol.com>  
**Sent:** Monday, February 16, 2026 8:53 AM  
**To:** Public Comments  
**Subject:** February 24th, 2026 Planning Agency Public Hearing - Terravita

Hello. Regarding Terravita plans for 24411 Mill Creek Road. I live opposite in Laguna Village and overlook the proposed development. I am writing to say that I approve the plans for duplexes and triplexes and one multi-family block, for Terravita Plan Set dated 01 | 17 | 2025.

Thank you,

Sacha McCrae  
23396 Caminito Juanico, Laguna Hills CA 92653

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**From:** Mike Chambers <powerchek@aol.com>  
**Sent:** Monday, February 16, 2026 11:37 AM  
**To:** Public Comments  
**Subject:** Mill Creek Drive Proposed Development

## **Subject:** Mill Creek Drive Proposed Development

I have been a home owner in Laguna Village for 17 years. I love it here primarily for the beautiful, quiet environment and wildlife refuge adjacent to my home.

I know the City of Laguna Hills is mandated to add residential density to our city. Two years ago, when this proposed development was presented, I perused through the city documents and made myself aware of this new proposal at the Mill Creek Drive area. I can see this might be a good area to develop. However, I see that the developer wants to add **800** Units to this area.

I believe we are talking about 12 acres. I read in the City's documents that the default density for housing units per acre is 30 units per acre. In using that calculation, it would mean 360 units would be the maximum default. Therefore, I believe a proposed 800 units for that area would extremely overwhelm the density of this beautiful area of Laguna Hills. As not only would the air quality, traffic, and sound level adversely affect the residents in the area, but the sensitive wildlife adjacent to the new development would suffer as well.

It's obvious that the "applicant" knows they exceed these limits, as they are requesting to be exempt! (Per their statement under "Environmental").

My question: Why have city guidelines if they are not going to be followed?

**I strongly recommend you consider these things as you move forward, and decline the massive density they are asking.**

(On 3/26/2024 3:15:48 PM Pacific Daylight Time I sent a similar email to Larry Longenecker, AICP | Community Development Director. Here was his response back to me:

Hello Mr. Chambers, thank you for the thoughtful comments, which will also be forwarded to the City Council for consideration.)

Thank you for your consideration,

Sincerely,

Michael Chambers

22212 Caminito Escobedo,

Laguna Hills, 92653

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**Subject:** FW: Terravita project  
**Attachments:** Lakehills letter to City.pdf

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**From:** Robert Dolley <[rldsuftrl6@yahoo.com](mailto:rldsuftrl6@yahoo.com)>  
**Sent:** Wednesday, February 18, 2026 12:58 PM  
**To:** Jennifer Lowe <[jlowe@lagunahillsCA.gov](mailto:jlowe@lagunahillsCA.gov)>  
**Subject:** Terravita project

Good afternoon,

Please see the attached letter in suport of the Terravita project on Ridge Route Dr. & Mill Creek.  
Thanks,

Robert L. Dolley

LAKEHILLS PROPERTIES, LLC  
P.O. Box 444  
Tustin, Ca. 92781  
PH. 714-322-3482  
RLDSURFTRL6@YAHOO.COM

January 16, 2026

Laguna Hills City Council Members,

I am writing to express my support for the Terravita project being developed by Kingsbarn Capital & Development at Mill Creek and Ridge Route Drive. I am the Managing Member of Lakehills Properties, LLC which owns 24401 Ridge Route Dr.( next door) I understand the project will be priced for first time home buyers and young families which will bring and economic benefit and new life to Laguna Hills and the surrounding areas. My partners and I are excited to see this new project next door.

I hope you will vote to support the project when it is heard at the February 24 City Council meeting.

Sincerely,  
LAKEHILLS PROPERTIES, LLC

by:   
Robert L. Dolley

## Kayle McDonald

---

**From:** Deirdre Spalding <dcspalding@hotmail.com>  
**Sent:** Thursday, February 19, 2026 7:58 PM  
**To:** City Council  
**Cc:** Public Comments  
**Subject:** 02/24/26 Agenda Item #5.5.1 Support for Terravita Residential VTTM - Bringing New Homes to Laguna Hills

Dear Honorable City Council Members,

As a homeowner and member of the Laguna Hills community for 30 years I am writing to express my strong support for the proposed Terravita residential development. The proposed site plan offers housing options for individuals and families at all income levels, featuring thoughtfully designed homes. Most importantly, Terravita will allow young families the opportunity to buy new attainably priced homes within the city where they were raised.

The Terravita project addresses the urgent need for additional housing and will help to strengthen the vibrancy of Laguna Hills. I hope that the City Council will vote to support and expeditiously move forward this development.

Thank you for your consideration.

Best regards,

Deirdre Spalding  
(949) 290-1973  
[dcspalding@hotmail.com](mailto:dcspalding@hotmail.com)  
25072 Buckboard Lane  
Laguna Hills, CA 92653

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Fighting for a future of abundant housing in Orange County.  
peopleforhousing.org

Planning Agency  
City of Laguna Hills  
24035 El Toro Road  
Laguna Hills, CA 92653

February 22, 2026

**RE: Support for Terravita (VTM/SDP/CUP/PP/PUP No. 0209-2025)**

Dear Chair and Members of the Planning Agency:

On behalf of People for Housing OC, I am writing to express our strong support for the Terravita residential project proposed at 23272–24461 Mill Creek Drive. This 18.5-acre site—currently developed as an aging office park—is precisely the type of underutilized commercial property that communities across Orange County are reimagining to address our region’s severe housing shortage. Converting obsolete office space into much-needed homes is smart land use policy, fiscally responsible, and aligned with the long-term vision the City adopted in its Housing Element.

Terravita will deliver 480 new homes in a city that, like the rest of Orange County, faces extraordinary pressure from rising housing costs and limited supply. These homes will allow families, young professionals, essential workers, and seniors to remain in or move to Laguna Hills rather than being pushed further from jobs and community. Importantly, the project also includes 24 very low-income units—housing that is critically scarce across the region and deeply needed by our lowest-income neighbors.

This site is not being converted from open space or established residential neighborhoods. It is being redeveloped from a low-density office complex that the City has already identified as suitable

for housing in its Housing Element. Repurposing this land for residential use reflects thoughtful planning and a recognition that the needs of today's community differ from the land use patterns of decades past.

Orange County continues to experience a significant housing deficit, particularly for entry-level homeownership and rental opportunities. When cities thoughtfully redevelop underutilized commercial sites near services and transportation corridors, they create opportunities for more residents to live closer to jobs, schools, and amenities—strengthening both the local economy and community stability.

Terravita represents an opportunity for Laguna Hills to contribute meaningfully to regional housing supply while revitalizing a large, aging commercial property. We respectfully urge the Planning Agency to approve this project and help move these much-needed homes forward.

Thank you for your consideration.

Sincerely,

Elizabeth Hansburg  
Cofounder & Director



## Kayle McDonald

---

**From:** Richmond Corporation <richmontcorp@aol.com>  
**Sent:** Thursday, February 19, 2026 4:21 PM  
**To:** Public Comments  
**Cc:** Steve Dzida  
**Subject:** VTTM / SDP / PP / CUP / PUP No. 0209-2025: Public Hearing (02/24/26) - Richmond Corporation  
**Attachments:** 2026\_02\_19\_26\_richmont\_city\_of\_laguna\_hills\_vttm\_sdp\_pp\_cup\_pup\_no\_0209-2025.pdf

Hello,

Attached please find a letter from Richmond Corporation in reference to VTTM / SDP / PP / CUP / PUP No. 0209-2025. We would like to make sure that Richmond will be allotted time to speak at the public hearing about the concerns outlined in this letter.

Below please find the contact information for Richmond's counsel:

**Steven J. Dzida**  
**Dzida, Carey & Steinman**  
**3 Park Plaza, Suite 750**  
**Irvine, CA 92614**  
**Phone: 949/399-0363**  
**Fax: 949/399-0361**  
**e-mail: [sdzida@dcsllaw.com](mailto:sdzida@dcsllaw.com)**

If you have any questions, or require any additional information, please do not hesitate to give me a call.

Thank you very much!

Rykk

---

## **RICHMONT CORPORATION**

### *Property Management*

23330 Mill Creek Drive | Suite 100

Laguna Hills | California | 92653

**TEL** | 949.859.6012 **FAX** | 949.859.1760

**EMAIL** | richmontcorp@aol.com

# **RICHMONT CORPORATION**

*Asset Management*

23330 MILL CREEK DRIVE, SUITE 100, LAGUNA HILLS, CALIFORNIA 92653

Tel. (949) 859-6012 Fax (949) 859-1760

City of Laguna Hills  
Planning Agency  
24035 El Toro Road  
Laguna Hills, California 92653  
Attention: City Clerk

Re: **VTTM / SDP / PP / CUP / PUP No. 0209-2025**

To Whom It May Concern::

Richmont Corporation ("**Richmont**") is the owner of Parcel 6 of Parcel Map No. 98-191 ("**Parcel 6**"), which adjoins the property which is the subject of the referenced project ("**Proposed Project**"). Parcel 6 and the Proposed Project presently constitute Lakehills Corporate Park ("**Lakehills**"). The applicant for the Proposed Project ("**Applicant**") and Richmont are in serious disagreement about many aspects of the Proposed Project and the entitlements Applicant seeks from the City. Richmont objects to the Proposed Project and urges the City of Laguna Hills ("**City**") to disapprove the subject applications.

If the City approves the subject applications, it is our client's current intent to institute appropriate legal proceedings to block the Proposed Project. Such proceedings are likely to involve the City in protracted litigation which would at least delay completion of the development of the Proposed Project and more likely send the Proposed Project back to square one for the following reasons:

- 1) There are serious CEQA issues which must be addressed.
- 2) The waivers Applicant seeks from the City are inappropriate.
- 3) Some critical Proposed Project entitlements would require the consent and participation of Richmont, which Richmont is unwilling to give.

This letter is not the proper forum to discuss the CEQA and waiver issues facing the City and Applicant. Suffice for us now to discuss why Applicant's rush to shove the Proposed Project down Richmont's throat violates applicable law and property restrictions encumbering Lakehills ("**Revised CC&Rs**") and property rights held by Richmont. The serious disagreement between Applicant and Richmont on these issues, if not resolved by agreement of Applicant and Richmont, can only be resolved by litigation.

Applicant intends to terminate the Revised CC&Rs or to let the Revised CC&Rs expire by their own terms. Even assuming that such a termination could be accomplished without Richmond's consent, Section 10.1 of the Revised CC&Rs provides that "[u]pon termination of this Declaration, the Association shall deed the Common Areas to the Owners as tenants in common, in equal shares, and the Association shall be dissolved." Applicant and Richmond are the "Owners" referred to in this Section. The Association (which owns the Parcel 7 Common Areas) must convey Parcel 7 to Applicant and Richmond "*in equal shares*." Applicant apparently intends to convey to Richmond only an undivided 5.37% share in Parcel 7. Given that there are only two Owners to receive this conveyance, how can this be "equal shares"?

Applicant seeks a lot line adjustment of the entire Lakehills project except for Parcel 6 owned by Richmond. Since after conveyance of Parcel 7 by the Association Richmond would have a fee interest in Parcel 7, such a lot line adjustment must be signed by Richmond. Richmond will not sign Applicant's proposed lot line adjustment. Even if Applicant succeeds in convincing a judge that 5.37% can somehow be considered "equal shares," Richmond's signature would still be required on the lot line adjustment.

After conveyance of Parcel 7 to the Owners "in equal shares," the Owners would then own Parcel 7 as tenants in common with rights to use the entirety of Parcel 7 in common with each other. The Proposed Project calls for multi-story residential buildings to be constructed in part on such Parcel 7. We presume that Applicant intends that its lot line adjustment would locate such residential buildings on the newly created separate lots. But since at least part of those separate lots used to be part of Parcel 7 and since Parcel 7 would then be owned by Applicant and Richmond as tenants in common, how would Applicant acquire Richmond's interest in such separate lots without Richmond's quitclaim of such interest to Applicant—a quitclaim Richmond will not sign? Perhaps Applicant intends to file an action for judicial partition of Parcel 7 after termination of the Revised CC&Rs. Unless Applicant is successful in such partition action, Applicant would not own all the fee interest in Lakehills necessary to build the Proposed Project. If Applicant is successful in getting a judgment for partition, Applicant still would not own all the fee interest in Lakehills necessary to build the Proposed Project unless Applicant is also successful in getting a judge to agree that 5.37% of Lakehills somehow constitutes "equal shares." Since basic math and English dictates otherwise and since Richmond would oppose such a ruling vigorously—good luck with that.

When Richmond acquired Parcel 6, the developer of Lakehills conveyed to Richmond in its grant deed "non-exclusive easements for access and parking and other rights more particularly described in" the Revised CC&Rs. Such easements included (but are not limited to) access, ingress, egress and parking easements over the entire portion of Lakehills designated as Common Areas. The Proposed Project contemplates large scale destruction of the Common Areas so designated and construction of permanent residential buildings on a large portion of the Common Areas so designated. Richmond does not consent to such destruction of improvements located on the Common Areas over which Richmond owns easements. Richmond does not consent to such construction of new improvements located on the Common Areas over which Richmond owns easements.

Applicant's lot line adjustment seems to provide for a parking area immediately adjacent to Parcel 6 which apparently is intended to provide Richmond sufficient parking to satisfy parking ordinances with respect to Parcel 6. But even if that is the case, will that leave Richmond with parking area that it must share with occupants of the Proposed Project? Does Applicant intend to quitclaim that parking area to Richmond? Applicant's lot line adjustment also leaves a narrow strip adjacent to Parcel 6 for a retaining wall and slope area. Does Applicant intend for Richmond to be responsible for maintenance of this area without contribution from Applicant—even though this area is of no practical use or value for Richmond?

The Association has been called upon, and will be called upon, to take actions necessary to make feasible Applicant's Proposed Project. Many of these actions are beneficial solely or primarily to Applicant and are materially detrimental to Richmond. Association actions already taken have been approved by Board members who are acting clearly as agents for Applicant instead of as fiduciaries with duties to the Association and ALL its members. Similarly, Association actions to be taken in furtherance of the Proposed Project, it must be presumed, will need to be approved by such Board members despite the serious, material and adverse impacts of such actions on Richmond, in obvious disregard of such Board members' duties as fiduciaries to ALL its members. For this reason, any expected litigation over these matters would also likely involve these Board members in their individual capacities.

Applicant seems to assert that the Revised CC&Rs have been amended such that Richmond's easements and other property rights have been eliminated or modified to accommodate the Proposed Project. Richmond did not consent to any such amendment of the Revised CC&Rs and does not concede that any such amendment is valid and enforceable. But even if such an amendment of the Revised CC&Rs is valid and enforceable, it cannot cause a forfeiture or reduction or relocation of Richmond's easements without Richmond's consent. The easements conveyed to Richmond by its grant deed (not by the Revised CC&Rs) included non-exclusive easements for parking over ALL the designated Common Areas in Lakehills. The Proposed Project apparently will locate a small number of parking spaces in the vicinity of Parcel 6 but the overall total number of parking spaces in the redesigned Common Areas available for use by Richmond and its tenants, subtenants and invitees would be substantially reduced. While it is possible for most rights and restrictions in the Revised CC&Rs to be modified without Richmond's consent, Richmond's easements (which are separate and distinct estates in land) conveyed to Richmond in its grant deed (not in the Revised CC&Rs) can only be modified or eliminated by an amendment of Richmond's grant deed, which obviously would require Richmond's concurrence. To hold otherwise would be to require Richmond to give up its valuable property rights for the benefit of Applicant without compensation.

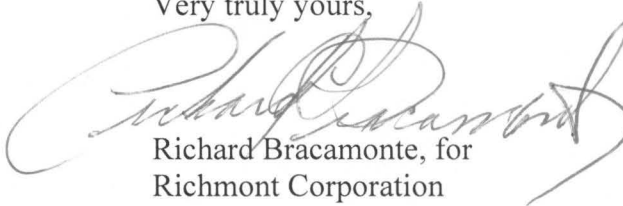
Richmont and Applicant had engaged in serious negotiations of a potential sale of Parcel 6 to Applicant. While such negotiations arrived at a price which at that time was mutually acceptable, Applicant insisted that Richmond agree to cooperate with Applicant's processing of entitlements and commit, sight unseen, not to oppose them. Richmond insisted that no approval by the City (including without limitation any conditions to such approval) would be binding on Richmond or Parcel 6 if Applicant failed to acquire Parcel 6. Applicant was unwilling to make such a reasonable commitment. Applicant was also unwilling to cooperate with Richmond on

accomplishing a tax-deferred exchange on terms reasonably acceptable to both parties. In the end no agreement could be reached.

In fact, litigation ensued which was ultimately dismissed *without prejudice* on account of the judge's ruling that the controversy was not yet ripe for consideration or decision. Applicant seems to assert that the dismissal of this litigation dispensed with all Richmond's contentions described above (and others) so that the City should feel at ease in proceeding with its approval of the Proposed Project. Applicant's assurances to the City about this litigation are misplaced and Applicant's representations about the effect of the judge's order are wrong. As a practical matter, the judge did NOT rule that Richmond's contentions were incorrect or unfounded. Rather, the judge's ruling said that Richmond's case was premature and not yet ripe for decision because there was not yet a project proposed for consideration. Richmond disagrees with this decision but, more importantly, the order was not at all a judgment on the merits of all Richmond's claims. Consequently, Richmond retains its privilege to file this case once again when a project materialized. That is what we now face with the Proposed Project. Unless the parties reach a mutually acceptable agreement (whether for purchase and sale of Parcel 6 or otherwise), Richmond expects to renew the legal proceedings against Applicant to preserve and protect Richmond's rights in Parcel 6 and Lakehills.

Again, Richmond urges the City to disapprove the applications for the Proposed Project or, at the very least, defer its decision until the numerous and substantive disputes between Richmond and Applicant can be decided in appropriate legal proceedings.

Very truly yours,



Richard Bracamonte, for  
Richmont Corporation

cc: Steven J. Dzida, Esq.

**Kayle McDonald**

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**From:**

**Sent:**

Thursday, February 19, 2026 8:36 PM

**To:**

Public Comments

Dear City Representatives,

I am writing to formally express my concerns regarding the Mill Creek Drive Proposed Development. As a homeowner in Laguna Village for the past 27 years, I deeply value the quiet nature of our neighborhood and its proximity to the adjacent wildlife refuge.

While I understand that the City of Laguna Hills is mandated to increase residential density, I am seriously concerned by the proposal for 800 units on approximately 12 acres. According to city documents, the default density is 30 units per acre, which suggests a maximum of 360 units for a site of this size. A development of 800 units would significantly overwhelm the area, adversely affecting air quality, traffic, and noise levels for residents, while also impacting the sensitive wildlife nearby.

It appears the applicant is aware that they are exceeding these limits, as they are requesting an exemption under the "Environmental" section of their statement. This raises the critical question of why city guidelines exist if they are not strictly followed.

I previously shared these concerns with Larry Longenecker, Community Development Director and was informed that my comments would be forwarded to the City Council. I strongly urge you to consider these points and decline the density level currently being requested for this project.

Thank you for your time and consideration of this matter.

Sincerely,

Michelle Cammaressi

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**Kayle McDonald**

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**From:** KEVIN SCHOTT <kevins91@cox.net>  
**Sent:** Saturday, February 21, 2026 12:49 PM  
**To:** Public Comments  
**Subject:** Mill Creek proposed development

**Dear City Representatives,**

**I am writing to formally express my worries regarding the Mill Creek Drive Proposed Development. As a homeowner in Laguna Village for the past eight years, I love and value the quiet of our neighborhood and its proximity to the adjacent wildlife refuge.**

**While I understand that the City of Laguna Hills is mandated to increase residential density, I am seriously concerned by the proposal for 800 units on approximately 12 acres. I've learned, according to city documents, the default density is 30 units per acre, which suggests a maximum of 360 units for a site of this size. A development of 800 units would significantly overwhelm the area, adversely affecting air quality, traffic/parking, and noise levels for residents, while also impacting the sensitive wildlife nearby.**

**It appears the applicant is aware that they are exceeding these limits, because they are requesting an exemption under the "Environmental" section of their**

**statement. This raises the critical question: Why city guidelines exist if they are not strictly followed?**

**Thank you for your time and I hope you'll consider this matter.**

**Sincerely,  
Donna Schott**

[Sent from Yahoo Mail for iPhone](#)

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## Kayle McDonald

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**From:** David Oslinker <djoslinker@yahoo.com>  
**Sent:** Sunday, February 22, 2026 6:44 PM  
**To:** Public Comments  
**Subject:** City Clerk-Hearing for Teravita project on 02/24/2026  
**Attachments:** Statement of Support for the Terravita Project two.pdf

Hello, I wish to submit this letter of support.  
Thank you

## **Statement of Support for the Terravita Project**

My name is David Oslinker, and my wife and I are residents of Laguna Hills at 23412 Caminito Salado, directly across the street from the proposed Terravita development by Kingsbarn. We would like to express our support for the current plans being presented.

One of our biggest concerns in the earlier proposal was the entrance and exit at 23382 Mill Creek Dr. which would have operated 24/7 and sits approximately 30 feet from our balcony. We are very grateful that Kingsbarn removed this access point in the updated plans. This change alone significantly reduces the impact on our home and quality of life.

We also appreciate that the overall project size has been reduced from 1,200 units to 480, with the largest building of the development shifted several hundred feet south rather than directly in front of us and the LVOA community. The location of this building also allows for a larger tree and landscape buffer. The inclusion of a park, along with a mix of housing types, contributes to a more balanced and community-oriented design. We also support the more even distribution of traffic flow between Ridge Route and Mill Creek.

If there is one suggestion we would offer, it would be to consider setting the buildings along Mill Creek back a few additional feet from the sidewalk, as they appear somewhat close to the street in the current renderings. However, this is a minor concern compared to the many improvements already made.

Overall, Kingsbarn has put forward a much more reasonable, attractive, and community-minded project—one that we believe will benefit the surrounding neighborhood as well as the city as a whole,

Thank you for the opportunity to share our perspective. We appreciate your service to the Laguna Hills community.

## Kayle McDonald

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**From:** Tinkerbear Camm <tinkerbearcam@gmail.com>  
**Sent:** Thursday, February 19, 2026 9:01 PM  
**To:** Public Comments

Dear City Representatives,

As a Laguna Village homeowner of 12 years, I am writing to formally oppose the Mill Creek Drive Proposed Development. While I recognize the mandate for increased residential density, the proposal for 800 units on 12 acres significantly exceeds the city's default density of 30 units per acre, which should limit the site to 360 units.

This overdevelopment would adversely affect traffic, air quality, and noise levels while threatening the adjacent wildlife refuge. Given that the applicant is seeking an environmental exemption to bypass these established density limits, I urge the City to uphold its guidelines to protect the integrity of our neighborhood and local environment.

Thank you for your consideration.

Sincerely,  
Brian Rocha

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**From:** Public Comments  
**Subject:** FW: Concerns Regarding Density and Community Impact – Mill Creek Drive Project

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**From:** Judy Denton <judy1denton@gmail.com>  
**Sent:** Thursday, February 19, 2026 10:51 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Concerns Regarding Density and Community Impact – Mill Creek Drive Project

Dear Mayor, City Council Members, and City Manager of Laguna Hills,

I am a homeowner and resident of Laguna Village for 23 years, where I have raised my family. Over the decades, our community has treasured its quiet character, scenic surroundings, and strong sense of neighborly connection. We take pride in caring for this neighborhood and preserving the quality of life that makes it so special.

I respectfully submit my concerns regarding the proposed 800-unit development at Mill Creek Drive and Ridge Route Road. At 30 units per acre, this site would allow approximately 360 units. An 800-unit project more than doubles that standard. This density could place significant strain on infrastructure, increase traffic congestion, impact pedestrian and emergency access, generate noise, and raise air pollution — potentially altering the character of Laguna Village and affecting nearby wildlife.

I also note that the project applicant has requested that the Planning Agency determine the proposed project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.66, as stated in the public notice. I respectfully request clarification on how such an exemption aligns with the City's obligation to consider both housing requirements and the quality of life of existing residents.

These concerns are based on the project details available on the City of Laguna Hills Residential Development Project Documents page (Case No. USE-0211-2025). I encourage the Council and City staff to review this information carefully.

Responsible growth must also be equitable growth. I respectfully ask that modest, long-established communities like Laguna Village are not disproportionately affected by impacts that would not be accepted elsewhere in the city.

Thank you very much for your time and thoughtful consideration.

Sincerely,  
Judy Denton  
Homeowner and Laguna Village Resident

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**From:** Public Comments  
**Subject:** FW: Residential Development Proposal

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**From:** Lindsay Galloway <lindsaybgalloway@gmail.com>  
**Sent:** Monday, February 23, 2026 2:15 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Residential Development Proposal

The 480 units with mixed attached single family homes, condos and apartments across Ridge Route from the old DMV site is NOT in our towns best interest. .. Although low income housing is helpful, not when it is a detriment to the hardworking, tax paying homeowners. You are risking their view rights to the local mountains.

Ridge Route & Mill Creek are not meant for 1000 new vehicles .The proposed increase of max 65 vs the buildings now at around 25 feet is staggering. Again it infringes of the views of the people who have enjoyed them for many years, while increasing local congestion .Please rethink and minimize this project. I represent many voices. You may read this at tonight's meeting

Thanks

Lindsay Galloway

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**From:** Public Comments  
**Subject:** FW: Mill Creek Drive Proposed Residential Development

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**From:** Rosaleen Ramirez <ramirez\_rnr@yahoo.com>  
**Sent:** Monday, February 23, 2026 2:26 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Mill Creek Drive Proposed Residential Development

To Whom This May Concern,

I have been a resident of Laguna Hills for 35 years and a homeowner in Laguna Village for 6 of those years. I moved into Laguna Village six years ago primarily for the beautiful, quiet and tranquil environment. The area in which Laguna Village sits is ample enough without feeling too overwhelming, not too many businesses in the immediate area but also not too far where we couldn't get to where we need to be in reasonable time.

I know the City of Laguna Hills is mandated to add residential density to our city and I can understand why the developer might find Mill Creek Drive a good area for housing development. I'm also aware that the developer would like to add multiple housing units to said area. I believe multiple proposed units for that area would extremely overwhelm the density of this beautiful and tranquil area of Laguna Hills. Not only would the air quality, traffic, and sound level adversely affect the residents in the area (many of which are retired citizens), but the sensitive wildlife adjacent to the new development would greatly suffer, as well.

I'd also like to add that my condominium is located on the second-to-last street closest to Mill Creek Drive. One of the many reasons why I (as well as many of my neighbors) chose Laguna Village was for the incredible view. I believe that the proposed development would not only block our view of the very beautiful Saddleback Mountains, but it would also add unnecessary and excessive noise. Not to mention the negative effect this might have on our property values.

When my family and I moved to this city 35 years ago, we were moving from a very densely populated city of Santa Monica to the peaceful and sparsely populated city of Laguna Hills. I fret to think that this development will change the city in a way that is anything but beneficial to its residents.

I strongly urge and would appreciate if you could consider all points made.

Thank you for your consideration,  
Francisco Ramirez

[Sent from Yahoo Mail for iPad](#)

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**Greg Munck**

Lead Executive Pastor  
Crossline Community Church  
23331 Moulton Parkway  
Laguna Hills, CA 92653

February 7, 2026

City of Laguna Hills  
Community Development Department  
Attn: Jennifer Lowe, Community Development Director  
24035 El Toro Rd  
Laguna Hills, CA 92653

**Re: Letter of Support – Terravita Project (Mill Creek Dr & Ridge Route Dr)**

Mayor, City Council Members, and Community Development Team,

On behalf of Crossline Community Church, and as a longtime community leader in Laguna Hills, I am writing to express our support for the proposed Terravita project at the corner of Mill Creek Drive and Ridge Route Drive.

For the past 21 years, Crossline has been part of the Laguna Hills community. We have raised families here, served local schools, supported first responders, and walked alongside thousands of residents through every season of life. We care deeply about the health and future of this city.

This project is especially meaningful to us because it will be adjacent to our campus, where we have an established preschool and are currently planning an expanded after-school program to serve local families. We are committed to investing in the next generation, and housing opportunities that allow young families to put down roots in Laguna Hills directly strengthen that mission.

Laguna Hills is a special place to build a life, yet many families, teachers, and working professionals face increasing challenges in accessing attainable homeownership. A thoughtfully planned development that prioritizes for-sale housing, particularly for first-time buyers, represents a meaningful step toward addressing that need.

The Terravita project also presents an opportunity to:



- Provide attainable pathways to homeownership
- Support schools, public safety, and city services through increased revenue
- Revitalize an important corridor
- Incorporate open space that enhances the livability of the neighborhood

As a church deeply invested in the well-being of Laguna Hills, we believe thoughtful growth contributes to strong families and a strong city. From what has been presented, this project aligns with those values.

For these reasons, we respectfully encourage the City Council to vote in support of the Terravita project.

Thank you for your service and consideration.

May God richly bless you in all things,

Greg Munck  
Lead Executive Pastor, Crossline Community Church  
(949) 916-0250  
[gmunck@crosslinechurch.com](mailto:gmunck@crosslinechurch.com)

City of Laguna Hills

Community Development Department

Jennifer Lowe, Community Development Director

24035 El Toro Rd

Laguna Hills, CA 92653

February 20<sup>th</sup>, 2026

**Re: Terravita Project, Mill Creek Dr and Ridge Route Dr – Letter of Support**

Laguna Hills City Council Members,

My name is Terese Arthur and I am a 30-year-old registered nurse working in the Laguna Hills area. I am writing to share my support for the Terravita project proposed by Kingsbarn Capital & Development at the corner of Mill Creek and Ridge Route Drive.

As a healthcare professional who serves this community, I see firsthand how challenging it has become for working individuals and young families to find attainable housing. The addition of 480 housing units—many of which are designed as for-sale opportunities for first-time buyers—represents a meaningful step toward addressing the housing shortage in Southern Orange County and Laguna Hills specifically. Projects like this help ensure that nurses, teachers, first responders, and other essential workers have a realistic opportunity to live in the communities they serve.

Beyond meeting housing needs, the redevelopment of this site will contribute to the city's long-term economic health. New homeownership opportunities bring stability, strengthen neighborhoods, and generate important revenue that supports our local schools, public safety departments, and parks. As someone who cares deeply about the well-being of this community, I believe this investment will have lasting, positive impacts.

For these reasons, I respectfully encourage you to support the Terravita project when it comes before the City Council on February 24th. Thank you for your time, your leadership, and your continued commitment to the Laguna Hills community. Thank you for your time and consideration.

Sincerely,

Terese Arthur

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**Subject:** FW: Terravita Project- Letter of Support

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**From:** Tess Arthur <[tessarthur24@gmail.com](mailto:tessarthur24@gmail.com)>  
**Sent:** Tuesday, February 24, 2026 10:41 AM  
**To:** Jennifer Lowe <[jlowe@lagunahillsCA.gov](mailto:jlowe@lagunahillsCA.gov)>  
**Cc:** Kayle McDonald <[kmcdonald@lagunahillsCA.gov](mailto:kmcdonald@lagunahillsCA.gov)>  
**Subject:** Terravita Project- Letter of Support

City of Laguna Hills  
Community Development Department  
Jennifer Lowe, Community Development Director  
24035 El Toro Rd  
Laguna Hills, CA 92653

**Re: Terravita Project, Mill Creek Dr and Ridge Route Dr – Letter of Support**

Laguna Hills City Council Members,

My name is Tess Arthur and I am a 30-year-old registered nurse working in the Laguna Hills area. I am writing to share my support for the Terravita project proposed by Kingsbarn Capital & Development at the corner of Mill Creek and Ridge Route Drive.

As a healthcare professional who serves this community, I see firsthand how challenging it has become for working individuals and young families to find attainable housing. The addition of 480 housing units—many of which are designed as for-sale opportunities for first-time buyers—represents a meaningful step toward addressing the housing shortage in Southern Orange County and Laguna Hills specifically. Projects like this help ensure that nurses, teachers, first responders, and other essential workers have a realistic opportunity to live in the communities they serve.

Beyond meeting housing needs, the redevelopment of this site will contribute to the city's long-term economic health. New homeownership opportunities bring stability, strengthen neighborhoods, and generate important revenue that supports our local schools, public safety departments, and parks. As someone who cares deeply about the well-being of this community, I believe this investment will have lasting, positive impacts.

For these reasons, I respectfully encourage you to support the Terravita project when it comes before the City Council on February 24th. Thank you for your time, your leadership, and your continued commitment to the Laguna Hills community. Thank you for your time and consideration.

Sincerely,

Tess Arthur

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**Subject:**

FW: For the Record: Public Comment re: Terravita Development Project for 2/24/26  
Laguna Hills Planning Agency Meeting

**From:** Rona Henry <[rona.s.henry@gmail.com](mailto:rona.s.henry@gmail.com)>

**Sent:** Tuesday, February 24, 2026 10:58 AM

**To:** Public Comments <[publiccomments@lagunahillsCA.gov](mailto:publiccomments@lagunahillsCA.gov)>; Don Caskey <[dcaskey@lagunahillsCA.gov](mailto:dcaskey@lagunahillsCA.gov)>; Jared Mathis <[jmathis@lagunahillsCA.gov](mailto:jmathis@lagunahillsCA.gov)>; Erica Pezold <[epezold@lagunahillsCA.gov](mailto:epezold@lagunahillsCA.gov)>; Joshua Sweeney <[jsweeney@lagunahillsCA.gov](mailto:jsweeney@lagunahillsCA.gov)>; Dave Wheeler <[dwheeler@lagunahillsCA.gov](mailto:dwheeler@lagunahillsCA.gov)>; Jennifer Lowe <[jlowe@lagunahillsCA.gov](mailto:jlowe@lagunahillsCA.gov)>

**Cc:** Rev Jason Cook <[revtapestryuuorg@gmail.com](mailto:revtapestryuuorg@gmail.com)>; Ann Owens <[annowens@cox.net](mailto:annowens@cox.net)>; Ryan Lenney <[ryanallenney@gmail.com](mailto:ryanallenney@gmail.com)>; Sheryl Sterry <[stranggefruit@gmail.com](mailto:stranggefruit@gmail.com)>; Cesar Covarrubias <[cesarc@kennedycommission.org](mailto:cesarc@kennedycommission.org)>; Alejandra Perez Matus <[alejandrap@kennedycommission.org](mailto:alejandrap@kennedycommission.org)>

**Subject:** For the Record: Public Comment re: Terravita Development Project for 2/24/26 Laguna Hills Planning Agency Meeting

Dear Mayor Caskey, Mayor Pro Tem Mathis and Councilmembers Pezold, Sweeney and Wheeler,

I am writing on behalf of Welcoming Neighbors Home, a ministry of Tapestry Unitarian Universalist Congregation, which has members who live in Laguna Hills, regarding the Terravita project.

We note from the Staff Report that the location of the **Terravita Development** was identified in the certified Housing Element as having **realistic capacity to accommodate 689 lower-income units**. However, the proposed project includes **only 24 very-low-income units—just 5% of the 480 proposed units**.

As the Staff Report indicates, this reduction in lower-income capacity triggers an **overall No Net Loss deficit of 261 lower-income units**. It represents a measurable shortfall that now requires the City, within 180 days, to identify and make available additional adequate sites to accommodate the remaining unmet need.

The Terravita site represents a **MISSED OPPORTUNITY**. Had the City already implemented an inclusionary housing policy similar to the one that **Mission Viejo recently adopted**, which requires 15% of new units to be lower income (7.5% very-low income and 7.5% at low income), **this site would have contributed 72 lower income units to the City's RHNA goal instead of only 24.**

**Subject:** FW: LH Public Comment  
**Attachments:** Laguna Hills\_ Terravita Project.pdf

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**From:** Alejandra Perez Matus <alejandrap@kennedycommission.org>  
**Sent:** Monday, February 23, 2026 3:14 PM  
**To:** Jennifer Lee <jlee@lagunahillsCA.gov>; Kayle McDonald <kmcdonald@lagunahillsCA.gov>  
**Cc:** Cesar C. <cesarc@kennedycommission.org>; Kennedy C <kennedyc@kennedycommission.org>  
**Subject:** LH Public Comment

Hi,

On Behalf of The Kennedy Commission I am writing to submit a letter of public comment for the Planning commission meeting, Item number 1 under Planning Agency Public Hearings. Attached is the letter.

Best Regards,

**Alejandra Perez Matus**  
Project Manager



February 20, 2025

Planning Commission Chair  
Members of Planning Commission  
City of Laguna Hills  
24035 El Toro Road  
Laguna Hills, CA 92653

**RE: Terravita Project – Request for Minimum 15% Very-Low Income Units**

Dear Honorable Chair and Members of the Planning Commission,

The Kennedy Commission (the Commission) is a broad-based coalition of residents and community organizations that advocates for the production of homes affordable for families earning less than \$30,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with Orange County jurisdictions to create effective housing and land-use policies that have led to the new construction of homes affordable to lower-income working families.

We appreciate the opportunity to provide comments on the proposed Terravita project. As one of the largest housing developments proposed in the City this cycle and located on multiple identified Housing Element opportunity sites (Site IDs 81, 87, and 113), this project will play a pivotal role in determining whether Laguna Hills can meet its 6th Cycle Regional Housing Needs Allocation (RHNA)—particularly for very-low and lower-income households facing the most severe housing cost burdens.

**The Terravita Site Is Critical to the City’s Lower-Income RHNA Compliance**

Laguna Hills’ 6th Cycle **RHNA requires 921 lower-income units**. That obligation is not optional; it is a state-mandated requirement that must be accommodated through adequate site capacity and actual housing production. The Terravita site was identified in the certified Housing Element as having realistic **capacity to accommodate 689 lower-income units**. It was one of the most significant opportunity sites relied upon to meet the City’s lower-income allocation. However, the proposed project includes only 24 very-low-income units—**just 5% of the total 480 units that are seeking approval**. This represents a substantial reduction from the lower-income housing capacity anticipated for this site.

**No Net Loss and Citywide Implications**



This dramatic reduction in lower-income capacity triggers a No Net Loss deficit of 261 lower-income units, as stated in the staff report. That deficit is not a minor technicality. It represents a measurable shortfall that now requires the City, within 180 days, to identify and make available additional adequate sites to accommodate the remaining unmet need.

While the formal No Net Loss calculation reflects a 261-unit lower-income deficit citywide, it is important to recognize that this site alone was anticipated to accommodate 689 lower-income units. Delivering only 24 units significantly shifts the City's lower-income burden onto remaining sites and increases the difficulty of maintaining adequate capacity.

Approving a project of this scale with only 5% affordability on a key opportunity site significantly undermines the City's ability to maintain adequate lower-income site capacity. While state law prevents denial on No Net Loss grounds alone, it does not prevent the City from strengthening affordability requirements before approval. Larger, strategically located sites such as Terravita are typically the most viable locations for integrating meaningful affordability. When those sites do not help the city reach their housing goals, the City's capacity is reduced and compliance becomes more challenging.

### **Recommendation: Minimum 15% Very-Low Income Units**

The City has identified these properties as Housing elements sites and created an overlay for them, by doing so the city has increased the property value and enhanced the land use opportunities. In this particular case the developer has the opportunity to build housing on a property that is zoned for office space and commercial use. This advantage provides the developer with the benefit of greater profit. The city should receive a public benefit in exchange for the land use enhancements that are being provided through this process.

Given the scale of this project, its location on designated Housing Element sites, and the City's documented lower-income shortfall, we respectfully recommend that the Commission require a minimum of 15% very-low-income units as a condition of approval.

Fifteen percent of 480 units would yield 72 very-low-income homes—an outcome that would more proportionately reflect the site's intended contribution and materially reduce the City's lower-income deficit. Strengthening affordability at this stage would improve alignment between project approvals and the City's long-term housing obligations.

### **Policy Consideration: Inclusionary Housing Framework**

This project also underscores the broader policy challenge facing the City. In the absence of a local inclusionary housing ordinance, affordability outcomes are negotiated on a project-by-project basis. This approach creates uncertainty for developers, decision-makers, and

the community, and it often results in affordability levels that are inconsistent with the City's RHNA obligations.

The Commission continues to recommend that Laguna Hills evaluate the adoption of a local inclusionary housing ordinance that establishes clear, predictable affordability requirements for new residential development. A well-crafted inclusionary policy can:

- Assure 15% of developed units are affordable at low and very low Income categories
- Provide certainty and consistency for applicants
- Ensure that major redevelopment projects contribute proportionately to affordability
- Reduce the likelihood of future No Net Loss deficits
- Align project approvals with the City's adopted housing policies

As the City continues to process large-scale residential projects, now is an appropriate time to consider whether a formal inclusionary framework would better support long-term compliance and equitable housing production.

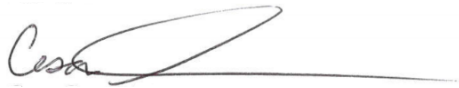
## **Conclusion**

Terravita represents one of the most consequential housing approvals of this planning cycle. Strengthening affordability to a minimum of 15% very-low-income units would demonstrate alignment between project approvals, RHNA obligations, and the City's adopted Housing Element strategy.

We urge the Planning Commission to incorporate this recommendation into its consideration of the project and to encourage broader policy discussions regarding inclusionary housing.

Thank you for your consideration of these comments. The Kennedy Commission remains available to collaborate with City staff and policymakers to support the City's housing objectives. Should you have any questions, please feel free to contact me at (949) 250-0909 or [cesarc@kennedycommission.org](mailto:cesarc@kennedycommission.org).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Cesar', followed by a long, horizontal, slightly wavy line that extends to the right.

Cesar Covarrubias  
Executive Director

**From:** Public Comments  
**Subject:** FW: Laguna Hills Terravita Project - Letter of Support

---

**From:** Cassie Cherry <cassiemcherry@gmail.com>  
**Sent:** Tuesday, February 24, 2026 1:38 PM  
**To:** Jennifer Lowe <jlowe@lagunahillsCA.gov>; Public Comments <publiccomments@lagunahillsCA.gov>  
**Cc:** Kayle McDonald <kmcdonald@lagunahillsCA.gov>  
**Subject:** Laguna Hills Terravita Project - Letter of Support

Laguna Hills City Council Members,

I am a resident of Laguna Hills and writing to express my strong support for the Terravita project.

Terravita represents a thoughtful and high-quality residential development that will expand housing options within our community while maintaining the character of Laguna Hills. Projects of this caliber help our city remain competitive and desirable, while simultaneously ensuring we are thoughtfully addressing our required number of new housing units.

Responsible, well-planned growth is essential to sustaining the vitality and financial health of our city, and Terravita reflects that balance.

I respectfully urge you to vote in favor of the Terravita project when it comes before the City Council on February 24. Supporting this development is an investment in the continued strength and future success of Laguna Hills.

Thank you for your time and consideration.

Sincerely,

Cassie Cherry  
Laguna Hills Resident

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

**Subject:** FW: Letter of Support – Terravita Project  
**Attachments:** Terravita Project – Letter of Support.pdf

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**From:** Daniel H. Sohn | Laguna Hills Chamber <Daniel@lagunahillschamber.com>  
**Sent:** Tuesday, February 24, 2026 1:55 PM  
**To:** Jennifer Lee <jlee@lagunahillsCA.gov>; Jennifer Lowe <jlowe@lagunahillsCA.gov>  
**Cc:** Chase Arthur <chasearthur@casalagroupinc.com>  
**Subject:** Letter of Support – Terravita Project

**Good Afternoon All,**

Attached please find the Laguna Hills Chamber of Commerce's letter of support for the Terravita Project.

On behalf of our Board of Directors, please consider this our organization's official on-record support.

Thank you for your consideration.

Sincerely,

**Warmest Regards,**

**Daniel H. Sohn, CCE, CTA, CERP**  
***Executive Director***

**Laguna Hills Chamber of Commerce**

Direct: (916) 234-3310

Email: [daniel@lagunahillschamber.com](mailto:daniel@lagunahillschamber.com)

[www.lagunahillschamber.com](http://www.lagunahillschamber.com)





# **Laguna Hills**

## **Chamber of Commerce**

**February 23, 2026**

**City of Laguna Hills**

**Community Development Department**

Jennifer Lowe, Community Development Director

24035 El Toro Road

Laguna Hills, CA 92653

**Re: Terravita Project – Letter of Support**

**Dear Mayor and Members of the City Council,**

On behalf of the Laguna Hills Chamber of Commerce and the business community we represent, I am writing to express our strong support for the Terravita project at the intersection of Mill Creek Drive and Ridge Route Drive.

This project brings 480 much-needed housing units to Laguna Hills, including a significant number of for-sale homes designed for first-time buyers and working professionals. Expanding homeownership opportunities strengthens our workforce, supports economic mobility, and ensures that those who work in our community have the opportunity to live here.

From an economic development perspective, responsible housing growth supports local businesses, increases consumer spending, and strengthens the City's long-term fiscal stability. The additional property and sales tax revenue generated will help fund essential services such as public safety, parks, infrastructure, and schools.

We also appreciate the thoughtful site planning and inclusion of open space, which enhances community livability while maintaining quality development standards.

The Laguna Hills Chamber of Commerce respectfully urges the City Council to vote in support of the Terravita project.

Thank you for your leadership and consideration.

**Warmest Regards,**

**Hon. Daniel H. Sohn**

*Executive Director*

Laguna Hills Chamber of Commerce

[daniel@lagunahillschamber.com](mailto:daniel@lagunahillschamber.com)

**From:** James Lloyd <james@calhdf.org>  
**Sent:** Tuesday, February 24, 2026 2:04 PM  
**To:** Public Comments; City Council; Don Caskey; Jared Mathis; Erica Pezold; Joshua Sweeney; Dave Wheeler  
**Cc:** CD USER; Joe Ames; Jennifer Lee; Greg Simonian (woodruff.law)  
**Subject:** public comment re item 5.5.1 for tonight's Council/Planning Agency meeting  
**Attachments:** Laguna Hills- 23272-23422 Mill Creek Drive - HAA.pdf

Dear Laguna Hills City Council / Planning Agency,

The California Housing Defense Fund ("CalHDF") submits the attached public comment re item 5.5.1 for tonight's Council/Planning Agency meeting, the proposed 480-unit housing development project at 23272-23422 Mill Creek Drive, which includes 24 very low-income units.

Sincerely,

James M. Lloyd  
Director of Planning and Investigations  
California Housing Defense Fund  
[james@calhdf.org](mailto:james@calhdf.org)  
CalHDF is grant & donation funded  
Donate today - <https://calhdf.org/donate/>



**Feb 24, 2026**

**City of Laguna Hills  
24035 El Toro Road  
Laguna Hills, CA 92653**

**Re: Proposed Housing Development Project at 23272-23422 Mill Creek Drive**

**To: [Publiccomments@lagunahillsCA.gov](mailto:Publiccomments@lagunahillsCA.gov); [ccouncil@lagunahillsCA.gov](mailto:ccouncil@lagunahillsCA.gov);  
[dcaskey@lagunahillsca.gov](mailto:dcaskey@lagunahillsca.gov); [jmathis@lagunahillsca.gov](mailto:jmathis@lagunahillsca.gov);  
[epzold@lagunahillsca.gov](mailto:epzold@lagunahillsca.gov); [jsweeney@lagunahillsca.gov](mailto:jsweeney@lagunahillsca.gov);  
[dwheeler@lagunahillsca.gov](mailto:dwheeler@lagunahillsca.gov)**

**Cc: [cd@lagunahillsca.gov](mailto:cd@lagunahillsca.gov); [james@lagunahillsca.gov](mailto:james@lagunahillsca.gov); [jlee@lagunahillsca.gov](mailto:jlee@lagunahillsca.gov);  
[gsimonian@woodruff.law](mailto:gsimonian@woodruff.law);**

Dear Laguna Hills City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 480-unit housing development project at 23272-23422 Mill Creek Drive, which includes 24 very low-income units. These laws include the Housing Accountability Act (“HAA”), the Density Bonus Law (“DBL”), and AB 130.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. Increased density, concessions, and waivers that a project is entitled to under the DBL (Gov. Code, § 65915) do not render the project noncompliant with the zoning code or general plan, for purposes of the HAA (Gov. Code, § 65589.5, subd. (j)(3)). The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

**2201 Broadway, PH1, Oakland, CA 94612  
[www.calhdf.org](http://www.calhdf.org)**

CalHDF also writes to emphasize that the DBL offers the proposed development certain protections. The City must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the City must not deny the project the proposed waivers and concessions with respect to maximum lot coverage, maximum building height, minimum setback of front of parking lot structure building, minimum interior side setback, minimum streetside setback, minimum rear setback, minimum private open space, minimum building separation, block size, block path connection, build to zone, pedestrian connections, floor to floor height of active uses, waste removal, public open space, common open space, common open space amenities, private open space, driveways and curb cuts, parking and loading frontage, bicycle parking, pedestrian pathways, building stepbacks, building end units, window alignment, entrance types, parking and access, and residential buffering. If the City wishes to deny requested waivers, Government Code section 65915, subdivision (e)(1) requires findings that the waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. If the City wishes to deny requested concessions, Government Code section 65915, subdivision (d)(1) requires findings that the concessions would not result in identifiable and actual cost reductions, that the concessions would have a specific, adverse impact on public health or safety, or that the concessions are contrary to state or federal law. The City, if it makes any such findings, bears the burden of proof. (Gov. Code, § 65915, subd. (d)(4).) Of note, the DBL specifically allows for a reduction in required accessory parking in addition to the allowable waivers and concessions. (*Id.* at subd. (p).) Additionally, the California Court of Appeal has ruled that when an applicant has requested one or more waivers and/or concessions pursuant to the DBL, the City “may not apply any development standard that would physically preclude construction of that project as designed, even if the building includes ‘amenities’ beyond the bare minimum of building components.” (*Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 775.)

Furthermore, the project is eligible for a statutory exemption from CEQA pursuant to AB 130 (Pub. Res. Code, § 21080.66). Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by providing affordable housing, it will mitigate the state’s homelessness crisis; it will increase the city’s tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the



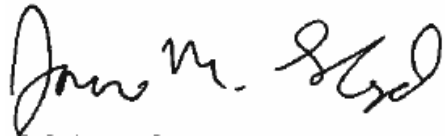
right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at [www.calhdf.org](http://www.calhdf.org).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a long horizontal stroke extending to the right.

Dylan Casey  
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a stylized, cursive script.

James M. Lloyd  
CalHDF Director of Planning and Investigations

**From:** Public Comments  
**Subject:** FW: Proposed Terravita Project

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**From:** Shawn Kirch <sckirch@gmail.com>  
**Sent:** Tuesday, February 24, 2026 2:17 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Proposed Terravita Project

Dear David See, Jennifer Lowe and City Council,

I want to write to express my concern with the proposed project at 23272, 23282, 23422, 23382, 23332 Mill Creek Drive; 24461, 24411 Ridge Route Drive, Case # USE-0209-2025.

I am fully in agreement that more housing is needed in Laguna Hills and I am heartened to see so many condos being included in the project in order to increase homeownership and help families build equity and a sense of belonging in our community.

I have been a resident of Laguna Village located between Santa Vittoria, Ridge Route, and Mill Creek for over 10 years now. I want to express my concern with the project as proposed because I believe it will be inappropriate for the subject site for multiple reasons.

First, Mill Creek was built as an industrial road with minimal traffic intended. While the site will be on the corner of Ridge Route, any traffic going towards Lake Forest will have a significant downhill drive with a sharp curve that ends with a school site at the bottom. With 480 units and only three outlets, this will pose a significant burden to the subject site. Laguna Village, behind it, has 914 units across a much larger footprint, and we already have near misses at the bottom of Santa Vittoria by Veeh Ranch Park on a continual basis.

Secondly, the 85-foot proposed apartment building on the corner of Ridge Route will significantly affect the views and is 20 feet higher than the existing city ordinance of 65 feet. I also want to point out that in the renderings that I've seen, the building that will be in that place is significantly smaller than what will actually take place and the LVOA buildings are significantly taller, giving the illusion that views will not be blocked. In addition to this, with the addition to 220 apartments in that location there will be more gridlock than was experienced when the DMV was on the opposite corner. Since I anticipate that additional housing will be created in the shopping center in the old DMV location in the coming years, this will only add additional burdens to roadways and throughfares not meant to handle that volume.

Please see below for my recent drone footage taken from the proposed site and how it will affect the views of existing homes.

Image 1 - 65 feet from the foot of Mill Creek, showing the view from a building blocking existing home views.



Image 2 - from the foot of the existing building at an altitude of 65 ft. (existing height restrictions)



Image 2 - 65 ft. at Mill Creek showing the view of a building with existing height limitations





Image 3 - Eye level from Mill Creek showing existing views



Image 4 - At the roof level of the existing Qualified Home Loans building



Shawn Kirch

# Public Comments

February 24, 2026

Item No. 5.5.1

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**From:** Public Comments  
**Subject:** FW: 02/24 Public Comments  
**Attachments:** public comments.pdf

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**From:** Sahab M. <sahab.masoumian@gmail.com>  
**Sent:** Tuesday, February 24, 2026 2:20 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** 02/24 Public Comments

Good afternoon city clerk,

The attached public comments letter is in regards to item 5.5.1 on the city council meeting agenda today.

Respectfully,

Sahab Masoumian

24035 El Toro Rd, Laguna Hills, CA 92653

Terravita Project Public Comments

As a long time resident of Orange County, I would like to express my utmost support and excitement about the proposed development plan. While our county has not yet felt the housing crises to the same caliber that our neighbors to the north and to the south (Los Angeles, and San Diego) have, our population is growing, and we are trending towards a similarly critical housing crisis. One thing Orange County, especially the southern region has lots of, is shopping strips and plazas. Development of a housing complex such as the proposed addresses the growing need of both market-rate, and affordable housings.

Furthermore, I believe this development plan can have lasting and prolonged beneficial effects on the local economy, and societal well-being. I for one, along with my family with whom I have discussed this development plan, believe the planning committee has the opportunity to make a decision that would enhance the affordability, livability, accessibility, and inclusivity of the great city of Laguna Hills. One of the best features of Orange County is how closely entwined the neighboring cities are, and while your duties are to the city of Laguna Hills, you have the opportunity to make a small history in our great community of cities.

On a more personal level, I drive past this location on almost a daily basis, and I had been thinking how much of a better land-use it would be, if it were converted to a residential development. I currently have friends and family that are looking for housing in and around Laguna Hills, and I've heard their grievances about the sparse housing availability, and how increasingly unaffordable our great county is becoming. This development is a step in the right direction, and I personally would be overjoyed to see the day that ground is broken, and construction begins.

Best regards,

Sahab Masoumian

**From:** Public Comments  
**Subject:** FW: Public Comment in Support of the Terravita Project

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**From:** Rojin Shahbazian <rojin.shahbazian@gmail.com>  
**Sent:** Tuesday, February 24, 2026 2:27 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Public Comment in Support of the Terravita Project

Dear Chair and Members of the Planning Commission,

My name is Rojin, and my parents have owned a home in Laguna Hills for many years, about eight minutes from the proposed Terravita site on Mill Creek Drive. Because our family has spent so much time in this community, I wanted to take the time to write in support of this project.

I understand that development can bring concerns, especially for those who live closest to it. But after reviewing the proposal and learning more about what is being planned, I believe this is a thoughtful redevelopment of an aging office site that aligns with the City's long-term planning goals.

Like many families in Orange County, we have seen how difficult it has become for young professionals, working families, and even seniors to find housing near their jobs and support networks. Projects like this help address that reality in a structured and carefully reviewed way, rather than leaving growth unmanaged.

I appreciate the work the Planning Agency has done to evaluate traffic, environmental impacts, and community compatibility. With appropriate conditions in place, I believe this project can strengthen the area and contribute positively to Laguna Hills.

For these reasons, I respectfully support approval of the Terravita project.

Thank you for your consideration.

Sincerely,  
Rojin Shahbazian

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**From:** Public Comments  
**Subject:** FW: Public Comment – Terravita Project

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**From:** Shailin Shahbazian <shailin.shahbazian@gmail.com>  
**Sent:** Tuesday, February 24, 2026 2:39 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Public Comment – Terravita Project

To the Planning Commission,

My family recently received the public hearing notice regarding the proposed Terravita project at Mill Creek Drive, and I had planned to attend the meeting to share my thoughts in person. Unfortunately, I may not be able to join due to time constraints this evening, so I wanted to submit my comments in writing.

I grew up about five minutes from the project site, and my family still lives in Laguna Hills today. It has always felt like home to me. As I consider moving back to be closer to my family, I've been paying close attention to the types of housing opportunities becoming available in the area.

For that reason, I support the Terravita proposal. Converting an older office property into housing feels like a thoughtful way for the city to adapt to current needs. Many people who grew up in this community would like the option to return and stay near family, and projects like this help make that possible.

I understand that development can raise concerns, especially for those living nearby. At the same time, I believe responsible planning and careful review are part of how a city evolves while protecting its character.

I appreciate the Commission's time and consideration as you evaluate this project.

Sincerely,

Shailin Shahbazian

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**From:** Public Comments  
**Subject:** FW: Project No. 0209-2025 (Terravita)

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**From:** Kenny Yang <kennyyang0688@gmail.com>  
**Sent:** Tuesday, February 24, 2026 3:34 PM  
**To:** Jay Wu <jwu@lagunahillsCA.gov>; Public Comments <publiccomments@lagunahillsCA.gov>; Plan Dept <planning@lagunahillsCA.gov>  
**Subject:** RE: Project No. 0209-2025 (Terravita)

Hi Jay and Jennifer,

Could you please have the parties responsible for approving this project's current direction address the questions below?

I want to ensure that the "Middle Ground" required by our Municipal Code is properly met. Under **LHMC 9-40.010**, the City must find that this project provides a "harmonious and compatible transition" to the surrounding neighborhood. To ensure the Planning Agency and the neighbors can truly visualize how this development's massing impacts our community across the street—including the continuing diminished views, additional fire hazards, and the displacement of criminal activities toward our open 1970s development—**please have the City read and address the following points for the record tonight:**

- **Request for Physical Story Poles:** The developer's 2D drawings are helpful, but they cannot capture the true scale of a 38'6" structure for neighbors living at varying elevations and angles. To fulfill the "Harmony" requirement of the Code, we ask the City to require **physical story poles**. This would allow everyone to see the actual mass and height in real-time, ensuring the transition between the new development and our existing community is truly compatible.
- **Clarification on Density and Safety:** The current plan includes narrow 6.5-foot gaps between 3-story buildings and a perimeter fence. We are concerned about how these might affect the safety of the surrounding fence-less, open-access neighborhood. We would like to understand how the City plans to ensure that this private, fenced density—and the increased population it brings—does not unintentionally displace security risks into our neighboring community, which remains open and without a fence.
- **Transparency Regarding the 10-Month Negotiation:** Since City Staff and the developer have been discussing these specific setbacks and building gaps since April 2025, we are asking for more than a few days to review the "Exempt" status. A project of this scale deserves a transparent review process where neighbors can walk the site and see the story poles before a final decision is made.
- **Environmental and Traffic Balance:** While the project is listed as "Exempt," the recent notices banning parking on Mill Creek have a direct impact on our daily driving and the neighborhood's carbon footprint. We hope the City will address how these **Vehicle Miles Traveled (VMT)** are being balanced to protect the quality of life for existing residents. We are effectively being asked to surrender our parking rights on Mill Creek to facilitate this new high-density development.

We believe that providing story poles is the only way to provide the "**Substantial Evidence**" needed to prove this project fits our neighborhood's character. We ask the Planning Agency to consider a **continuance** until these visual aids are provided, ensuring a fair and transparent process for all parties.

Best regards,

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**From:** Public Comments  
**Subject:** FW: Public Comment Submission

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**From:** No Reply <noreply@civicplus.com>  
**Sent:** Tuesday, February 24, 2026 3:51 PM  
**To:** Public Comments <publiccomments@lagunahillsCA.gov>  
**Subject:** Public Comment Submission

Submitted by: Cathy Udovch  
Email Address: [garfeimao@yahoo.com](mailto:garfeimao@yahoo.com)

Commented on event: <https://lagunahillsca.portal.civicclerk.com/event/846/overview>  
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: Greeting City Council members, I'd like to address the Terravita Townhomes (5.5.1) housing project. Reading through the initial paperwork, this project will result in a parking structure, an apartment building and numerous houses in various configurations, totalling 480 units, some for sale and some for rent. They note that they have 'offered' 24 rental units (apparently apartments, not homes) to be designated as affordable housing for very low-income households. This sounds great, but it would feel like a slap in the face to me, as if to say "Welcome to our City, you can rent housing, but you aren't allowed to earn equity". I would urge you, the City Council, to stand up for possible housedholds who may be able to move into Laguna Hills to have a chance to earn equity so that when they do have to move, they can take some financial stability with them. I encourage you to ask if the developer's would consider 'offering' up to 4 of the 'for purchase' housing units to households in the very low-income bracket. We know from the meeting two weeks ago that very low-income persons who qualify to buy a home, or rent an apartment under that status cannot re-sell it at normal market value, that it is regulated for up to 50 years to stay within that very low-income status pricing. This may affect their ROI and tax income for the City, but setting up a family for success will definitely lead to a family that will be able to contribute their time, work, education and money back into Laguna Hill's businesses and school. Yours Truly, Cathy Udovch - Laguna Hills resident in the newly formed District 1, and a neighbor to these Mill Creek projects.

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**From:** Blu Rose <xvxblurose@gmail.com>  
**Sent:** Tuesday, February 24, 2026 3:51 PM  
**To:** Public Comments; cityclerk@lagunahillsca.gov  
**Subject:** Nicole Bohay – Public Comment, Agenda Item 5.5.1 (Terravita Project)

Dear City Clerk and Members of the City Council / Planning Agency,

I am submitting this public comment regarding **Agenda Item 5.5.1 – the Terravita Project** scheduled for the February 24, 2026 meeting. I am writing on behalf of my household, as other members of my family share these concerns but are unable to participate due to health and fatigue.

My family has lived in this community for nearly **55 years**, and it has been my home since I was two years old. Before Laguna Hills incorporated as a city in 1991, my late father served as **President of the Saddleback Area Coordination Council** during the mid-to-late 1970s and beyond, and remained actively involved in community planning efforts through incorporation. His service is documented by plaques recognizing his leadership, and his work helped shape this area through efforts such as the establishment of the community recreation center, development of San Remo Park, and regional land-use planning following the closure of the Marine Corps Air Station. When Laguna Hills became a city, he was encouraged to run for public office but declined because he believed civic service should be guided by independence and a sole commitment to what was best for the community. I am here today continuing that same commitment to thoughtful, long-term stewardship of this community.

I am a homeowner living adjacent to the Mill Creek office corridor. While I support the need for additional housing in Laguna Hills, I have serious concerns about both the **location** of this proposal and the **process** by which it is being advanced.

The project proposes demolition of seven existing office buildings and their replacement with a 480-unit residential development, including a six-story parking structure. These buildings have historically served as employment centers and as an important buffer between residential neighborhoods. Their removal represents a permanent land-use change with significant long-term impacts that warrant careful and transparent review.

I am particularly concerned about the **lack of meaningful notice and community engagement**. In addition to myself, **at least three other nearby households on my street alone did not receive any notice** of this proposal. These homeowners only learned about the project through neighbors, days before the hearing. While the City may have met minimum legal noticing requirements, this compressed timeline did not meaningfully inform impacted homeowners and undermines public trust in the process. The use of a CEQA exemption under AB 130 for a project of this scale further contributes to the perception that this decision is being rushed without adequate opportunity for public input.

There are also **significant site-specific impacts** that have not been meaningfully addressed. Traffic congestion on Moulton Parkway is already significant during peak commute hours, and the roadway was not designed to accommodate the additional residential traffic generated by a 480-unit development. While Ridge Route Drive currently carries moderate traffic, this project would significantly increase volumes and place pressure on a roadway that is not presently overburdened.

The nearby lake adjacent to this site is an important habitat for birds, including ducks and other wildlife, which would be negatively impacted by increased noise, lighting, and activity.

Residents are also concerned about the ability of existing law enforcement and emergency services to adequately absorb the increased demand associated with a development of this size at this location. This concern is not theoretical — some homeowners in this area are already facing the loss of homeowners insurance due to insurer determinations that emergency response times, particularly for fire services, are insufficient, and additional density would further strain those response capabilities.

In addition, residents are concerned about increased noise levels, safety, and quality-of-life impacts associated with this scale of development in close proximity to established neighborhoods.

Importantly, there is a **reasonable and far more appropriate alternative site** for housing of this scale: the former **Laguna Hills Mall property**, originally planned as the “Five Lagunas” mixed-use housing and retail development. That site has already been rezoned, demolished, and environmentally disturbed, and has remained vacant for years due to financing issues rather than feasibility. It is located directly across from the hospital and near police and fire services, freeway access, the library, and City Hall — making it objectively better suited to support higher-density housing with existing infrastructure and emergency services already in place.

I respectfully request that the City **pause consideration of the Terravita project**, formally acknowledge the lack of meaningful notice to adjacent homeowners, and conduct a transparent evaluation comparing this proposal with the already-planned and better-served mall site. Housing placement decisions of this magnitude should be deliberate, inclusive, and based on the most logical locations — not rushed under minimum compliance standards.

Thank you for your time and for placing these concerns into the official record.

Sincerely,  
Nicole Bohay  
Laguna Hills Resident

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