COUNCIL AGENDA REPORT

City of Anaheim
PLANNING DEPARTMENT

DATE: JUNE 10, 2008
FROM: PLANNING DIRECTOR

ATTACHMENT (Y/N): YES ITEM # 52

RECOMMENDATION:

That the City Council take the following actions:

(a) By motion, determine that Subsequent Environmental Impact Report No. 334 is adequate to serve as the required environmental documentation for this request.

(b) By resolution, approve Conditional Use Permit No. 2007-05284.

(c) Introduce an Ordinance adopting Development Agreement No. 2007-00006 between the City of Anaheim and TCRSC Development Limited Partnership, Robert Wells Family Limited Partnership and Twedt Family Limited Partnership; and authorizing the Mayor to execute the agreement on behalf of the City.

(d) By resolution, approve Tentative Tract Map No. 17241.

(e) By motion, approve an agreement between the City of Anaheim and Trammell Crow Residential extending the timeframe for executing the development agreement.

DISCUSSION:

The applicant proposes to construct an apartment complex on a seven acre site that is presently developed with an industrial manufacturing business. The proposal includes 689 dwelling units within five buildings. Three of the buildings would be six stories tall with subterranean parking, and two of the buildings would be five stories with a parking structure on the ground floor. Recreational amenities would include a fitness room, business center, pool, spa, outdoor fireplace, barbecues, water features and fountains. The project also includes four outdoor plazas between the buildings that will include outdoor seating and landscaped areas.
On May 12, 2008, the Planning Commission approved the conditional use permit to allow upper story balconies and a walkway adjacent to the northwest property line to encroach into required setback areas. The Commission also approved the associated tentative tract map to create a four-lot subdivision and an airspace condominium subdivision. Although the request includes a condominium subdivision, the applicant intends for the development to initially be occupied as apartments.

The Planning Director has determined that the Final Site Plan, contained in the Development Agreement as Exhibit “B,” is in conformance with the provisions of the PTMU Overlay Zone and The Platinum Triangle Master Land Use Plan.

Development in the Platinum Triangle Mixed Use Overlay Zone is implemented by a development agreement. The agreement is required to be signed by the property owner within 30 days following the City Council’s adoption of the ordinance approving the agreement. The timing for executing the agreement may be extended by the mutual consent of the City Council and the applicant. The developer, Trammell Crow Residential (TCR), requests approval of an agreement with the City to delay the execution of the development agreement until TCR has acquired the property. The extension would not bind the current property owners to the terms of the development agreement; however, upon execution, TCR (or a subsequent owner) would be bound to the terms of the agreement. An initial extension date of June 30, 2009, is proposed, with the provision for the applicant to request a second extension until June 30, 2010. In consideration of this extension, staff is recommending that TCR provide an extension fee of $25,000 for each extension, which will be held in a trust account. If the development agreement is not executed by June 30, 2010, or additional extensions are not requested, the City will initiate the termination of the development agreement.

Staff recommends that Council approve the conditional use permit, development agreement, tentative tract map and extension agreement.

**IMPACT ON BUDGET:**

There is no impact to the General Fund.

Respectfully submitted,

Sheri Vander Dussen
Planning Director

**Attachments:**
1. Resolution - Conditional Use Permit No. 2007-05284
2. Ordinance - Development Agreement No. 2007-00006
3. Resolution – Tentative Tract Map No. 17241
4. Development Agreement No. 2007-00006
5. Agreement to Extend Execution of the Development Agreement
6. Location Map
7. Aerial Map
8. Planning Commission Staff Report and Resolutions
9. Final Site Plan Exhibits