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August 22, 2019

**VIA MESSENGER**

Ms. Wendy Starks, Principal Planner  
City of Rancho Santa Margarita  
Planning Division  
22112 El Paseo  
Rancho Santa Margarita, CA 92688

Re: Potential Re-Zoning and Development Efforts Concerning Dove Canyon Plaza  
(31931 Dove Canyon Drive) – Initial Comments Submitted on Behalf of Trabuco  
Canyon Water District

Dear Ms. Starks:

Our firm represents the Trabuco Canyon Water District (“District” or “TCWD”) as general legal counsel. This letter is respectfully submitted to the City of Rancho Santa Margarita (“City”) Planning Division on behalf of our client, and at the direction of the District’s Board of Directors, concerning the potential re-zoning and development efforts involving property located at 31931 Dove Canyon Drive, commonly known as Dove Canyon Plaza (collectively, referred to herein as the “Proposed Development Project”). It is respectfully requested that the matters set forth in this letter be part of the City’s consideration and review of the Proposed Development Project.

**Background**

The District is a county water district which provides water, wastewater, recycled water and reclaimed water services to customers located within the District’s service boundaries. The District’s service boundaries overlap a portion of the City boundaries and, as such, the District and the City serve a common portion of their respective communities. The District’s service areas include the Proposed Development Project (Dove Canyon Plaza).

The District owns property immediately adjacent to the Proposed Development Project area at 32003 Dove Canyon Drive (“District Property”). The District Property is currently utilized by the District as its Administrative Facility including, but not limited to, its Board Meeting Room. The District’s Administrative Facility/Boardroom is also used for various

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community purposes, including meetings of local homeowners associations' boards, social events and related activities. The District has utilized the District Property as its administrative center/boardroom for more than 20 years since the District acquired the District Property in the 1990s.

Of particular note is the fact that the District's Property and the adjacent Dove Canyon Plaza property ("Dove Canyon Plaza Property") are subject to the terms of a Reciprocal Land Use Easement and Maintenance Agreement that dates from the initial development of Dove Canyon Plaza in the late 1980s ("Reciprocal Agreement") (Orange County Document Number 89-00330684). The Reciprocal Agreement expressly provides for various property use, vehicle access and parking restrictions and requirements that affect the District Property and the Dove Canyon Plaza Property. As noted above, the District and the prior owners/operators of Dove Canyon Plaza have functioned in an amicable and cooperative fashion for more than two decades.

#### The Proposed Development Project

The District has been made aware of a proposed re-zoning and development proposal related to the Development Project that would significantly affect the use and operation of the Dove Canyon Plaza Property. As the District understands it, the current proposal would be for a gated community of approximately 123 market-rate townhomes developed on a higher density platform with limited parking. Additionally, it is the District's understanding that the Proposed Development Project may overburden the portion of the principal vehicle access road owned by the District. While District representatives have attended meetings concerning the Proposed Development Project, the District has not, to date, had direct formal meetings with the developer (William Lyon Homes) to review and discuss the Proposed Development Project.

#### District Comments/Concerns

Based upon the available information our client has requested to convey the following comments and concerns with respect to the Proposed Development Project to the City and the City's Planning Department based on the District's current understanding of the nature of the Proposed Development Project.

- The District has significant concerns relative to the proposed Development Project in light of the terms of the Reciprocal Agreement. In particular, the District is concerned with the availability of reciprocal parking and the impacts on vehicle access rights on the Dove Canyon Plaza Property necessary to provide reasonable public access and attendance to District Board meetings, including, but not limited to, public hearing events that take place in the District's Boardroom. The District is also concerned that the lack of parking and vehicle access may limit the use of the District's Board Meeting Room and related facilities for other public and private entities and events, which include homeowners association

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boards, community events and similar activities. The District is of the view that these events, and public access thereto, are of significant value to the local community.

- The District is also concerned about access to the District Property given the current proposal of the Development Project to be a private gated community. The District presumes that as a private gated community, public access to the property currently utilized as Dove Canyon Plaza would be restricted or potentially prohibited. The compatibility of such a community, given the terms of the District's public access requirements and the terms of the Reciprocal Agreement, is a question that needs to be carefully considered.
- The District notes that there has been community input at meetings relative to the compatibility of the higher density residential use with local area land usage and community consistency. The District commends this issue to the attention of the City and City staff in their review of the Proposed Development Project.

As noted above, this letter is submitted on behalf of our client and it is respectfully requested that the City and City staff take these matters into consideration as part of the City's review of the Proposed Development Project.

Questions regarding the matters set forth in this letter may be directed to the District's General Manager or to our offices. Thank you very much for your attention to this matter.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD  
& ROMO



Robert E. Anslow, Partner

REA:tlb

cc: Trabuco Canyon Water District Board of Directors (via overnight delivery)  
General Manager, Trabuco Canyon Water District (via overnight delivery)  
Asst. General Manager, Trabuco Canyon Water District (via overnight delivery)  
City Manager – City of Rancho Santa Margarita (via messenger)  
Rancho Santa Margarita City Council Members (via messenger)  
Rancho Santa Margarita Planning Commission Members (via messenger)