



Agenda Item

Design Review Committee

Item #: 5.1.

2/21/2024

File #: 24-0048

TO: Chair and Members of the Design Review Committee

THRU: Chad Ortlieb, Principal Planner

FROM: Monique Schwartz, Senior Planner

1. SUBJECT

A proposal to construct 49 small lot homes located at 901 E. Katella Avenue (Design Review No. 5092-22).

2. SUMMARY

The applicant proposes to redevelop an existing 2.71-acre commercial site with 49, two-and three-story single family small lot homes (17 paired and 15 detached), open space recreation areas, guest parking, and related site improvements.

3. RECOMMENDED ACTION

Recommendation of approval to the Planning Commission.

4. BACKGROUND INFORMATION

Applicant: Intracorp Homes, Emilie Simard

Property Owner: Phoenix Power & Light, LLC, Jonathan Schurgin

Property Location: 901 E. Katella Avenue

General Plan Designation: General Commercial Max. 1.0 FAR (GC)

Zoning Classification: Commercial Professional (C-P)

Existing Development: The site is currently developed with a 20,621-square-foot two-story vacant commercial building, a 53-foot-tall wireless communication facility and equipment enclosure located to the east of the building, a surface parking lot with 152 spaces, mature trees and landscaping, and site improvements.

Associated Applications: General Plan Amendment No. 0004-22, Zone Change No. 1307-22, Tentative Tract Map No. 0051-22, Major Site Plan Review No. 1111-22, Administrative Adjustment No. 0293-23, and Mitigated Negative Declaration No. 1882-22.

Previous DRC Project Review: On December 6, 2023, the Design Review Committee (DRC) continued this project to February 7, 2024, in order to provide the applicant an opportunity to respond to feedback regarding overall site layout, building architecture, privacy, shade and shadow, and landscaping. A second continuance to February 21, 2021, was requested and granted at the

February 7, 2024 DRC meeting.

5. PROJECT DESCRIPTION

The project is a request to allow for the redevelopment of an existing 2.71-acre commercial site with 49, two-and three-story single-family small lot homes (17 paired and 15 detached), open space recreation areas, guest parking, and related site improvements (Attachment 12 Project Plans). The existing commercial building, site improvements, and wireless communication facility will be demolished and removed. Since this type of project is not permitted in a commercial General Plan designation or Zone, the applicant is proposing a General Plan Amendment to change the General Plan Land Use Element designation from General Commercial, Max. 1.0 FAR (GC) to Medium Density Residential 15-24 dwelling units per acre (MDR), a Zone Change from Commercial Professional (C-P) to Residential Multiple Family (R-3), and application of Small Lot Subdivision Development Standards [Orange Municipal Code (OMC) Section 17.14.270]. The proposed development will have a density of 18.1 dwelling units per acre, approximately the midpoint of the Medium Density Residential designation. The proposal includes a Tentative Tract Map for the small lot subdivision including establishment of private and common use areas.

In 2021, Title 17 of the OMC was amended to provide development standards for small lot subdivisions. The Small Lot Subdivision Development Standards and Guidelines allow for the development of smaller fee simple, single-family residential lots in multi-family residential zones (R-3 and R-4) and the NMU-24 mixed use zone. The lots created under these standards are less than the typical minimum area of a traditional single-family lot, which allows for flexibility in lot configuration, and reduces the amount of land required for new-single family residences. The development standards include regulations for lot frontage, setbacks, stories, height, private open space, and parking (Attachment 3 Development Standards Reference Table). These development standards allow for a space-efficient and economical alternative to traditional options for home ownership.

The project includes small lots ranging from 1,468 to 2,442 square feet. Residential units are configured around a 25-foot wide looped private interior roadway. There are 15 residences that have primary entries accessed from the Cambridge Street and Katella Avenue frontages, providing a pedestrian oriented sidewalk interface along both streets. There are 22 units located at the center of the site that have primary entries off an interior landscaped paseo, and 12 units along the northern boundary have primary entries off the interior roadway.

The project provides three different floor plans with units ranging from 1,604 to 2,001 square feet (See Sheet A1.0 - Conceptual Site Plan). Modified floor plans will also be offered for Plan 2 styles with the option of an office or loft in lieu of a fourth bedroom (Plan 2 ALT). In addition, each unit plan provides garage space dedicated for the storage of three trash carts for the collection of solid waste, recyclables, and organics and a minimum of 250 cubic feet of overhead storage.

Floor Plan	No. of Units	Gross Area (Square Feet)	No. of Stories	No. of Bedrooms	No. of Bathrooms	Garage (Square Feet)
Plan 1	17	1,965	3 + Roof Deck	3	3.5	487
Plan 2	18	2,001	3 + Roof Deck	4	3.5	471

Plan 2 ALT Units 47 and 49	2	2,001	3 + Roof Deck	3 + Loft or Office	3.5	471
Plan 3	12	1,604	3 + Roof Deck	3	2.5	471
Total	49					

Architecture

The project site is located in an area containing a mix of commercial and residential uses with eclectic architectural styles. The area along Katella Avenue is in transition with a three-story senior apartment building under construction to the east (Katella Terrace, 1249 E. Katella Avenue), Kiddie Academy daycare facility to the west (232 E. Katella Avenue), Rapids Express Car Wash to the west (1325 W. Katella Avenue), and recently constructed five-story multi-family apartments further to the west (Garrison Modern Apartments, 1725 W. Katella Avenue).

The proposed project introduces a contemporary residential design that is intended to respond to the eclectic contemporary visual character of the area, and the proximity to the Fairmeadow Eichler Tract Historic District, Taft Library (740 E. Taft Avenue), and Irving House residential project (2007-2053 N. Orange Olive Road) inspired by Irving Gill architecture. The majority of units are three-stories with roof decks (35 feet tall), while the units along the northern boundary are two-stories (25 feet-5 inches), with a first-floor setback of 10 feet and a second-floor setback between 12 and 15 feet from the north property line, abutting the one-story single-family residences to the north. The building orientations along Cambridge Street and Katella Avenue consider the site's characteristics and the City's Small Lot Subdivision Guidelines (Attachment 4) in that the main entrances are oriented towards the streets and sidewalks to create a relationship between the buildings and pedestrian and to establish a strong tie to the street frontages.

Architectural elements include a combination of hip, shed, and flat roof forms, parapets, arched entries, distinctive window arrangements, recessed and simple door and window detailing, porch elements, use of trim and siding, and alternating plane changes to add visual interest. Window placement has also generally been considered to preserve the privacy of adjacent neighbors within the project, and the single-story residences to the north. The north facing second story windows on Units 1-12 will be clerestory. Although not illustrated on the plans, the applicant has indicated that the windows will be located approximately seven feet from the interior finished floor to the bottom of windows.

The use of varied rooflines, articulated building elevations (especially along the street frontages), and arches help soften the scale and rectangular massing of the buildings. The project's rectangular building forms and openings, relationship to the street, and scale along the Katella frontage are generally visually compatible with the architecture of the two office buildings to the east. The proposed exterior building materials also contribute to the architectural character of the project, including composite roof shingles, painted stucco finish, metal canopies, vinyl windows, stucco over foam trim details, engineered wood siding, wood faux balcony railing, and painted metal sectional garage doors. The coordinated exterior color scheme consists of subtle natural tones, with contrasting colors used for accents and details. The project provides a residential design that is distinctive, yet compatible with the commercial and neighborhood area context, and scale of the

adjacent roadways.

Project Access and Parking:

Vehicle access is provided by two-way entrance driveways along Cambridge Street and Katella Avenue. These entry drives connect to a looped private interior roadway that provides vehicle and pedestrian access to the main entrances and garages of the dwelling units. The internal roadway includes curb, gutter, and intermittent landscape planters. No unit driveways or sidewalks are provided along the interior roadway. Each unit is provided with an attached two-car garage, and there are 30 open parking spaces for occupants and guests for a total of 128 parking spaces provided for the development. Pedestrian access from the street frontages is provided via paved walkways at the Cambridge Street driveway, at the southwest corner of the site, and through gated courtyards for each unit along Cambridge Street and Katella Avenue. The project also provides convenient pedestrian access to nearby shopping, restaurants, office, and residential uses, as well as to the bus stop located on Katella Avenue, adjacent to the southwest corner of the site. Interior walkways are provided on the east and west sides of the interior residential island that connects to a landscaped paseo that leads to the entries of Units 14-33 and at the entrance to the pocket park along the northern boundary providing access to the park. The private interior roadway, parking spaces, common open space, and landscape areas designated in green on Sheet L-5 (HOA Maintained Areas Plan) of the project plans will be maintained by a Homeowner's Association for the development.

Common and Private Open Space:

The Small Lot Subdivision development standards require a project to provide common open space only if the buildings on each lot exceed 75 percent lot coverage. As noted on Sheet A1.0 (Conceptual Site Plan), lot coverage for the project ranges from 44-57 percent and therefore the project is not required to provide common open space. However, in an effort to enhance the project aesthetics and provide amenities to the residents, the applicant has provided an enclosed pocket park with shaded picnic tables, barbeque, multipurpose lawn area, and enhanced paving along the northern boundary, a pocket park with bench seating, entry portals, signage wall, and lawn area area at the southwest corner of the site, and a landscaped paseo between Units 13-34 in the interior residential island. The project also provides private open space in the form of roof decks for all three-story units, and 10-foot rear yards for units along the northern boundary.

Streetscape and Landscape

Sheet L-1 (Existing Conditions Plan) shows the removal of 19 existing mature trees in order to accommodate the new residential development. Nine existing street trees will be protected in place and three new street trees will be installed along the Katella Avenue frontage.

Sheets L-32 - L-34 (Plant Palette and Conceptual Planting Plan) illustrate the proposed landscape palette for the project. The project incorporates a variety of water efficient plant material along the street frontages, project interior, and perimeter boundaries, including a total of 54 new trees. Streetscape treatment includes retention of existing street trees, and the incorporation of three new Camphor street trees along Katella Avenue (Condition of Approval #24). Foundation planting and landscape planters will contain Hybrid Olive, Pink Trumpet, and Forest Pansey Redbud trees, and linear groupings of shrubs and groundcover including Blue Flame Agave, Little Rev Flax Lily, Huntington Carpet Rosemary, and Jerusalem Sage. The streetscape landscaping conveys the residential nature of the land use along the predominately commercial Katella corridor, articulates and helps soften the three-story building design, and provides a friendly pedestrian-oriented interface

with the buildings and sidewalk. The project interior will include Hybrid Olive, Saratoga Bay Laurel, Southern Live Oak, Little Gem Magnolia, Giant Bird of Paradise, and Filibusta Fan Palm trees with a mix of similar shrubs and ground cover, including artificial turf in the pocket parks. Little Gem Magnolia Trees (24-in box size) will be planted in the rear corners of Units 1-12, a dense row of Shrubby Yew Podocarpus (24-inch box size) will be planted along the entire north property line wall and at the northeast corner of the site, and a Southern Live Oak tree (48-inch box size) will be planted in the pocket park along the north property line to provide additional green screening for the single-story residences to the north. Condition of Approval #25 has been included to require routine trimming and maintenance of trees and shrubs along the north property line so they do not grow to interfere with the overhead utility lines, and require replacement of said trees and shrubs if they are damaged, removed, or die. Enhanced paving is also proposed for pedestrian walkways, within the pocket parks, and within the fenced unit courtyards along the street frontages.

Fences/Walls:

Sheet L-3 (Conceptual Fence and Wall Plan) illustrates low stucco walls with wooden gates for the unit courtyards along both street frontages, contributing to the pedestrian interface of the project and sidewalks while also providing a physical cue of private property space. The southwest corner of the site is accentuated with 8-foot pedestrian portals and low stucco walls that will contain development identification signage. Two existing seven-foot parallel block walls will remain in place along the northern boundary, one on the project site, and the other on the adjacent Carlton Avenue residential properties. A variable height (3 feet-6 inches to 8 feet) precision block wall is proposed along the eastern boundary between the project and the adjacent commercial site. Side yard stucco walls and gates (6-feet tall) are proposed between the units, and low tubular steel fencing and gates will enclose the landscape area at the northwest corner and pocket park along the northern boundary.

Lighting:

Sheets EP1.1 - EP1.2 include the Photometric Plan and fixture designs for the project. New 16-foot tall LED pole streetlights are proposed in landscape planters at the entry drives, adjacent to guest parking spaces, and in the pocket park along the northern boundary. These fixtures will have shields directed downward to prevent off-site light spillage. Three-foot-tall LED bollard lighting is proposed in the pocket park at the southwest corner, and various landscape lighting, including shade structure down lighting, in-ground flush mounted fixtures, tree and sign up-lighting will also be provided. Decorative LED wall light fixtures (shown on building elevations) are proposed at the front, rear patio (Units 1-12), and garage door entries of each unit. The proposed fixture styles are contemporary and compatible with the architecture of the buildings.

Signage:

Conceptual signage is included for illustrative purposes on Sheet L-24 and is not part of this project proposal. Monument signage is proposed on a low wall at the southwest corner pocket park for visibility at both street intersections. The sign concept appears compatible with the building design; however, the City's Building Security Ordinance will likely require a lighted address on the monument sign and at each residential unit. All signage will comply with the City's sign regulations.

Overall, the project's coordinated architectural style, use of matching colors and materials for all structures, as well as landscape and streetscape design as proposed presents an overall integrated design theme. The project's contemporary design attempts to provide a visual transition from the eclectic appearance of the Katella commercial corridor, immediately abutting residential neighborhoods, non-descript uses at the other three corners of the intersection, and at a key

“gateway” location leading to the Fairmeadow Eichler Tract Historic District.

6. EXISTING SITE

The 2.71-acre site is currently developed with a vacant 20,621 square foot two-story commercial building (former AT&T switching and service truck facility) that has a recent history of transient occupation and vandalism. A 53-foot-tall wireless communication facility and related equipment is located to the east of the building. There is a surface parking lot with 152 spaces, mature trees and landscaping, perimeter walls, gated entries off Cambridge Street and Katella Avenue, and site improvements. All structures and site improvements, including the wireless communication facility will be removed to accommodate the project.

7. EXISTING AREA CONTEXT

The project site is located in a transitional area of the city, containing a mix of residential and commercial uses. To the north of the project site are one-story single-family residences located along Carleton Avenue. To the south is Katella Avenue and a bus stop located adjacent to the northeast corner of Katella Avenue and Cambridge Street. Further south are one and two-story commercial buildings (Orange County Mattress, multi-tenant office building, Albert James Photographers). To the east is a two-story retail/office building (Pacific Coast Title Company, HN Mattress). To the west is Cambridge Street. Further west is the Speedway Express gas station, and two-story multi-family residences (Cambridge Court Apartments). The architecture in the surrounding area is eclectic, dating from the 1960's through the 1980's. The site is also within one half-mile of the Fairmeadow Eichler Tract Historic District and Taft Library, and a mile from the Irving House neighborhood, a recent development of a similar format and architectural style to the proposed project.

8. ANALYSIS AND STATEMENT OF THE ISSUES

Design Review Committee Feedback

On December 6, 2023, the DRC conducted a review of the project design and provided comments to the applicant pertaining to the overall site layout, building architecture, privacy, shade and shadow, and landscaping. Final minutes of this meeting and the applicant's responses to comments are included as Attachments 8 and 11 to this report. The December 6, 2023 DRC comments and responses to comments are as follows:

DRC Comments

Overall Site Layout

1. Pedestrian access is lacking to the pocket park along the north property line.
2. The double wall along the north property line could facilitate animals and debris being caught in between. Replacement of the double wall with a single wall was recommended.
3. Trash collection and storage operations:
 - a. Concern was expressed regarding resident access to trash carts stored within individual garages. Potential exists that each resident would need to pull out one car to access trash carts which could block the drive aisle. This could be impactful during trash pick-up day.
 - b. Trash carts may block access to the fire lane, individual garages, and side yard gates.
 - c. Some units may need to place trash carts in front of adjacent properties on trash pick-up day so that they do not block fire lane access. An inquiry was made if trash carts will remain perfectly aligned.
 - d. Concern was expressed that trash storage and collection should be functional and

conveniently placed throughout the development as specified within the Small Lot Subdivision Development Standards.

4. Guest access to units along Cambridge Street and Katella Avenue would need to be from the unit garages, or they would need to walk completely around the development onto the street frontages to the front entries.
5. Many aspects of the project dominate the site, including three-story units, roof decks, parking, and utilities. A reduction of units is needed to make the project livable. There is not enough room for adequate and sustainable landscaping, to have a sense of entry, or to have separation between very tall and harsh architecture.
6. Concern was expressed regarding the potential for an entitlement to remain for the existing cell site.
7. Concern was expressed that the project does not meet the goals of the Small Lot Subdivision Ordinance in that the subdivision may not fit into the existing neighborhood context, and introduces a new housing typology that does not maintain the neighborhood form.
8. A comment was made that there are very little context driven design decisions for the project.
9. The project should consider the location and marketability of Unit #45, which is located directly behind the existing bus stop.

Building Architecture, Privacy, Shade and Shadow

1. Concern was expressed about the height, number of homes, and limited landscaping.
2. The project needs to provide screening for the northerly neighbors.
3. Although the architecture along Cambridge Street is not a problem, the architecture proposed along the rear of Units 1-12 along the north property line is unacceptable. Windows should not be oriented to look onto neighboring properties. Screening needs to be provided on the project side to include landscaping that could be sustained in the narrow rear yards.
4. Third story decks act as a fourth story, and decks located close to Katella Avenue are concerning for safety reasons. Concern was expressed that roof top umbrellas would not survive in windy conditions.
5. A suggestion was made to replace the large second-story north-facing bedroom windows with high windows and to move the large rear windows to the side elevation with a side yard meeting egress requirements.
6. The height of the two-story buildings and 10-foot rear yard setback along the north property line compounds view impacts with solar shading problems during the summer and winter solstices. The project needs to substantially solve the shade and shadow impacts.
7. The DRC requested line of sight studies as viewed from the second and third story north facing windows and roof top decks to the Carleton Avenue neighbors, including locations where there are no units backing the north property line (in the area of the pocket park) and demonstrate how the views will be protected. Pad elevations need to correlate with the grading plans; heights need to correlate with the heights specified on the plans; sections need to be provided; and angles of sight need to be included from a five-foot eye height.
8. Moving the second story back 15 feet will not solve the view impacts of the three-story units across from the pocket park.
9. Site design does not mitigate the building height.
10. A comment was made that the project is neither urban nor suburban in its approach. The project needs to be more suburban on the north side to uphold community aesthetics.
11. Second and third story building facades enclose into the drive aisles creating a "caved-in corridor" with little room for landscaping. Front façades are taken care of, but the sides and rears along the drive aisle are simple and boxy.

12. Trash storage and pick-up, and landscaping are suffering due to the number of proposed units.
13. Plans do not show the location of gas meters for all units, and location of air conditioners on two-story units.
14. The only access to the four-foot side yards is from the drive aisle.
15. Plans do not specify window material and frame color.
16. Plans do not include wall mounted lighting above rear patio doors on the two-story units along the northern boundary.
17. Plans do not include cut sheets and specifications for all exterior lighting.
18. The Lighting Plan on Sheet EP1.1 does not include the lighting under the patio cover in the pocket park along the north property line. Concern was expressed about how this relates to the wall height and if light will be visible in the background.

Landscaping

1. Trees along the north property line are not positioned to screen views from second story windows because they are positioned between the houses.
2. An inquiry was made as to how the trees proposed along the north property line will be maintained and who will be responsible for replacing damaged or dead trees.
3. The Crape Myrtle trees specified in the rear corner yards along the north property line are not typically used for landscape screening and the Italian Cypress trees may not provide adequate screening.
4. The Shade and Shadow Plans do not address landscaping in the back yards of Units 1-12 or the drive aisles adjacent to the three-story buildings. The drive aisle will be in full shade all of the time. Planting material specified is more suitable for full and partial sun conditions.
5. A concern was expressed regarding plant selection and health of the tree root systems.
6. Plans do not include valve boxes and transformers which could further reduce planting areas.
7. The use of synthetic turf is not included on the Planting Plan.
8. The plant specification of "Lnr" is not shown on Planting Plan.

Applicant's Responses to Comments

In response to the DRC's comments, the applicant has subsequently revised the submittal plans and provided additional information responding to several concerns and recommendations by the Committee. The applicant has provided written Responses to Comments, included as Attachment 11 to this report. Updates to the design of the proposed project include the following:

Overall Site Layout

The Conceptual Site Plan (Sheet A1.0) has been modified to clearly include plan designations that correspond to the unit summary and parking requirements. The plan indicates that there will be 31 three-bedroom and 18 four-bedroom units and provides the 128 required parking spaces. A pedestrian walkway has been included that provides access to the pocket park along the north property line. This in turn reduced the distance separation between Units 1-12, from 6 feet-3 inches to 6 feet-1 inch, but still provides adequate separation distance for egress purposes. The Conceptual Landscape Plan (Sheet L-2) and Conceptual Planting Plan (Sheet L-34) were revised to include air conditioning units in the rear yards of Units 1-12. The Trash Management Plan (Sheet L-6) was revised to show all trash carts located outside of the fire lane during trash pick-up day, and the applicant has provided a justification letter (Attachment 11) for the proposed location of trash carts and pictures to help describe the trash storage and pick-up operations for the project. Sheets L-2 - L-

6 have been revised to include a conceptual layout of electrical transformers in the interior landscape planters.

Building Architecture, Privacy, Shade and Shadow

The second story north elevations of Units 1-12 were modified to include a step back of 12 to 15 feet from the north property line. The first-floor setback of 10 feet remains the same. In addition, the Plan 3 (Carleton Avenue adjacent) floor plans and elevations were modified by replacing the large north-facing second story primary bedroom windows with two clerestory windows. The applicant has indicated that the windows will be located approximately seven feet above the interior finished floor to the bottom of the windows. The east elevations of Units 1-6 and west elevations of Units 7-12 were modified by replacing the two smaller rectangular windows with one larger primary bedroom window to meet egress requirements for each unit. Neighbor Adjacencies Exhibits were also modified to illustrate the changes stated above (See Sheets A 4.2 - A 4.11 and L-17 - L-22). These modifications serve to minimize the privacy concerns expressed by staff and the DRC in relation to the north facing second story setbacks and window placement for Units 1-12. In addition, building elevations now include exterior vinyl window material and bronze frame color notations.

The applicant has provided revised View Studies (Sheets L-11 - L-15) with section lines to illustrate the privacy views as seen from the roof decks through the six-foot gaps between the two-story units and the pocket park along the north property line. Perspective views from the third story north facing bedroom window and roof deck of Unit 20 through the pocket park along the north property line are included on Sheets L-29 - L-30, and additional perspective views are provided in Attachment 13. Trees and privacy hedge screening have been provided along the north property line and is described in the landscaping section below. Based on the View Studies and perspective views provided by the applicant, the DRC should comment if views from roof decks and third story windows are adequately screened.

The DRC expressed concerns about the new buildings potentially blocking sunlight to the neighboring residential properties to the north. The City considers project impacts to be significant if new shading from a project continuously covers either roof top solar panels or residential windows for two continuous hours or more on any given day during the winter and summer solstice or spring and fall equinox. In response to the DRC's comments, the Shade and Shadow Analysis (Sheets L-7 - L-10) was updated to include existing and proposed project conditions during the winter solstice from 7:00 a.m. to 9:30 a.m. (when the sun angle is lowest, resulting in the most restrictive time period). Shading occurs at 7:00 a.m. with or without the project, so the two-hour threshold window begins at 7:30 a.m. The analysis shows that at 9:30 a.m. during the winter solstice, both existing and proposed project shading is similar in that shading is absent from most of the northerly residential buildings except for two properties located at 932 and 942 E. Carleton Avenue. However, these buildings are already shaded at this time by existing trees on the project site and on the private properties. Details of the shade and shadow analysis are provided within Attachment 15.

Exterior rear patio door lighting on Units 1-12 is included on Sheets A 4.3, A 4.5, A 4.8, and A 4.10 (Plan 3 Rear Elevations). LED shade structure down lighting in the pocket park along the north property line, and exterior lighting design specifications have been provided on Sheets EP1.1 - EP1.2 (Photometric and Site Plan Cut Sheets Plans).

Landscaping

Sheets L-2 (Conceptual Landscape Plan), L-34 (Conceptual Planting Plan), L-17 - L-19 (Neighbor

Adjacency Exhibits), L-20 - L-22 and L-27 - L-30 (Perspective Views) were revised to include a dense row of Shrubby Yew Podocarpus shrubs (24-inch box size) along the entire north property line and at the northeast corner of Unit 12. Natchez Crape Myrtle and Italian Cypress trees previously located in the corner yards of Units 1-12 were replaced with Little Gem Magnolia trees (24-inch box size), and the Hybrid Olive tree in the pocket park was replaced with a Southern Live Oak tree (48-inch box size) to provide larger canopies for screening and privacy purposes. General revisions were made to Sheet L-34 (Conceptual Planting Plan) to address shade and sunlight sensitive plants, including the addition of Camelia, Clivia, Japanese Aralia, Little Ragu Sweet Bay, Carolina Laurel Cherry, Narrow-leaved Bird of Paradise, and Asian Star Jasmine shrubs. In addition, three Camphor street trees were added along the Katella Avenue frontage.

Neighborhood Concerns

Planning Division staff received 37 letters of opposition from the neighboring community and forwarded the letters to the DRC in advance of the December 6, 2023 meeting. In addition, public comments were posted on the City's website, and Community members spoke at the meeting. Neighborhood concerns pertaining to project design included the following:

1. Second story window placement, three story units with roof top decks, and lack of green landscape screening along the north property line compromise privacy.
2. The two-story homes located 10 feet away impact the back yards of existing residences.
3. Three story buildings with roof decks are out of character with the Katella Avenue corridor.
4. The scale of the project will impact sun in backyards and solar panel performance.
5. The applicant expects the property owners on Carleton Avenue to keep their window covering closed to mitigate privacy concerns.
6. The project does not have enough green space and trees.
7. Responsible development needs to be provided to support construction.
8. The project would increase light pollution.
9. The modern design and intensity of development is inconsistent with existing context.
10. The project does not adhere to the Small Lot Subdivision Guidelines.
11. The proposed design does not adhere to the City's General Plan Land Use Policies 1.2, 1.4, and 1.6 listed on page LU-4 and Policy 6.1 on page LU-8 of the Land Use Element of the General Plan listed below:

Policy 1.2: Balance economic gains from new development while preserving the character and densities of residential neighborhoods.

Policy 1.4: Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development.

Policy 1.6: Minimize effects of new development on the privacy and character of surrounding neighborhoods.

Policy 6.1: Ensure that new development is compatible with the style and design of established structures and the surrounding environment.

The applicant's plan revisions and responses resolve several concerns expressed by staff, the DRC, and neighboring community. The stepped back second story setbacks and utilization of clerestory windows on the north building elevations of Units 1-12 help to address privacy concerns along the north property line. The incorporation of dense green screening and larger canopy trees along the north property line wall will help screen views from third story windows and roof decks toward the northerly neighbors. Landscape plans include sunlight sensitive plants, and the addition of three street trees along Katella Avenue will help soften the three-story massing along the street frontage.

The addition of a pedestrian walkway to the pocket park along the north property line will also provide residents with access to the common open space amenities.

Overall, the project's compliance with the Small Lot Subdivision Development Standards, coordinated architectural style, use of matching colors and materials, conceptual signage, as well as landscape and streetscape design as proposed presents an overall integrated design theme that attempts to achieve a logical visual transition and response to the surrounding environs. Removal of the wireless facility will also improve the aesthetics of the site and surrounding area.

9. ADVISORY BOARD RECOMMENDATION

The Staff Review Committee (SRC) conducted reviews of the project on December 14, 2022, July 26, 2023, and on September 20, 2023. On November 1, 2023, SRC recommended that the project proceed to the Design Review Committee.

On December 6, 2023, the DRC reviewed the subject proposal and voted 5-0-2 to continue the project to the February 7, 2024 meeting in order for the applicant to address the Committee's comments and concerns.

On February 7, 2024, the DRC voted 5-0-2 to allow the applicant additional time to work with staff and provide the requested information and revisions on the plans.

10. PUBLIC NOTICE

On November 9, 2023, a Notice of Intent (NOI) to Adopt Mitigated Negative Declaration No. 1882-22 was filed with the Orange County Clerk Recorder, posted at the site in two locations, mailed to 122 property owners and tenants within a 400-foot radius of the project site, potentially affected cities, public agencies, utility service providers, and published in the Anaheim Bulletin Newspaper.

On November 22, 2023, the City sent a December 6, 2023 DRC Public Meeting Notice to 122 property owners and tenants within a 400-foot radius of the project site, potentially affected cities, public agencies, utility service providers and persons specifically requesting notice. The project site was posted in two locations with the notification on that same date.

Because the DRC continued the project from the December 6, 2023 meeting to dates certain on February 7, 2024 and to February 21, 2024, public notification was not required for these continued meetings.

11. ENVIRONMENTAL REVIEW

The proposed project is subject to environmental review per the provisions of the California Environmental Quality Act (CEQA). Mitigated Negative Declaration (MND) No. 1882-22 has been prepared for this project and is included as Attachments 5 and 6 for the DRC's review and consideration. The issues subject to DRC purview are impacts relating to Aesthetics, and Cultural Resources. The role of the DRC is to provide a recommendation to the Planning Commission, and comments provided by the DRC will be included in the Planning Commission Staff Report.

MND No. 1882-22 analyzes the physical environmental impacts of the project. The MND concludes that the project will have less than significant impacts to the environment with the implementation of Project Design Features relating to Air Quality and Noise, and Mitigation Measures related to Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Transportation/Traffic, and Tribal Cultural Resources. There were no impacts identified related to Aesthetics or Cultural

Resources. The public review period began on November 9, 2023, and ended on December 11, 2023. The MND was made publicly available at the Community Development Department, City Clerk's office, and the City's website.

Public comments on MND No. 1882-22 were received from Caltrans and the neighboring community and responses to comments have been included in Attachment 5 (Mitigated Negative Declaration 1882-22).

12. STAFF RECOMMENDATION AND REQUIRED FINDINGS

Findings for DRC applications come from four sources:

- The Orange Municipal Code
- The Infill Residential Design Guidelines
- The Historic Preservation Design Standards for Old Towne (commonly referred to the Old Towne Design Standards or OTDS)
- Orange Eichler Design Standards (or OEDS)

The Findings are applied as appropriate to each project. Based on the following Findings and statements in support of such Findings, staff recommends the DRC recommend approval of the project to the Planning Commission with conditions.

- The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards, and their required findings (OMC 17.10.07.G.3).

The project is neither located in a specific plan area nor an area of the City subject to design standards. The surrounding community is characterized by a mix of land use types and design styles with no specific architectural theme. Adjacent commercial and residential buildings are generally contemporary in style, one and two stories in height, have varied roof forms, and rectangular and arched openings. Katella Avenue is in transition with the new three-story Katella Terrace senior apartments (1249 E. Katella Avenue) under construction to the east, Kiddie Academy daycare facility (232 E. Katella Avenue) and Rapids Express Car Wash (1325 W. Katella Avenue) to the west, and recently constructed five-story multi-family apartments (Garrison Modern Apartments, 1725 W. Katella Avenue) further to the west.

The proposed project will revitalize the neighborhood by replacing an existing, dated two-story commercial building and surface parking lot with a distinctive, contemporary residential development that integrates with the surrounding development along Cambridge Street and Katella Avenue. The three-story building height integrates with the large scale two-story commercial buildings to the east and south that direct massing towards the Katella Avenue frontage. Two-story units, with stepped back second stories, located along the northern boundary take into consideration the adjacent one-story single-family residential development to the north. The architectural design incorporates a combination of hip, flat, and shed roof forms, unique window arrangements and details, arched openings, use of trim and siding, and façade plane changes to add visual interest. The proposed landscape design, project lighting, and signage will enhance the architectural aesthetics and will contribute to the integration of the project with the surrounding development. Streetscape enhancements along Cambridge Street and Katella Avenue provide an appealing pedestrian friendly environment to encourage pedestrian activity and linkage to surrounding commercial and residential uses, and public

transportation. This project presents a unifying theme and results in a internally consistent design that is compatible with the eclectic mix of styles in the surrounding area. Further, this residential development project implements the Small Lot Subdivision Development Standards allowing a space-efficient alternative housing type which would create an additional opportunity for homeownership in the City of Orange.

13. CONDITIONS

The approval of this project is subject to the following conditions:

1. The project shall conform in substance and be maintained in general conformance with plans and as recommended for approval by the Design Review Committee.
2. This project is approved as a precise plan and shall conform to, and be maintained in accordance with plans and exhibits labeled as Attachment 12 in the staff report (date stamped received February 5, 2024), including modifications required by the conditions of approval. After any application has been approved, if changes are proposed regarding the location or alteration of any use or structure, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change in use, location, or other aspect of the project not otherwise addressed by these conditions, complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plan, the Community Development Director may approve the changed plan administratively.
3. Subsequent modifications to the approved architecture, color scheme, and landscape plan shall be submitted for review and approval to the Community Development Director or designee. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Design Review Committee.
4. The applicant agrees, as a condition of City's approval of Design Review No. 5092-22, to indemnify, defend, and hold harmless, at applicant's expense, the City, its officers, agents, and employees ("City") from and against any claim, action or proceeding brought against the City, including, but not limited to, any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the City's approval, to challenge the determination made by the City under the California Environmental Quality Act ("CEQA") or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify applicant of any such claim, action or proceeding to which the City receives notice and to cooperate fully with the applicant in the defense thereof. Applicant shall reimburse the City for any and all costs and expenses, including, but not limited to, court costs and attorney's fees that the City may be required to pay, including any expenses ordered by a court or expenses incurred through the Office of the City Attorney in connection with said claim, action or proceeding. City may, in its sole discretion, participate in the defense of any claim, action or proceeding but such participation shall not relieve applicant of the obligations of this condition. In the event the applicant is required to defend City in connection with such claim, action or proceeding, City shall have the right to approve counsel to so defend the City, approve all significant decisions concerning the manner

in which the defense is conducted and approve any all settlements, which approval(s) shall not be unreasonably withheld. The obligations set forth herein remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgment rendered in the proceeding. Further, applicant agrees to indemnify, defend and hold harmless the City for all costs and expenses incurred in enforcing this provision.

5. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.
6. Building permits shall be obtained for all future construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits will be cause for revocation of this permit.
7. All signage shall comply with Chapter 17.36 Sign Regulations of the Orange Municipal Code. Project signage shall be subject to Community Development Director approval.
8. If use or construction is not commenced, project approval expires twenty-four months from the approval date. Extensions of time may be granted, if requested in writing in accordance with OMC Section 17.08.060.
9. In conjunction with construction, all activity will be limited to the hours between 7 a.m. and 8 p.m. Monday through Saturday. No construction activity will be permitted on Sundays and Federal holidays.
10. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
11. Any graffiti shall be removed within 72 hours from applicant/property owner's receipt of the City's notification. Notification shall be deemed received if sent by certified mail to the address last provided by the applicant/property owner.
12. Any new lighting on the premise shall be installed in such a way to direct, control, and screen the lighting to prevent off site light spillage onto adjoining properties and shall not be a nuisance to any point beyond the exterior boundaries of the property.
13. Prior to issuance of Certificate of Occupancy, the applicant shall schedule a light reading inspection with the Crime Prevention Bureau. The lighting shall be tested and confirmed to determine if the lighting meets or exceeds the exterior boundary standards. The applicant shall use shielding so as to ensure that the light standards meet the requirements of OMC Section 17.12.030 for areas beyond the property's exterior boundaries; light spillage or pollution to surrounding residential areas shall not exceed a maintained minimum of 0.5 foot-candle.
14. Prior to building permit issuance, the applicant shall demonstrate to the satisfaction of the Community Development Director that all mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building and painted to match the walls of the building.

15. Plans submitted for Building Plan Check shall comply with the California Fire Code as amended by the City and as frequently amended and in effect at the time of application for Building Permit.
16. Prior to building permit issuance, final landscaping plans for the project shall be designed to comply with the City's Water Efficient Landscape Guidelines as described in Section IX et al of the City of Orange Landscape Standards and Specifications. The project landscape architect shall submit documentation verifying compliance with this requirement for review and approval by the Community Development Director or designee in coordination with the Public Works Director or designee.
17. Prior to building permit issuance, the applicant shall prepare a final landscaping and irrigation plan consistent with the grading plans, site plans, and the conceptual landscaping plan as proposed for the project for the review and approval of the Director of Community Development or designee in coordination with the Public Works Director or designee.
18. Landscape maintenance shall be performed in such a manner as to allow all trees to retain their full canopy height for screening and full canopy breadth for shade at point of maturity, except as required for public safety purposes.
19. Prior to building permit issuance, City required irrigation and landscape inspection notes, in accordance with the City of Orange Landscape Standards and Specifications, shall be placed on the final landscape plan, to the satisfaction of the Public Works Director or designee in coordination with the Public Works Director or designee.
20. Prior to certificate of occupancy, all landscaping improvements shall be completed according to the approved plans, the City of Orange Water Efficient Landscape Guidelines, and City of Orange Landscape Standards and Specifications. The project landscape architect shall submit documentation certifying compliance with this requirement (Appendices B and E of City of Orange Landscape Standards and Specifications) for review and approval by the Community Development Director or designee, in coordination with the Public Works Director or designee.
21. The final landscape plan shall include a note that a fully automated irrigation system will be provided.
22. Prior to building permit issuance, landscape plans shall include landscape area calculations needed for State landscape water use reporting.
23. Prior to building permit issuance, a Tree Removal Permit shall be approved by the Community Services Director in accordance with the City's Tree Preservation Ordinance. A plan is required for submittal to the City depicting all of the existing on-site trees, the specifics of each tree, and the number of trees proposed for removal and replacement.

24. Prior to building permit issuance, the applicant shall install three (3) new Camphor street trees to fill in the gaps along the Katella Avenue frontage. Tree wells shall measure 6 feet by 6 feet, and trees spacing shall be 35 feet on center. Tree variety and placement shall be approved by the Public Works Department, Tree Services Coordinator.
25. The dense row of shrubs and trees planted along the north property line wall shall be routinely trimmed and adequately maintained by the Homeowner's Association so as to not interfere with the overhead utility lines or cause overgrowth into adjacent neighboring properties. The Homeowner's Association shall replace any damaged, removed, or dead shrubs and trees with similar plant material and species.

14. ATTACHMENTS

- Attachment 1 Vicinity Map
- Attachment 2 Existing Site Photographs
- Attachment 3 Development Standards Reference Table
- Attachment 4 Small Lot Subdivision Guidelines
- Attachment 5 Mitigated Negative Declaration No. 1882-22 dated October 20, 2023
- Attachment 6 Mitigated Negative Declaration No. 1882-22 Appendices
- Attachment 7 Design Review Committee Staff Report dated December 6, 2023
- Attachment 8 Design Review Committee Minutes dated December 6, 2023
- Attachment 9 Design Review Committee Staff Report dated February 7, 2024
- Attachment 10 Design Review Committee Draft Minutes dated February 7, 2024
- Attachment 11 Applicant's Responses to Comments from the December 6, 2024 Design Review Committee Meeting
- Attachment 12 Project Plans, date stamped received February 5, 2024
- Attachment 13 Additional Perspective Views, date stamped received February 9, 2024
- Attachment 14 Color and Material Boards; Physical Boards Provided at Meeting
- Attachment 15 Shade and Shadow Analysis
- Attachment 16 Public Comments