



# Agenda Item

## Planning Commission

---

**Item #:**

6/2/2025

**File #:** 25-0314

---

**TO:** Chair and Members of the Design Review Committee

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Angelo Huang, Assistant Planner

### 1. SUBJECT

A public hearing to consider a request to construct a new bank building with a drive-through automated teller machine (ATM) at 2355 N. Tustin Street and finding of CEQA Exemption (Conditional Use Permit No. 3230, Design Review No. 5151, and Minor Site Plan Review No. 1174).

### 2. SUMMARY

A proposal to construct a 5,372 square-foot bank building with a drive-through ATM, parking lot, and landscaping on an existing surface parking lot at 2355 N. Tustin Street.

### 3. RECOMMENDED ACTION

1. Conduct and close Public Hearing.
2. Adopt Planning Commission Resolution No. 06-25 approving Conditional Use Permit No. 3230, Design Review No. 5151, and Minor Site Plan Review No. 1174 to construct a new 5,372 square-foot bank building with a drive-through ATM and related site improvements, located at 2355 N. Tustin Street.
3. Find the request categorically exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15303 of the State CEQA Guidelines (Class 3 - New Construction or Conversion of Small Structures).

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Table 17.08.020 and Sections 17.10.030.C and 17.30.030 authorize the Planning Commission to review and take action on a request for a Conditional Use Permit (CUP) to allow land uses with a drive-through component. OMC Section 17.08.020 also notes that when more than one type of application is filed for a single project, the application requiring the highest level of approval shall dictate the review process for the entire group of applications. Therefore, the Planning Commission is authorized to take action on the associated design review and minor site plan review applications.

### 5. PROJECT BACKGROUND

<i>Applicant:</i>	BTProp4, LLC - Stephen Thorp
<i>Property Owner</i>	BTProp4, LLC - Stephen Thorp
<i>Property Location</i>	2355 N. Tustin Street
<i>Existing General Plan Land Use Element Designation</i>	General Commercial Max 1.0 FAR (GC)
<i>Existing Zoning Classification</i>	Limited Business Tustin Redevelopment Project Area (C-TR)
<i>Old Towne</i>	N/A
<i>Specific Plan/PC</i>	N/A
<i>Site Size</i>	37,867 square feet
<i>Circulation</i>	The site is developed with a private drive off of North Tustin Street and the proposed improvements include a new driveway entrance to the parking lot located on the north end of the property that connects to the private drive.
<i>Existing Conditions</i>	The site consists of parking and landscaping that was part of a contiguous parking area serving the former Best Buy store at 2375 N. Tustin Street. This site is an independent parcel from the former Best Buy.
<i>Surrounding Land Uses and Zoning</i>	North - 1-story commercial buildings zoned C-TR South - 1 and 2-story commercial buildings zoned C-TR East - Vacant big box commercial building zoned C-TR West - Village at Orange commercial buildings zoned C-TR
<i>Previous Applications/Entitlements</i>	N/A

## 6. PROJECT DESCRIPTION

The proposed project includes:

### New Building

A new 5,372 square-foot rectilinear building with a drive-through ATM designed with a modern façade featuring charcoal stucco, decorative aluminum panel walls, and a span of glazing at the north building entrance. The building exhibits a flat roof with varying parapet heights and exterior lighting. Detailed information about the proposed building and landscape design is provided in Attachments 2 (Project Plans) and 6 (DRC Staff Report).

### Site Improvements

The project includes a reconfigured parking lot with 21 code-compliant off-street parking spaces. The parking lot will be illuminated by six light poles.

### Landscaping

The proposed landscaping plan includes the preservation of 13 existing trees, the removal of six trees, and the planting of 27 new trees, resulting in a total of 40 trees on the site in compliance with the City's landscape guidelines. Additional details about the proposed building and landscape design is provided in Attachments 2 and 6. The new landscaping will enhance the overall aesthetic appeal of the site and its interface with Tustin Street.

The Development Standards table demonstrating project compliance with the Code is presented on Sheet C101 of the project plans (Attachment 2).

## **7. PROJECT ANALYSIS**

### Loading Area

The code requirement for this project's loading zone is 10-by-40-foot. However, a smaller 18-foot by 15.5-foot loading zone is proposed considering the project's use as a bank, which requires less intense loading zone activity compared to retail or restaurant spaces. Furthermore, the type and size of delivery vehicles associated with a bank is smaller than common types of commercial delivery trucks. Therefore, the loading zone size is not expected to negatively affect site circulation. Section 17.34.160 of the OMC authorizes the decision-making body to allow deviation from the standard and staff supports the request.

### Parking and Circulation

Section 17.34.110.I.4 of the OMC requires that driveways and/or turnaround aisles serving 10 or more parking spaces shall not be dead-end aisles unless a turn-around or back-up area is provided to the satisfaction of the Community Development Director. The project's parking layout in the northwest corner has 13 spaces with a dead end. Due to site constraints, the applicant proposes using the loading area as a backup area. Staff considers this acceptable, given the lower frequency of loading traffic typical for financial institutions, reducing the likelihood of parking area issues and congestion.

## **8. PUBLIC NOTICE**

Notice was provided to owners and tenants within 400 feet of the project on or before May 22, 2025, and the site was posted with a notice on or before that date.

## **9. ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures) because the project consists of the construction of a new, small (<10,000 square foot in urbanized area) structure zoned for such use, not involving the significant use of hazardous substances, where all necessary public services are available, and where the area is not environmentally sensitive. There is no environmental public review or notice required for a categorical exemption.

## **10. ADVISORY BOARD RECOMMENDATION**

### Staff Review Committee:

On September 4, 2024, and December 4, 2024, the City's interdepartmental Staff Review Committee (SRC) reviewed the proposed plans and supplemental documents. On March 3, 2025, the SRC found the plans code compliant and recommended approval of the project.

Design Review Committee:

On April 16, 2025, a public meeting was held for the Design Review Committee (DRC) to review the plans. The DRC recommended approval of the project to the Planning Commission with additional conditions regarding the proposed landscaping on the site.

## 11. ATTACHMENTS

- Attachment 1 - Planning Commission Resolution No. PC 06-25
- Attachment 2 - Project Plans
- Attachment 3 - Landscape Plans
- Attachment 4 - Vicinity Map
- Attachment 5 - Digital Materials Board
- Attachment 6 - Design Review Committee Staff Report, April 16, 2025
- Attachment 7 - Design Review Committee Minutes, April 16, 2025