

RESOLUTION NO. 11633

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING CONDITIONAL USE PERMIT NO. 3221, MAJOR SITE PLAN REVIEW NO. 1166, DESIGN REVIEW NO. 5140, AND ENVIRONMENTAL REVIEW NO. 1889, ADDENDUM TO CERTIFIED ENVIRONMENTAL IMPACT REPORT NO. 1870-20 (SCH NO. 2021090399) FOR THE DEMOLITION OF AN EXISTING 40,000 SQUARE-FOOT MANUFACTURING FACILITY AND CONSTRUCTION OF A NEW 213,572 SQUARE-FOOT WAREHOUSE FACILITY THAT INCLUDES 199,572 SQUARE FEET OF WAREHOUSE AND 14,000 SQUARE FEET OF OFFICE SPACE, A 450 SQUARE-FOOT DETACHED PUMP HOUSE, AND RELATED SITE IMPROVEMENTS, LOCATED AT 534 W. STRUCK AVENUE

APPLICANT: PROLOGIS, NICOLE TORSTVET

WHEREAS, the City Council has authority per Orange Municipal Code (OMC) Section 17.08.020 to review and take action on Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) for the demolition of an existing 40,000 square-foot manufacturing facility and construction of a 213,572 square-foot warehouse facility that includes 199,572 square feet of warehouse space and 14,000 square feet of office space, a 450 square-foot detached pump house, and related site improvements, located at 534 W. Struck Avenue; and

WHEREAS, Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) were filed by Prologis, Nicole Torstvet in accordance with the provisions of the OMC; and

WHEREAS, Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) were processed in the time and manner prescribed by state and local law; and

WHEREAS, on January 15, 2025, the City's interdepartmental Staff Review Committee completed its review of the project and recommended the applications proceed to the Design Review Committee subject to conditions; and

WHEREAS, on May 7, 2025, the City's Design Review Committee reviewed the Project and recommended approval with conditions to the Planning Commission by a 6-0-1 vote.

WHEREAS, on July 21, 2025, the Planning Commission reviewed the Project and recommended approval with conditions to the City Council by a 5-0-1-1 vote.

WHEREAS, Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) was prepared to evaluate the physical environmental impacts of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) and in conformance with the Local CEQA Guidelines; and

WHEREAS, the City Council conducted a duly advertised public hearing on September 9, 2025, at which time interested persons had an opportunity to testify either in support of or opposition to Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) upon property described in Exhibit “A” to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, Addendum to Certified Environmental Impact Report 1870-20 (SCH No. 2021090399) for the demolition of an existing 40,000 square-foot manufacturing facility and construction of a 213,572 square-foot warehouse facility that includes 199,572 square feet of warehouse space and 14,000 square feet of office space, a 450 square-foot detached pump house, and related site improvements based on the following findings:

SECTION 1 – FINDINGS

General Plan Finding:

1. *The project must be consistent with the goals and policies stated within the City’s General Plan.*

The project is consistent with the goals and policies stated within the City’s General Plan Land Use and Economic Development Elements in that the proposed warehouse facility helps to provide a service that contributes to a diversified mix of land uses in the surrounding community. Redevelopment of the existing vacant and degraded site will re-establish the economic viability of the property through aesthetic enhancement and the elimination of physical deterioration. In addition, redevelopment of the site will provide warehouse and distribution services that support local revenue generating businesses which will in turn contribute to the economic vitality and support the employment base in the area.

Conditional Use Permit Findings:

1. *A Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community (OMC 17.10.030.F.1).*

The granting of this Conditional Use Permit is based upon sound principles of land use and in response to the services required by the community. The proposed project supports the goals

of the existing General Plan Land Use Element by fulfilling a range of desired uses. The project implements site and building design features to be compatible with adjacent surrounding residential, public facility, commercial, and industrial uses. The proposed contemporary building design complements the character of the area, and the landscaping provides the project frontages with a hierarchy of plant material that softens the building mass and scale. New trees and landscaping will provide a visual buffer for the residential development to the north and adjacent HUB Resource Center. Granting a permit in this instance is therefore based upon sound land use principles and responds to the needs of the community at-large.

2. *A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located (OMC 17.10.030.F.2).*

Consideration has been given to whether the proposed 24-hour warehouse and distribution use will detrimentally affect adjacent land uses. The project is located approximately 47 to 147 feet from residential uses to the north and northeast. The project is designed to be mindful of these neighboring residential uses and incorporates various site and building design features, including warehouse layout with the truck loading dock on the east side adjacent to the existing railroad tracks and away from the adjacent residential properties, two designated truck/trailer access driveways on the northeast and northwest corners to ensure adequate on-site queuing and circulation, installation of a 14-foot-tall concrete screen wall along the north side of the loading dock, layered landscape setbacks including at the northeast corner truck yard entrance, on-site signage that provides directional guidance to trucks entering and exiting the property, and truck idling restrictions. In addition, Staff included Conditions of Approval to ensure that grading and construction operations, and truck traffic generated by the project minimize impacts to adjacent residential uses.

The project complies with the development standards of the Industrial (M-2) zone. Development of the project would re-introduce business activity to the property and enhance the existing industrial character of the site and surrounding area with a new contemporary building design, new landscaping, hardscape, on-site improvements, and street frontage improvements.

3. *A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located (OMC 17.10.030.F.3).*

There is no community or neighborhood plan for the area. As stated in the General Plan finding, the project is consistent with and implements the goals and policies of the General Plan. The project site is designated Light Industrial in the City of Orange General Plan, which allows for the warehousing and distribution of goods. The exterior design, including colors and materials, and landscape palette provides an internally consistent and integrated design theme that upholds community aesthetics.

4. *A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant (OMC 17.10.030.F.4).*

All project conditions maintain a purpose of preserving the general welfare of the City and community. Conditions specifically serve to manage project construction, provide for site maintenance, address water quality, protect or improve the public right-of-way, protect or improve utilities, and accommodate aesthetics.

Major Site Plan Review Findings:

1. *The project design is compatible with surrounding development and neighborhoods (OMC 17.10.060.H.1).*

The surrounding development and neighborhood consist of public facility and multi-family residential uses to the north and northeast, industrial and commercial uses to the south and west, and the railroad and industrial uses to the east. The project complies with the development standards of the M-2 zone and is compatible with the adjacent surrounding development and uses. The project incorporates site and building design features to be mindful of residential uses to the north and northeast, including warehouse layout with the truck loading dock on the east side facing the existing railroad and away from residential uses, two designated truck/trailer access driveways on the northeast and northwest corners to ensure adequate on-site queueing and circulation, installation of a 14-foot-tall concrete screen wall along the north side of the loading dock, layered landscape setbacks including at the northeast corner truck yard entrance, on-site signage that provides directional guidance to trucks entering and exiting the property, and truck idling restrictions. The proposed contemporary building design and scale complement the eclectic character of the area and the landscaping provides the project frontage with a hierarchy of plant material that soften the building mass and scale. Overall, the proposed project presents an integrated design that provides a renewed, updated, and improved appearance to the site and to the surrounding community.

2. *Major Site Plan approval shall be granted if the project conforms to City development standards and any applicable special design guidelines or specific plan requirements (OMC 17.10.060.H.2).*

The project as proposed conforms to City's development standards for the M-2 zoning district. There are no special design guidelines or specific plans affecting the property.

3. *Major Site Plan approval shall be granted if the project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site (OMC 17.10.060.H.3).*

The project provides safe and adequate access and circulation for vehicles and pedestrians from West Struck Avenue. The on-site circulation is designed to accommodate all access needs to parking spaces and for emergency vehicles, and disabled parking and access is provided to accommodate building code requirements. Pedestrian access to the building is provided along the north, east, and west sides of the building, and pedestrian gates are located at the truck yard gated entries on the northeast side and southeast corner of the building.

4. *Major Site Plan approval shall be granted if City services are available and adequate to serve the project (OMC 17.10.060.H.4).*

A review of the project with all City Departments concludes that City services will be available and adequate to serve this site, including water, sewer, police, and fire services.

5. *Major Site Plan approval shall be granted if the project has been designed to fully mitigate or substantially minimize adverse environmental effects (OMC 17.10.060.H.5).*

Any potentially significant environmental effects have been evaluated in Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) and mitigated to a less than significant level. Project conditions, mitigation measures, and the OMC will adequately manage construction and use regulation needs of the project.

Design Review Finding:

1. *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 17.10.070.G.3).*

The proposed project complies with the Orange Municipal Code, including, but not limited to the industrial development standards, parking, and landscape standards. The project is appropriate for the location and for the site. The consistent architectural design of the building and accessory structures, including colors and materials, brings a contemporary aesthetic to an area that is characterized by an eclectic mix of industrial, commercial, and multi-family residential development. The proposed landscaping provides the project frontage with flowering trees, shrubs, and accent foliage that soften the building height and massing as seen from the public right-of-way, and provides an appealing pedestrian environment between the project and surrounding uses. The project presents an internally consistent and integrated design theme that upholds community aesthetics. The project as proposed will generally provide positive improvements to the vacant site. There are no specific plans or design standards that are applicable to this site.

SECTION 2 – ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was originally prepared for the previous truck terminal project. On September 23, 2021, the City circulated a Notice of Intent to Adopt MND No. 1870-20 for the project. The MND was circulated for public review from September 23 to October 25, 2021. During the 30-day public review period, comments received requested additional technical analysis (e.g., air quality and noise modeling, traffic). In order to address the environmental concerns raised, additional technical analyses were prepared and Draft EIR No. 1870-20 was prepared to provide a comprehensive environmental review of the project. The Draft EIR was available for public review for 45 days, beginning on March 31, 2023, and ending on May 15, 2023. Staff received five comments during the public review period and prepared responses to comments to address any environmental concerns.

On August 22, 2023, the City Council approved Resolution No. 11487 certifying Final EIR No. 1870-20 [State Clearinghouse (SCH) No. 2021090399], adopting a Mitigation Monitoring and Reporting Program and Findings of Fact; and approving CUP No. 3137-21, MJSP No. 1039-21, and DRC No. 5028-21. The 2023 Certified EIR and its technical appendices are attached for reference (Attachments 8 - 10). The 2023 Certified EIR concluded that the truck terminal project would not result in any significant and unavoidable environmental impacts. Project-level mitigation measures were required to reduce potentially significant impacts to levels considered less than significant for the following topical issues: Biological Resources (due to the potential to impact nesting migratory birds protected by the Migratory Bird Treaty Act and California Fish and Game Code); Cultural Resources (due to the potential to encounter buried archaeological resources); Geology and Soils (due to the potential to encounter buried paleontological resources); Hazards and Hazardous Materials (due to the potential to uncover contaminated soils); and Tribal Cultural Resources (due to the potential to encounter buried tribal cultural resources).

Environmental Review No. 1889, an Addendum to Certified EIR No. 1870-20 (SCH No. 2021090399) was prepared for the current warehouse project. The purpose of the Addendum is to evaluate the potential environmental impacts of the proposed project. In accordance with the California Environmental Quality Act (CEQA), the Addendum analyzes the warehouse project and demonstrates that all potential environmental impacts associated with the project at buildout would be within the envelope of impacts already evaluated in the 2023 Certified EIR. Accordingly, this Addendum provides an analysis of the revised project and verification that the revised project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the 2023 Certified EIR. The 2023 Certified EIR Mitigation measures are included in the Addendum that reduce potential impacts to less than significant levels. Public review of the Addendum is not required.

SECTION 3– CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed:

Community Development Department, Planning Division:

1. All Site and Building Design Features and Mitigation Measures identified in Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) and in the associated Mitigation Monitoring and Reporting Program, included as Attachments 8 and 9 to the City Council staff report for this project, shall be incorporated as conditions of approval for the project by the final decision-making body and shall be implemented as described in Environmental Review No. 1889, Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399).
2. If not utilized, project approvals expire two years from the approval date. Extensions of time may be granted in accordance with Orange Municipal Code (OMC) Section 17.08.060.
3. Within two (2) business days of approval by the final decision-making body for this project, the applicant shall deliver to the Planning Division a cashier's check payable to the Orange

County Clerk in an amount required to fulfill the fee requirements of Fish and Game Code Section 711.4(d)(2) and the County Administrative fee, to enable the City to file the Notice of Determination required under Public Resources Code 21152, & Cal Code Regulations 15075. If it is determined that there will be no impact on wildlife resources, the fee shall be as required based on the current fee schedule.

4. Within two (2) business days of approval by the final decision-making body for this project, the applicant shall submit a deposit to the Planning Division for the Mitigation Monitoring and Reporting Program. Time spent by City staff to complete the project will be charged to the applicant on an hourly basis, in accordance with the city's fee schedule.
5. The final conditions of approval shall be reprinted on a dedicated sheet (or sheets) after the Title Sheet of the construction documents when submitting to the Building Division for the plan check process.
6. The applicant agrees, as a condition of City's approval of Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, an Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399), 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.
7. 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 may be cause for revocation of this permit.

8. This project is approved as a precise plan and shall conform to and be maintained in accordance with plans and exhibits labeled as Attachment 4 in the City Council staff report. After any application has been approved, if plan modifications are proposed regarding the location or alteration of any use or structure, or deviations become necessary to site improvements including, but not limited to, landscaping and parking because of unforeseen requirements from any City Department, utility provider, or State or Federal statute, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change complies with the findings, conditions, 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. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Design Review Committee, Planning Commission, and/or City Council, as appropriate, and as determined by the Community Development Director.
9. Subsequent modifications to the approved architecture, color scheme, and landscape plan shall be submitted for review and approval to the Community Development Director. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Design Review Committee.
10. Any future expansion in area or in the nature and operation of the approved use by Conditional Use Permit No. 3221, Major Site Plan Review No. 1166, Design Review No. 5140, and Environmental Review No. 1889, an Addendum to Certified Environmental Impact Report No. 1870-20 (SCH No. 2021090399) shall require new or amended applications.
11. The project approval includes certain fees and/or other exactions. Pursuant to Government Code Section 66020, these conditions or requirements constitute written notice of the fees and/or exactions. The applicant is hereby notified that the ninety (90) day protest period commencing from the date of approval of the project has begun. If the applicant fails to file a protest regarding these conditions or requirements, the applicant is legally barred from later challenging such exactions per Government Code Section 66020.
12. Prior to building permit issuance, the applicant shall pay all applicable development fees, including but not limited to: City sewer connection, Orange County Sanitation District Connection Fee, Transportation System Improvement Program (TSIP), Fire Facility, Police Facility, Park Acquisition, Library, Sanitation District, and School District, as required.
13. Prior to building permit issuance, the applicant shall pay any outstanding monies due to the City of Orange for Planning Division entitlement activities related to this project.
14. Building permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building and Safety Services. Failure to obtain the required building permits may be cause for revocation of the entitlements provided.

15. All signage shall comply with Sign Regulations of the OMC, Chapter 17.36 and subject to approval by the Community Development Director.
16. Grading operations shall be restricted to Monday through Friday between the hours of 7:30 a.m. and 5:00 p.m., with limited grading as necessary permitted on Saturdays between the hours of 8:00 a.m. and 4:30 p.m. Mechanics may service the equipment up to two hours after each shift.
17. All other construction activities (i.e. not grading operations) shall conform to the City's Noise Ordinance, OMC Chapter 8.24, and shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Saturday. No construction activity will be permitted on Sundays and Federal holidays.
18. Any graffiti shall be removed within 72 hours from the time the City of Orange Notice of Violation is received by the applicant/property owner. This condition applies to both the pre-and post-project site.
19. The applicant shall at all times provide the required number of parking spaces designated on the approved building permit plans.
20. 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 maintained in a manner constituting a nuisance to adjacent and surrounding properties.
21. Prior to building permit issuance, the private tracks on the property shall be abandoned and removed.
22. Prior to building permit issuance, the applicant shall demonstrate to the satisfaction of the 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.
23. Prior to building permit issuance, all required parking spaces shall be shown on construction documents as doubled striped to City standards at the time of approval.
24. Prior to building permit issuance, the applicant shall identify the precise location of existing walls proposed for demolition, if applicable. If the location of the existing wall slated for demolition is wholly or partially upon an adjacent property, the applicant shall secure the property owner(s) approval to demolish and replace the wall prior to building permit issuance. The applicant will be responsible for any site repairs to walls damaged through demolition activity.
25. 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 Community Development Director in coordination with the Public Works Director. Landscape and irrigation plans shall be prepared by a landscape architect. The City may require peer review of submitted landscape and irrigation plans by a separate registered landscape

architect at the applicant's cost. Subsequently, upon final inspection, the City may require a separate landscape architect to verify, at the applicant's cost, that planting materials and irrigation are installed according to approved landscape plans.

26. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan (WQMP) and ensure the proposed landscape plans are consistent with the project grading plans and show the proposed structural storm water treatment BMPs incorporated into the project.
27. Prior to building permit issuance, all landscaping located within public areas shall be shown on the landscape plans and shall include the installation of root barriers acceptable to the Public Works Department on the sidewalk side of the tree or where conditions warrant the installation of a Deep Root box as directed by the Public Works Director.
28. 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 certifying compliance with this requirement (Appendix B of the City of Orange Landscape Standards and Specifications) for review and approval by the Community Development Director in coordination with the Public Works Director.
29. Prior to certificate of occupancy issuance, 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 (Appendix E of the City of Orange Landscape Standards and Specifications) for review and approval by the Community Development Director, in coordination with the Public Works Director.
30. 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 Community Development Director in coordination with the Public Works Director.
31. Prior to building permit issuance, the final landscape plan shall be reviewed and approved by the Public Works Director when landscaping is proposed within the public right-of-way and/or the project is constructing Storm Water Quality Best Management Practices (BMPs) in landscaped areas.
32. Prior to building permit issuance, the final landscape plan shall include a note that a fully automated irrigation system will be provided.
33. Prior to building permit issuance, landscape plans shall include landscape area calculations needed for State landscape water use reporting.

34. 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.
35. Landscaping shall be maintained so as to not interfere with lighting or addressing. All landscape areas shall be maintained in a neat and healthy condition. Should the plant material die, the property owner/operator shall replace it with similar new plant material.
36. Prior to certificate of occupancy issuance, all parking lot and landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director.
37. The property owner shall be responsible for maintaining the property to a level deemed adequate by the Community Development Director. This includes, but is not limited to, the buildings, landscaping, trash areas, signage, utilities, property walls, and gates.
38. Construction equipment shall be properly maintained per manufacturers specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc).
39. Construction equipment shall not idle for extended periods of time in the vicinity of sensitive receptors.
40. Prior to grading permit issuance, the construction contractor shall prepare a traffic control plan detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations to minimize impacts to sensitive receptors.
41. Fixed and/or stationary construction equipment shall be located as far as possible from sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment.
42. In conjunction with the operation of the business(es), should parking or queuing issues arise on the site or the surrounding neighborhood, the applicant shall work with the Community Development Department to resolve any issues. If such issues are not resolved to the City's satisfaction, the Major Site Plan Review application shall be presented to the Planning Commission for its consideration of further conditions and modifications.
43. Prior to building permit issuance, the applicant shall demonstrate that all trash enclosures shall conform to City Standard Plan 409 Trash Enclosures.
44. Prior to building permit issuance, the applicant shall demonstrate that the trash enclosures utilize similar materials, colors, and finishes as the industrial buildings, including any roofing.
45. Prior to building permit issuance, the applicant shall demonstrate to the satisfaction of the City that coordination has occurred with CR&R Environmental Services to schedule trash collection from the site a minimum of once a week.

46. Prior to grading permit/construction permit issuance, the applicant shall coordinate with the Southern California Regional Rail Authority (SCRRA) and the Orange County Transit Authority (OCTA) on any potential modifications to the rail crossing, including adjacent development which may require a diagnostic in accordance with California Public Utilities Commission and the Federal Railroad Administration requirements at the onset of the final design phase.
47. Prior to approval of the final landscape plan, the applicant shall coordinate with the City and OCTA with respect to the type and location of trees at the northeast corner and along the northern boundary of the project site to ensure consistency with Metrolink SCRRA's Design Criteria Manual.
48. The applicant shall contact and coordinate with SCRRA should a Right-of-Way Encroachment Agreement be necessary.
49. Prior to operation of the business(es), the applicant shall file for, or if applicable, amend a business license with the Business License Division. Failure to obtain the required business license will be cause for revocation of this approval.
50. In conjunction with the operation of the business(es), all loading and unloading (i.e. deliveries) activities shall only occur in the designated loading dock and loading zone areas on the subject site.
51. In conjunction with the operation of the business(es), all loading and trash enclosure areas shall be maintained and kept clean and free of debris.
52. In conjunction with the operation of the business(es), all noise levels generated shall conform to the levels allowed by the OMC.
53. Truck trips generated by the project shall utilize the City's existing truck routes to travel to and from the project vicinity.
54. Prior to certificate of occupancy issuance, the applicant shall complete the following: 1) posting of the truck routes in the building; 2) tenant provided driver education on the truck routes; 3) install truck route street signage; and 4) install anti-idling signs on the site that stipulate a 5-minute idling restriction pursuant to Title 13 of the California Code of Regulations Section 2485.
55. Prior to building permit issuance, a Transportation Management Program shall be submitted for review to the Community Development Department.

Design Review Committee:

56. Prior to building permit issuance, the Magnolia trees located at the front of the project shall be upsized to a 36-inch box size.
57. Prior to building permit issuance, the six-foot wrought iron fencing along the north property line shall be moved from back of sidewalk to the back of trees at the edge of the parking lot.

58. Prior to building permit issuance, the tree palette shall be revised to reflect more water efficient species for drought tolerance and security in consultation with staff.

Fire Department:

59. Plans submitted for building plan review 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. Onsite fire department access will require easement recording prior to Rough Grading Permit issuance and shall be reviewed by the Fire Department prior to approval.

Police Department:

60. Prior to building permit issuance, the project shall comply with the requirements of OMC Chapter 15.52 (Building Security Standards), which relates to hardware, doors, windows, lighting, etc. Approved structural drawings, if any, shall include sections of the security code that apply. Specifications, details, or security notes may be used to convey the compliance.
61. Security and design measures that employ Defensible Space concepts shall be utilized in development and construction plans. These measures incorporate the concepts of Crime Prevention through Environmental Design (CPTED), which involves consideration such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing and landscaping.
62. Prior to building permit issuance, a photometric study shall be reviewed and approved by the Police Department. A minimum of one foot candle shall be maintained on all surfaces of the parking lot, from dusk until the termination of business every operating day. The applicant shall ensure that lighting on the site shall be directed, controlled, and screened in such a manner so as to refrain from shining directly on surrounding properties.
63. Prior to certificate of occupancy issuance, 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 the 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.

Public Works Department, Solid Waste, Tree Removal Permits Section:

64. Should the tenant or business operator produce more solid waste than the designed amount, they shall be responsible for constructing additional trash enclosures, compactors, or expanding the current enclosure to adequately accommodate the solid waste generated. The proposed location(s) of the new (or expanded) trash enclosure(s)/compactors shall be approved by the Community Development Director or designee prior to construction.

65. Prior to building permit issuance, a Tree Removal Permit shall be approved by the Public Works Director in accordance with OMC Chapter 12.32. A plan is required for submittal to the City depicting all of the existing on-site trees, the species of each tree, and the number of trees proposed for removal and replacement.

Public Works Department, Subdivision Section:

66. Prior to building permit issuance, the applicant shall dedicate and record a Fire Access Easement per Fire Department requirements.
67. The applicant shall obtain a letter from Southern California Edison (SCE) indicating that the existing SCE easements on site will be abandoned. Formal abandonment or quitclaim documents will be required prior to grading permit issuance.
68. Prior to grading permit issuance, all works within the public right-of-way and public utility easements will require Encroachment Permits, including sidewalk and driveway constructions and utility main and lateral constructions.
69. Prior to grading permit issuance, all public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications.
70. Prior to certificate of occupancy issuance, utilities serving the development, such as electric, cable television, street lighting and communication shall be installed underground, and completed and approved by the appropriate utility provider.
71. Prior to certificate of occupancy issuance, the applicant shall remove unused driveway approaches and restore them to full height curb and gutter, including any sidewalk restoration at the driveway apron.
72. Prior to grading permit issuance, driveway aprons shall conform to Public Works Standard Plan 115 for commercial driveways with ADA accessibility.
73. Prior to grading permit issuance, all driveway approaches shall conform to ADA standards for wheelchair access conforming to Public Works Standard Plans 115 and 116.
74. Prior to certificate of occupancy issuance, the applicant shall repair any cracked, uneven, or damaged public sidewalk, curb and gutter along the property frontage.
75. Prior to certificate of occupancy issuance, all landscaping shall include the installation of root barriers on the sidewalk side of tree, or where conditions warrant, the installation of Deep Root box as directed by the Public Works Department.
76. Prior to certificate of occupancy issuance, sanitary sewer system connecting from the buildings to the public mainline shall be private and maintained by the property owner.
77. Prior to building permit issuance, any private sewer system connecting directly to Orange County Sanitation District (OCSD) lines without using City of Orange sewer systems shall require a permit from OCSD.

78. Prior to certificate of occupancy issuance, pavement restorations on streets, under Moratorium or with a Pavement Condition Index of 75 or greater, shall be done per Instruction 15 of the Encroachment Permit.
79. Prior to certificate of occupancy issuance, the applicant shall construct sidewalks to meet current standards along W. Struck Avenue per City of Orange Engineering Standard Plan 118.
80. Prior to grading permit issuance, the applicant shall submit a grading plan in compliance with City standards for review and approval by the Public Works Director. All grading and improvements on the subject property shall be made in accordance with the Manual of Grading and Standard Plans and Specifications to the satisfaction of the Public Works Director. The applicant may be required to include Phased Erosion and Sediment Control Plans, Site Demolition Plan, and Utility Plan as parts of the grading plan.
81. Prior to grading permit issuance, plans preparation and submittals shall be per Development Services Plan Preparation Guidelines and Checklist, and Checklist for Submittal Packages.
82. Prior to grading permit issuance, the applicant shall submit a Drainage Report (Hydrology Study) for review and approval by the City. The Drainage Report format and contents shall be per the City guidelines in conjunction with the Orange County Hydrology Manual.
83. Prior to grading permit issuance, the applicant shall submit a Sewer Capacity Analysis for review and approval by the City.
84. Prior to grading permit issuance, a geotechnical report shall accompany the grading plan review.
85. Prior to grading permit issuance, the contractor shall obtain a grading permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
86. Prior to grading permit issuance, any soil imported or exported shall require a Transportation Permit from the Public Works Department Traffic Division.
87. Prior to grading permit issuance, an approval by the City Council is required prior to import or export of soil exceeding 30,000 cubic yards. A dirt haul route shall be approved by the City Council and the travel path is subject to pavement deterioration evaluation [O.M.C. 10.67.030(B)].
88. Prior to grading permit issuance, upon submittal of grading plan for plan check, the applicant shall submit a deposit to cover plan check and inspection services related to the grading activities.
89. Prior to grading permit issuance, the grading plan shall detail all of the locations where retaining walls will be constructed. Geometric detail of retaining walls shall be shown on the grading plan, including material type, dimensions, backfill, and subdrains. A building permit is also required for retaining walls over 4 feet in height as measured from the bottom of the footing to the top of the wall prior to construction. Structural details and design

calculations shall be submitted as a separate document and will be reviewed and permitted by City Building Division.

90. Prior to grading permit issuance, any grading outside of the owner's property boundary shall require the applicant to either obtain a temporary construction easements or permission by adjacent property owners in a form suitable to the Public Works Director.
91. Prior to grading permit issuance, trash receptacle locations and details shall be included on the grading plan. The trash storage area shall be constructed per Public Works Standard Plan 409.
92. Prior to grading permit issuance, show all sewer and storm drain lines on the grading plan. Other utility lines, such as water lines, may also be shown on grading plan for reference.
93. Prior to grading permit issuance, show all structural BMPs for water quality purpose on grading plan. Water quality features shown on the grading plan must match the WQMP.
94. Prior to grading permit issuance, any direct storm water discharge into the Orange County Flood Control (OCFD) channels shall require a permit from OCFD.
95. Prior to grading permit issuance, the applicant shall maintain in good condition, all on-site driveways where heavy-duty trucks would travel.
96. Prior to grading permit issuance and prior to building foundation construction, a Certificate Letter of Line and Grade shall be submitted to the Public Works Construction Inspector demonstrating that the site grading and pad elevation are completed according to the grading plan.
97. Prior to grading permit issuance, the applicant shall construct a new sidewalk to join the existing sidewalk at the terminus of the cul-de-sac.

Public Works Department, Traffic Division:

98. In addition to other impact fees that may be applicable, the proposed project, as is currently shown on the plans, will be responsible for paying Transportation Systems Improvement Program (TSIP) fees. Final TSIP fees will be calculated using current rates at the time of building permit issuance.
99. Prior to grading permit issuance, applicant shall, to the satisfaction of the Public Works Department, conduct all necessary activities, including, but not limited to, soils analysis, to determine pavement section of Struck Avenue (between Batavia Street and the east terminus/cul-de-sac) needed to support the traffic loading (TI of 9.5) identified in the Project's approved Traffic Impact Study. The proposed pavement section shall be approved by the Public Works Department.
100. Prior to certificate of occupancy issuance, applicant shall (remove and) reconstruct Struck Avenue (between Batavia Street and the east terminus/cul-de-sac) to provide for the approved pavement section. The pavements section shall be no less than the minimum identified in the City's Standard Plan No. 104 (Standard Commercial and Industrial Street

Section.) Applicant shall design and construct the aforementioned and any associated street improvements to the satisfaction of the Public Works Department, and accordance with all applicable laws, requirements, and standards.

- 101. Truck traffic shall be routed to impact the least number of sensitive receptors
- 102. Truck trips generated by the project shall utilize the City's existing truck routes to travel to and from the project vicinity.

Public Works Department, Water Division:

- 103. Prior to building permit issuance, the applicant shall submit improvement plans to the Water Division for review and approval for any new fire hydrants, domestic water services, fire services, landscape services, backflow prevention devices, and any other proposed improvements or relocations affecting the public water system facilities.
- 104. Prior to the grading permit issuance, the applicant shall construct all public and/or private improvements to the satisfaction of the Water Division. The applicant may be required to enter into an agreement with the City of Orange, and post security in a form and amount acceptable to the City Engineer and/or Water Division to ensure construction of said improvements.
- 105. Prior to building permit issuance, the applicant shall be responsible for the installation and/or relocation of the proposed or existing public water system facilities to a location and of a design per the improvement plans approved by the Water Division.
- 106. Prior to certificate of occupancy issuance, the applicant shall be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
- 107. Prior to grading permit issuance, the Water Division shall approve the type and location of landscaping and fire service (backflow prevention) device for proposed City services.
- 108. Prior to building permit issuance, construction documents shall show that a six-foot minimum horizontal clearance and a one-foot minimum vertical clearance would be maintained between City water mains, laterals, services, meters, fire hydrants and all other utilities except sewer. The Water Division shall review and approve the construction documents.
- 109. Prior to building permit issuance, construction documents shall show that an eight-foot minimum clearance is provided between City water mains, laterals, services, meters, fire hydrants, signs, or trees or other substantial shrubs and plants as required by the Water Division. The Water Division shall review and approve the construction documents.
- 110. Prior to building permit issuance, construction documents shall show that permanent signs, awning, surface water quality management features or other structures are not built over water mains, laterals, services, meters, or fire hydrants as required by the Water Division.

111. Prior to building permit issuance for the first phase of work, the applicant shall be responsible for obtaining approval of all necessary encroachment permits from affected agencies for all public water construction work.
112. Prior to approval of a water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
113. Plans submitted during plan check shall show that the water improvement plans are consistent with the fire suppression plans and or fire master plan. The applicant's consultant preparing the water improvement plans shall coordinate their plans with the consultant preparing the fire suppression plans and/or fire master plan so that their designs concur.
114. Plans submitted during plan check shall show that the minimum separation requirements are met and that each of the various designer's plan sets match. The applicant's consultant preparing the improvement and utility plans shall coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that their designs are consistent.
115. At least fourteen calendar days prior to commencing construction, the applicant's civil engineer shall prepare and provide product material submittals consistent with the water improvement plans for all proposed public water system facilities to the Water Division per the City of Orange General Water Construction Notes for review and approval.
116. Prior to certificate of occupancy issuance, the applicant shall furnish and install individual pressure regulators on new services where the incoming pressure exceeds eighty-pounds per square inch.

Public Works Department, Water Quality Section:

117. Prior to grading permit issuance, the applicant shall submit a Priority Project WQMP for review and approval to the Public Works Department that:
 - a. Prioritizes the use of Low Impact Development principles as follows: preserves natural features; minimizes runoff and reduces impervious surfaces; and utilizes infiltration of runoff as the method of pollutant treatment. Infiltration BMPs to be considered include the use of permeable materials such as concrete and concrete pavers, infiltration trenches, infiltration planters, and other infiltration BMPs as applicable,
 - b. Incorporates the applicable Site Design, Routine Source, Structural Control and Low Impact BMPs as defined in the Model Water Quality Management Plan and Technical Guidance Document,
 - c. Maintains the hydrologic characteristics of the site by matching time of concentration, runoff, velocity, volume and hydrograph for a 2-year storm event,
 - d. Minimizes the potential increase in downstream erosion and avoids downstream impacts to physical structures, aquatic and riparian habitat,

- e. Generally describes the long-term operation and maintenance requirements for structural and Treatment Control BMPs,
 - f. Identifies the entity or employees that will be responsible for long-term operation, maintenance, repair and or replacement of the structural and Treatment Control BMPs and the training that qualifies them to operate and maintain the BMPs,
 - g. Describes the mechanism for funding the long-term operation and maintenance of all structural and Treatment Control BMPs,
 - h. Includes a copy of the forms to be used in conducting maintenance and inspection activities,
 - i. Meets recordkeeping requirements (forms to be kept for 5 years),
 - j. Includes a copy of the form to be submitted annually by the project owner to the Public Works Department that certifies that the project's structural and treatment BMPs are being inspected and maintained in accordance with the project's WQMP.
118. Prior to the certificate of occupancy issuance, the applicant shall demonstrate the following to the Public Works Department:
- a. That all structural and treatment control best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with the approved plans and specifications,
 - b. That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
 - c. That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.
119. Prior to certificate of occupancy issuance or final signoff by the Public Works Department, the applicant shall demonstrate to the satisfaction of Public Works, that the preparer of the WQMP has reviewed the BMP maintenance requirements in Section V of the WQMP with the responsible person and that a copy of the WQMP has been provided to that person. A certification letter from the WQMP preparer may be used to satisfy this condition.
120. Prior to building permit issuance, the applicant shall review the approved Water Quality Management Plan (WQMP) and grading plan to ensure the structure's downspouts or drainage outlet locations are consistent with those documents. Copies of the building or architectural plans specifically showing the downspouts and drainage outlets shall be submitted to the Public Works Department for review.
121. The project applicant shall maintain all structural, treatment and low impact development BMPs at the frequency specified in the approved WQMP. Upon transfer of ownership or management responsibilities for the project site, the applicant shall notify the City of Orange Public Works Department of the new person(s) or entity responsible for maintenance of the BMPs.

122. Prior to the grading permit issuance (including, as appropriate: clearing, grubbing, surface mining, or paving permits), the applicant shall demonstrate that coverage has been obtained under the State's General Permit for Stormwater Discharges Associated with Construction Activity (Construction General Permit) by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing. A copy of the SWPPP required by the General Permit shall be kept at the project site and be available for review by City representatives upon request.
123. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan and ensure the proposed landscape plans are consistent with the project grading plans. The plans must show any proposed storm water treatment Best Management Practices such as bioretention planters, drywells, permeable pavers, or any other proposed surface water quality BMPs.

ADOPTED this ____ day of _____, 2025

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Wayne W. Winthers
Interim City Attorney, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of

Orange at a regular meeting thereof held on the ____ day of _____, 2025 by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange

EXHIBIT A

The Land referred to herein below is situated in the City of Orange, County of Orange, State of California, and is described as follows:

PARCEL 1:

THAT PORTION OF THE LAND ALLOTTED TO A. SEBASTIAN VAN DECLARATION GRAAF IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RECORDED IN CASE NO. 1192, AND ENTERED SEPTEMBER 12, 1868 IN BOOK B, PAGE 410 OF JUDGMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH BOUNDARY OF SAID VAN DE GRAAF ALLOTMENT DISTANT NORTH 89°39'30" WEST 6600.00 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT; THENCE NORTH 0°12'40" EAST 1320.00 FEET; THENCE NORTH 89°35'35" WEST 579.48 FEET TO THE EAST LINE OF LAND DESCRIBED IN DEED RECORDED IN BOOK 1161, PAGE 547 OF OFFICIAL RECORDS; THENCE ALONG SAID EAST LINES SOUTH 0°12'40" WEST 1320.66 FEET TO THE SOUTH BOUNDARY OF SAID ALLOTMENT; THENCE SOUTH 89°39'30" EAST 579.48 FEET ALONG SAID SOUTH BOUNDARY TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION LYING EASTERLY OF THE EASTERLY LINE AND THE SOUTHERLY PROLONGATION THEREOF, OF THE LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO EXCEPTING THAT PORTION INCLUDED WITHIN THE FOLLOWING DESCRIBED LINES:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF COLLINS AVENUE, 60.00 FEET WIDE, WITH THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF THE 5.075 ACRE PARCEL OF LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID EASTERLY LINE BEING ALSO THE WESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT-OF-WAY AS DESCRIBED IN THE DEED TO SAID RAILWAY COMPANY, RECORDED MAY 19, 1959 AS INSTRUMENT NO. 78387, IN BOOK 4719, PAGE 405 OF OFFICIAL RECORDS; THENCE ALONG SAID CENTER LINE NORTH 89°39'30" WEST 549.21 FEET; THENCE NORTH 0°12'40" EAST 506.00 FEET PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTH 89°39'30" EAST 550.07 FEET PARALLEL WITH SAID CENTER LINE TO SAID WESTERLY LINE; THENCE SOUTH 0°18'30" WEST 506.09 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID ALLOTMENT, NORTH 89°45'00" WEST 7179.48 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT AS PER MAP RECORDED IN BOOK 4, PAGE 440 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, CALIFORNIA; THENCE NORTH 0°11'00" EAST 1320.66 FEET TO A POINT ON THE CENTERLINE OF STRUCK AVENUE AS ESTABLISHED BY THE DEED RECORDED MAY 13, 1965 AS INSTRUMENT NO. 9517, IN BOOK 7518, PAGE 808 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO THE PLASTIC AND REALTY PROPERTIES COMPANY BY DEED RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS, AND SAID POINT IS HEREAFTER REFERRED TO AS THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 89°43'00" EAST 467.86 FEET ALONG THE NORTH LINE OF THE PLASTIC AND REALTY PROPERTIES COMPANY LAND AS ESTABLISHED IN THE ABOVE MENTIONED DOCUMENT, TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 89°43'00" EAST; THENCE SOUTHERLY AND SOUTHWESTERLY

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 133°20'30" AN ARC DISTANCE OF 139.64 FEET TO A POINT ON A TANGENT CURVE, CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'30" AN ARC DISTANCE OF 37.82 FEET; THENCE TANGENT TO SAID CURVE NORTH 89°43'00" WEST 332.31 FEET; THENCE NORTH 0°11'00" EAST 30.00 FEET TO THE TRUE POINT OF BEGINNING, AS CONVEYED TO THE CITY OF ORANGE BY DEED RECORDED FEBRUARY 24, 1975 AS INSTRUMENT NO. 14940, IN BOOK 11345, PAGE 24 OF OFFICIAL RECORDS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR SPECIFIC PURPOSES OF LAYING, OR CAUSING TO BE LAID, GAS, WATER, STORM DRAIN, AND SEWER PIPES AND MAINS AND CONDUITS AT LEAST 18 INCHES OR MORE UNDER, AND THROUGH THE WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED LAND AS PERMITTED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF ORANGE, TOGETHER WITH THE RIGHT OF ACCESS TO SAID GAS, WATER, STORM DRAIN, AND SEWER LINES FOR THE PURPOSES OF INSTALLATION, INSPECTION, ALTERATION, REPAIR, REPLACEMENT OR OTHER RELATED ACTIVITY, UPON THE CONDITIONS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT DATED OCTOBER 15, 1974, EXECUTED BY WILLIAM C. LAZIER AND OTHERS, RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS.

THAT PORTION OF THE LAND ALLOTTED TO A. SEBASTIAN VAN DE GRAAF, IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RENDERED IN CASE NO. 1192 AND ENTERED SEPTEMBER 12, 1968 IN BOOK B, PAGE 410 OF JUDGMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF COLLINS AVENUE, 60.00 FEET WIDE, THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF THE 5.075 ACRE PARCEL OF LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID EASTERLY LINE BEING ALSO THE WESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FEY RAILWAY COMPANY RIGHT-OF-WAY AS DESCRIBED IN THE DEED TO SAID RAILWAY COMPANY, RECORDED MAY 19, 1959 AS INSTRUMENT NO. 78387, IN BOOK 4719, PAGE 405 OF OFFICIAL RECORDS; THENCE ALONG SAID CENTER LINE NORTH 89°39'30" WEST 549.21 FEET; THENCE NORTH 0°12'40" EAST 506.00 FEET PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTH 89°39'30" EAST 550.07 FEET PARALLEL WITH SAID CENTER LINE TO SAID WESTERLY LINE; THENCE SOUTH 0°18'30" WEST 506.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 40.00 FEET AS DESCRIBED IN THE DEED TO THE CITY OF ORANGE, RECORDED JUNE 30, 1970 AS INSTRUMENT NO. 20711, IN BOOK 9361, PAGE 347 OF OFFICIAL RECORDS OF SAID COUNTY.

ALSO EXCEPTING THERE FROM THE FOLLOWING:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID ALLOTMENT, NORTH 89°45'00" WEST 7179.48 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT AS PER MAP RECORDED IN BOOK 4, PAGE 440 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, CALIFORNIA; THENCE NORTH 0°11'00" EAST 1320.66 FEET TO A POINT ON THE CENTERLINE OF STRUCK AVENUE AS ESTABLISHED BY THE DEED RECORDED MAY 13, 1965 AS INSTRUMENT NO. 9517, IN BOOK 7518, PAGE 808 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO THE PLASTIC AND REALTY PROPERTIES COMPANY BY DEED RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS, AND SAID POINT IS HEREAFTER REFERRED TO AS THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 89°43'00" EAST 467.86 FEET ALONG THE NORTH LINE OF THE PLASTIC AND REALTY PROPERTIES COMPANY LAND AS ESTABLISHED IN THE ABOVE MENTIONED DOCUMENT, TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE

THROUGH SAID POINT BEARS SOUTH 89°43'00" EAST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 133°20'30" AN ARC DISTANCE OF 139.64 FEET TO A POINT ON A TANGENT CURVE, CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'30" AN ARC DISTANCE OF 37.82 FEET; THENCE TANGENT TO SAID CURVE NORTH 89°43'00" WEST 332.31 FEET; THENCE NORTH 0°11'00" EAST 30.00 FEET TO THE TRUE POINT OF BEGINNING, AS CONVEYED TO THE CITY OF ORANGE BY DEED RECORDED FEBRUARY 24, 1975 AS INSTRUMENT NO. 14940, IN BOOK 11345, PAGE 24 OF OFFICIAL RECORDS.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS ON AND OVER THE WESTERLY 20 FEET OF PARCEL 2 OF PARCEL MAP NO. 84-757, IN THE CITY OF ORANGE, AS SHOWN ON A MAP FILED IN BOOK 194, PAGES 5 AND 6 OF PARCEL MAPS, AS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT RECORDED APRIL 05, 1985 AS INSTRUMENT NO. 85-121284 OF OFFICIAL RECORDS OF THE COUNTY OF ORANGE.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR THE PLACEMENT AND INSTALLATION OF UTILITIES ON, IN AND OVER THE WESTERLY 10 FEET OF PARCEL 2 OF PARCEL MAP NO. 84-757, IN THE CITY OF ORANGE, AS SHOWN ON A MAP FILED IN BOOK 194, PAGES 5 AND 6 OF PARCEL MAPS, AS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT RECORDED APRIL 05, 1985 AS INSTRUMENT NO. 85-121284 OF OFFICIAL RECORDS OF THE COUNTY OF ORANGE.

APN: FOR CONVEYANCING PURPOSES ONLY: 375-331-04