



Agenda Item

Design Review Committee

Item #: 3.2.

4/16/2025

File #: 25-0169

TO: Chair and Members of the Design Review Committee

THRU: Chad Ortlieb, Principal Planner

FROM: Angelo Huang, Assistant Planner

1. SUBJECT

A request to construct a new commercial bank building with a drive-through ATM at 2355 N. Tustin Street (Design Review No. 5151).

2. SUMMARY

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

3. RECOMMENDED ACTION

Recommend approval of Design Review No. 5151 to the Planning Commission.

4. BACKGROUND INFORMATION

Applicant/Owner: BTProp4, LLC - Stephen Thorp

Property Location: 2355 N. Tustin Street

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

Zoning Classification: Limited Business Tustin Redevelopment Project Area (C-TR)

Existing Development: Parking Lot

Associated Application: Conditional Use Permit No. 3230, Minor Site Plan No. 1174

Previous DRC Project Review: None

5. PROJECT DESCRIPTION

This project includes:

New Building

A new 5,372-square-foot rectilinear building with a modern façade featuring charcoal stucco, decorated aluminum panel walls, and a span of glazing at the north building entrance. The building exhibits a flat roof with varying parapet heights, with a low parapet of 17 feet 9 inches surrounding the building and a high parapet of 20 feet at the northeast corner. Light fixtures are attached to the building.

Site Improvements

The project includes a reconfigured parking lot with 21 code-compliant off-street parking spaces and eight existing compact 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, which meets the number of required trees per the City's landscape guidelines. The new landscaping will feature 24-inch-box trees and 5-gallon shrubs, enhancing the overall aesthetic appeal of the site. Irrigation plans are not provided at this time and are not required until building plan check.

Drive-through ATM

The project also includes a drive-through ATM for the prospective bank tenant that will occupy the new building.

The development standards table is located on Sheet C101 of the project plans (Attachment 1).

6. EXISTING SITE

The site is 37,867 square feet and consists of parking and landscaping that was part of 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 property located at 2375 N. Tustin Street.

7. EXISTING AREA CONTEXT

The area consists of commercial buildings and uses along the North Tustin Street commercial corridor, across the street from the former Village at Orange Mall, and two multi-family developments are located northeast and southeast of the site.

8. ANALYSIS OF THE PROJECT

The project provides design complimentary to the Tustin Street Design Standards and is appropriate to the North Tustin Street commercial corridor in that rectilinear form with varying materials are used on the building. The site is adequately landscaped and code compliance is achieved. No issues have been identified and staff recommends approval of the project.

9. ADVISORY BOARD RECOMMENDATION

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 recommends Design Review Committee (DRC) approval of the project.

10. PUBLIC NOTICE

Notice was provided to owners and tenants within 400 feet of the project on or before April 3, 2025, and the site was posted with a notice on or before that date.

11. 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.

12. STAFF RECOMMENDATION AND REQUIRED FINDINGS

Based on the following Findings and statements in support of such Findings, staff recommends the DRC recommend that the Planning Commission approve the proposed project with recommended conditions (Orange Municipal Code 17.10.070.G).

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 proposed commercial building project enhances the appearance of the site and the surrounding streetscape. The site adheres to the Tustin Street Design Standards in that the project's design focuses on creating a visually appealing and cohesive aesthetic. The new building features a consistent and integrated design theme that aligns with community standards. It includes an exterior design with colors, and materials that promote an area-compatible appearance. The flat roof, stucco, and metal façade compliment the adjacent property to the north, creating a sense of continuity. Furthermore, the proposed landscaping complements the building design and seamlessly integrates with neighboring sites, while also creating a unified entryway into the adjacent property at 2375 N. Tustin.

13. CONDITIONS

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

1. This project is approved as a precise plan. All work shall conform in substance and be maintained in general conformance with the plans (date stamped approved [Reserved for Planning Commission decision date], 2025, and in the project case file), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. After the 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 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 without requiring a new public meeting. If the Community Development Director determines that any proposed change is substantial, he may refer the plans to the Design Review Committee for subsequent review and determination.
2. The applicant agrees, as a condition of City's approval of Conditional Use Permit No. 3230, Design Review No. 5151, and Minor Site Plan No. 1174, 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.

3. 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.
4. The final approved conditions of approval shall be reprinted on the construction documents when submitting to the Building Division for the plan check process.
5. 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 this entitlement.
6. In conjunction with construction, all activity will 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.
7. 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.
8. Glare from any new or remodeled 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 or cause illumination in residential districts in excess of 0.5 foot-candles. Prior to certificate of occupancy, the applicant shall contact the Orange Police Crime Prevention Bureau and set an appointment on-site to test all lighting to ensure it meets OMC standards.

9. In conjunction with the operation of the business, all loading areas and the trash enclosure shall be maintained and kept clean and free of debris.
10. Conditional Use Permit No. 3230, Design Review No. 5151, and Minor Site Plan No. 1174 shall become void if not vested within two years from the date of approval. Time extensions may be granted as specified in Title 17 of the Orange Municipal Code.

Police Department:

11. 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 considerations such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, and landscaping. CPTED promotes public safety, physical security and allows citizens the ability to monitor activity. It is based on five concepts to provide non-invasive and permanent measures to prevent and reduce crime: territoriality, natural surveillance, access control, activity support, and maintenance. The project shall also comply with the requirements contained in the City of Orange Municipal Code Chapter 15.52, Building Security Construction Standards reference Ordinance #6-22.

Subdivision:

12. Site grading shall conform to the latest California Building Code Section 1804. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of 5% for pervious surfaces, and 2% for impervious surfaces, at a minimum distance of 10 feet. (prior to grading permit)
13. Show all structural BMPs for water quality purpose on Grading Plan. Water quality features shown on the Grading Plan must match WQMP. (prior to grading permit)
14. Prior to building foundation construction, a Certificate Letter of Line and Grade shall be submitted to Public Works Construction Inspector demonstrating that the site grading and pad elevation are completed according to the grading plan. (prior to grading permit)
15. An arborist report and tree removal permit will be required prior to any tree removal.
16. The applicant shall 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. (prior to grading permit)

17. 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. (prior to grading permit)
18. Upon submittal of the grading plan for plan check, the applicant shall a deposit to cover plan check and inspection services related to the grading activities. (prior to grading permit)
19. Any soil imported or exported shall require a Transportation Permit from Public Works Traffic Division. (prior to grading permit)
20. The contractor shall obtain a Grading Permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading. (prior to grading permit)
21. Prior to grading permit issuance, a Drainage Assessment Letter shall be submitted for review and approval by Public Works. The Hydrology Study/Report shall comply with the Orange County Hydrology Manual and Addenda (OCHM). Design Storm Frequency at a minimum, shall be 10-year storm (25-year in a sump condition), and a 100-year storm event. Proposed improvements shall comply with freeboard requirements per OCHM and County Local Drainage Manuals.
22. Plans preparation and submittals shall be per Development Services Plan Preparation Guidelines and Checklist, and Checklist for Submittal Packages. (prior to grading permit).
23. 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. (prior to grading permit)
24. 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. (prior to issuance of certificate of occupancy)
25. The plans shall show that sanitary sewer system connecting from the buildings to public mainline shall be private and maintained by the property owner. (prior to certificate of occupancy)
26. The applicant shall repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontage. (prior to issuance of certificate of occupancy).

- 27. All private ways shall conform to Engineering Standard Plan 108. (prior to grading permit)
- 28. Utilities serving the development, such as electric, cable television, street lighting and communication shall be installed underground, completed and approved by the appropriate utility provider. (prior to issuance of certificate of occupancy)
- 29. All works within public right-of-way and public utility easements will require Encroachment Permits, including sidewalk and driveway constructions and utility main and lateral constructions. (prior to grading permit)

Water:

- 30. Prior to issuance of encroachment permit, the applicant must 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 Standard Specifications and Plans for the Construction of Water System for review and approval.
- 31. Plans submitted during plan check must 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 must coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that all designs are consistent.
- 32. Plans submitted during plan check must 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 must coordinate their plans with the consultant preparing the fire suppression plans and/or fire master plan so that their designs concur.
- 33. Prior to approval of a water improvement plan, the applicant must satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
- 34. Prior to issuance of building permit, for the first phase of work, the applicant will be responsible for obtaining approval of all necessary encroachment permits from affected agencies for all public water construction work.
- 35. Prior to issuance of building permit, construction documents must 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.
- 36. Prior to issuance of building permit, the applicant must submit construction documents that 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 will review and approve the construction

documents.

37. Prior to issuance of building permit, the applicant must submit construction documents must 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 will review and approve the construction documents.
38. Prior to issuance of building permit, the applicant must submit construction documents must show that the installation of sewer mains in the vicinity of water mains is done per the Department of Public Works Water Division Standard No. 113 and will be approved by the Water Division.
39. Prior to issuance of building permit, the Water Division will approve the type and location of landscaping services, fire services, and backflow prevention devices for proposed City services.
40. Prior to issuance of certificate of occupancy, the applicant will be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
41. Prior to issuance of any grading permit or building permit, the applicant will 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.
42. Prior to issuance of any grading permit, the applicant must 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.
43. Prior to issuance of any grading permit or building permit, the applicant must 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.

Traffic:

44. In addition to other impact fees that may be applicable, the proposed project will be responsible for paying Transportation Systems Improvement Program (TSIP) fees based on the net change in land uses (proposed project minus existing credits), prior to issuance of building permit. For a complete list of development fees that may be applicable, please visit the City of Orange website:

<https://www.cityoforange.org/our-city/departments/community-development/building-and->

14. ATTACHMENTS

- Attachment 1 - Project Plans
- Attachment 2 - Landscape Plans
- Attachment 3 - Vicinity Map
- Attachment 4 - Arborist Report
- Attachment 5 - Digital Materials Board