



# City of Orange

## Legislation Text

File #: 20-224, Version: 2

**TO:** Chair and Members of the Planning Commission

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

**FROM:** Chad Ortlieb, Senior Planner

### 1. SUBJECT

**Public Hearing:** Major Site Plan Review No. 1010-20, Design Review No. 5007-20, Tentative Parcel Map 0018-20, and a Density Bonus Housing Agreement, Corp Yard Housing, 637 W. Struck Avenue

### 2. SUMMARY

The applicant, in partnership with the City, proposes to subdivide 2.81 acres from the City Corp Yard to construct 62 income-restricted workforce housing units in a new multi-family residential complex.

### 3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. 31-20 entitled:

A resolution of the Planning Commission of the City of Orange recommending that the City Council approve Major Site Plan Review No. 1010-20, Design Review No. 5007-20, Tentative Parcel Map No. 0018-20 and, a Density Bonus Housing Agreement with two Affordable Housing Concessions for 62 unit income-restricted apartments located at 637 W. Struck Avenue.

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Table 17.08.020 and Section 17.08.020.B.2.b establishes the advisory role of the Planning Commission for the subject applications. The applications would normally require a final determination by the Planning Commission however, 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. For this project, a Density Bonus Agreement with two concessions is proposed and financial assistance in the form of City land and federal HOME Program funds is being provided by the City for the project. Therefore, according to OMC Section 17.15.060B. "...the Planning Commission shall make a recommendation to the City Council, who will have the authority to make the final decision on the application."

### 5. PROJECT BACKGROUND

<i>Applicant</i>	C&C Development, Todd Cottle & Orange Housing Development Corp., Eunice Bobert, in partnership with the City of Orange
<i>Property Owner</i>	City of Orange
<i>Property Location</i>	637 W. Struck Avenue

<i>Existing General Plan Land Use Element Designation</i>	Public Facilities (Max. 0.5 FAR) and Institutions (Max 2.0 FAR) (PFI)
<i>Existing Zoning Classification</i>	Public Institution (P-I)
<i>Old Towne</i>	No
<i>Specific Plan/PC</i>	No
<i>Site Size</i>	2.81 acres
<i>Circulation</i>	The project would take access exclusively from the cul-de-sac terminus of W. Struck Avenue and would have a looping private street around the complex.
<i>Existing Conditions</i>	The site is used for vehicle and material storage as part of the City Corporation Yard. No buildings or landscaping exist on-site. The surface of the lot is dirt and gravel from decomposed asphalt.
<i>Surrounding Land Uses and Zoning</i>	Mary's Kitchen, which provides meals for homeless persons, is east and south of the site. A railroad line is east of the site. The City corporation yard and police headquarters are west of the site. Industrially used but commercial zoned warehouse-style buildings are north of the site. A warehouse/truck terminal (Prologis) is proposed further south of the site across the Struck Avenue cul-de-sac terminus.
<i>Previous Applications/Entitlements</i>	None for this site

## 6. PROJECT DESCRIPTION

The applicant, in partnership with the City, proposes to subdivide approximately 2.81 acres from the City Corp Yard to construct 62 income-restricted workforce housing units in a new multi-family complex to assist in fulfillment of City affordable housing needs. The project will separately be subject to a regulatory agreement with the City that will record on the property reserving units for families that earn between 30% and 60% of area median income. The bedroom mix consists of 18 two-bedroom (863 square feet) units and 44 three-bedroom (1,123 square feet) units. Each unit contains greater than 120 cubic feet of storage space in the patio or balcony areas.

The proposal exhibits similar characteristics to other of the applicant's projects constructed in the City which include:

- Citrus Grove, 1120 N. Lemon Street
- Serrano Woods, 2060 N. Park Lane
- Lemon Grove, 1148 N. Lemon Street

The project provides all 62 units within two three-story buildings centered on the 2.81 acre site with a looping drive aisle and 127 parking spaces around the buildings. The buildings are 38 feet tall. Total building area is 71,358 square feet. Lot coverage is 21.4 percent and the Floor Area Ratio is 0.58. The dwelling unit per acre ratio rounds to 22.

A central common open space area separates the two buildings and includes community amenities such as seating areas, barbeque islands, a tot lot, a fitness and teen area, a meandering central walkway, and turf areas. A community room is also provided in the southern end of building B. Total common open space area is 13,087 square feet, or 18.3% of the project site. Private open space

occurs in the form of ground floor patios and upper level balconies.

The site perimeter is defined by eight-foot masonry walls and tree rows in four-foot wide planters. An automatic vehicular gate and a pedestrian gate are located at the Struck Avenue entrance and provide the sole entry and exit to the site. A vehicle turnaround is provided in front of the gate.

A 451 square foot maintenance garage is located in the northeast corner of the site.

133 trees are provided with the project, particularly adjacent to property lines for screening purposes. Architecture and landscaping is provided as shown on the project plans and as discussed in the Design Review Committee meeting staff report (Attachment 3).

The project includes a tentative parcel map to subdivide the City's Corp Yard property to accommodate the project.

Two concessions are used for the project to accommodate greater building height and stories, and for extra perimeter wall height. Both are discussed in the issues section of this staff report.

#### Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	32 feet and 2 stories would normally be the limit. A concession is authorized by State Density Bonus Law. .	35 feet and one inch Three stories Concession used	OMC Section 17.24.060
<i>Distance Between Structures</i>	No standard	Variable. Approximately 15-60 feet	OMC Table 17.14.120
<i>Fence Height</i>	Six feet would normally be the limit. A concession is authorized by State Density Bonus Law.	Eight feet Concession used	OMC Section 17.24.075
<i>Floor Area Ratio (FAR)</i>	2.0 Max	0.58	General Plan Land Use Element

Landscaping (Benchmark Criteria)	4 foot landscaping at property lines and 6 foot where perpendicular parking is adjacent Screen parking visible from street Provide trees throughout the project, within parking areas, and along property lines 25% trees in 24 inch box 75% in 15 gallon 120 trees required by formula Five gallon shrubs Show all species with sizes and quantities Four feet of landscaping adjacent to trash enclosures Show hardscaping Landscape the front yards of all buildings facing a street Provide shrubs at the foundation lines of all buildings Finger planters in parking area shall be five feet wide	4 foot landscaping at most property lines Does not meet benchmark at all locations Parking screened by entry landscaping and gate. Trees provided throughout the project, within parking areas, and along property lines All trees are 24 inch box 133 trees provided All shrubs are five gallon All species with sizes and quantities shown Not all trash enclosures have four feet but intent is met Hardscaping shown Landscaping provided around all building sides Shrubs are at the foundation lines of all buildings Does not meet benchmark Planters are less than five feet	OMC Section 17.24.090 refers to the City of Orange Landscape Standards and Specification (2016) The design criteria is listed as a "... benchmark for review, unless otherwise approved by the reviewing body..."
Lot Size	6,000 square feet	2.81 acres	OMC Section 17.24.050
Lot Frontage	No standard	Approximately 68 feet	None
Lot Depth	No standard	502 feet	None

<i>Open Space, Common</i>	No open space standard exists for the PI district. However, as a general reference point for purposes of comparison, using multi-family R-3 standards the following would be required: • 250 square feet of common open space per unit (15,500 s.f.) • Each unit with a 10 x 10 foot patio or 7 x 7 foot deck which counts toward 1/3 of common open space • Three common recreational amenities required	13,086 square feet plus 1/3 of private open space credit = 14,966	None
<i>Open Space, Private</i>		5,642 square feet total from private patios and balconies.	None
<i>Open Space, Useable</i>		18,728 square feet	None
<i>Parking</i>	124 spaces Two on-site parking spaces per unit	127 spaces	OMC Section 17.15.050C.
<i>Parking, Guest</i>	None	3	OMC Section 17.15.050C.
<i>Setback, Front</i>	Ten feet	Greater than 150 feet	OMC Table 17.24.070
<i>Setback, Rear</i>	None	Greater than 50 feet	OMC Table 17.24.070
<i>Setback, Side</i>	None	Greater than 50 feet	OMC Table 17.24.070

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

This analysis clarifies areas where project aspects are authorized to deviate from standards of the Orange Municipal Code (OMC) or clarifies where the project is consistent with the General Plan Land Use Element.

### Issue 1: Concession for Building Height and Stories

The Public Institution Zoning District limits buildings located within 120 feet of any residentially zoned property to 32 feet or two stories in height, whichever is less. The property is located slightly less than 120 feet away from multi-family zoned property east of the site over the railroad track. A significant majority of the adjacent properties within the 120 feet are occupied by two comparably-

sized residential properties owned and operated by the applicant as income-restricted workforce housing projects. The applicant is entitled to concessions under both the provisions of State Density Bonus Law and OMC Section 17.15.050. A concession is being utilized for the project's 35 foot high building and three stories.

#### Issue 2: Concession for Wall Height

OMC Section 17.24.075 limits wall heights to six feet. At the request of the City, the applicant is using a concession to construct an eight-foot wall around the property perimeter. The additional wall height will improve the residential interface of the project site with the adjacent active railroad right-of-way, the City Corp Yard, Mary's Kitchen, and industrially-used buildings.

#### Issue 3: Deviation from City of Orange Landscape Standards and Specifications

The City's Landscape Standards and Specifications are incorporated into the OMC by reference. The design review criteria within the document note that "...landscape criteria is used as a benchmark for review, unless otherwise approved by the reviewing body..." The document contains the following criteria:

"Landscape 4'-0" min. (clear inside dimension) along all side and rear property lines, where the building is not on the property line. Car overhangs shall not be included as part of the 4'-0". If perpendicular parking is used at property lines the minimum planter area is to be 6'-0", inside clear, (excluding overhang)."

The perimeter landscaping on the plans shows points along the northeast and southeast corners of the project where the four-foot landscaping is not accomplished. The areas are in the fire turning radius and back up to the railroad property. The perpendicular parking on the west and north property lines back onto planter area less than six feet inside clear. These interfaces back onto the City Corp Yard and industrially-used buildings.

Because the City's Landscape Standards and Specifications allow deviations to be approved, staff recommends that the Commission recommend the perimeter landscaping as is based on the location of the project and the properties it backs onto. The intent of the landscape planter standards was predominantly to improve interface conditions between commercial and residential projects that back onto one another. That issue does not exist at this location.

#### Issue 4: Housing in the Public Institution Zone

The property maintains a General Plan Land Use Designation of Public Facilities Max. 0.5 FAR and Institutions Max. 2.0 FAR (PFI) and a zoning designation of Public Institution (P-I). Page LU-15 from the Land Use Element of the General Plan states that the PFI designation "Provides for several types of public, quasi-public and institutional land uses, including schools, colleges and universities, City and County facilities, hospitals, and major utility easements and properties. Includes service organizations and housing related to an institutional use, such as dormitories, employee housing, assisted living, convalescent homes, and skilled nursing facilities." The Zoning Ordinance lists supportive, transitional, and institution-related housing as a permitted accessory use.

City staff has interpreted the provisions of the General Plan and Zoning Ordinance to allow for housing, including income-restricted workforce housing, in the PFI General Plan Land Use District given the City's partnership in the project and the characteristics of the subject project site. The project consists of a community room, is located in proximity of a transitional housing provider, and is adjacent to a food kitchen serving a homeless population. It is anticipated that there will be institutional connectivity between the below-moderate income housing provided by the project and

the surrounding population of persons with housing needs.

## 8. PUBLIC NOTICE

On November 5, 2020, the City sent a Public Hearing Notice to a total of 386 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. The project site has been posted in one location with the notification on that same date. The notice also was placed on the City website, on the kiosk at City Hall, and at the Orange Public Library & Local History Center.

## 9. ENVIRONMENTAL REVIEW

**Categorical Exemption:** The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guideline 15332 (Class 32 - Infill Development Projects) because the project meets the following criteria:

- a. With the allowed density bonus, the project is consistent with the existing General Plan designations, General Plan policies and, applicable zoning designations and regulations.
- b. The project is in the City on a site less than five acres and is substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. The project has been evaluated for significant effects relating to traffic, noise, air quality, and water quality and no significant effects have been identified.
- e. The site would be adequately served by all required utilities and public services.

The project would not trigger any exceptions of State CEQA Guidelines 15300.2 based on location, cumulative impacts, significant effects, location near a scenic highway, location on a hazardous waste site, or causing substantial adverse change to a historical resource because the project is not on an environmentally sensitive site, does not contribute to cumulative impacts, will not have a significant effect on the environment, is not near a scenic highway, is not on a hazardous waste site, and is not a historical resources site. No environmental public review is required.

Supplemental justification for the categorical exemption based upon the attached preliminary drainage analysis, preliminary geotechnical investigation, preliminary water quality management plan, greenhouse gas analysis, noise analysis, air quality report, and traffic generation letter prepared for this project.

## 10. ADVISORY BOARD ACTION

### **Staff Review Committee:**

The City's inter-departmental Streamlined Multi-Disciplinary Accelerated Review Team (SMART) reviewed the project on April 8, 2020, July 1, 2020, and September 30, 2020, ultimately deeming the application complete, thus recommending project approval.

### **Design Review Committee:**

The Design Review Committee reviewed the subject proposal at the November 4, 2020 meeting and provided recommendations and conditions for the project for Planning Commission review.

## 11. ATTACHMENTS

- Attachment 1 - Planning Commission Resolution No. 31-20

- Attachment 2 - Vicinity Map
- Attachment 3 - Design Review Committee Staff Report Dated November 4, 2020
- Attachment 4 - Preliminary Design Review Committee Minutes Dated November 4, 2020
- Attachment 5 - Preliminary Drainage Analysis
- Attachment 6 - Preliminary Geotechnical Investigation
- Attachment 7 - Preliminary Water Quality Management Plan
- Attachment 8 - Greenhouse Gas Analysis
- Attachment 9 - Noise Analysis
- Attachment 10 - Air Quality Report
- Attachment 11 - Traffic Generation Letter
- Attachment 12 - Water Capacity Analysis
- Attachment 13 - Site Photographs
- Attachment 14 - Material Board Photograph
- Attachment 15 - Project Plans
- Attachment 16 - Density Bonus Housing Agreement

cc: C&C Development, Todd Cottle &  
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