

TO: Chair and Members of the Design Review Committee

THRU: Anna Pehoushek, Assistant Community Development Director

FROM: Chad Ortlieb, Senior Planner

1. SUBJECT

..title

Design Review No. 4992-19, Villa Ford Inventory Lot, 2457 N. Canal Street

..end

2. SUMMARY

..recommendation

Recommendation to the Planning Commission.

..body

The applicant proposes to establish a permanent new car inventory storage lot on a portion of vacant property.

..end

3. BACKGROUND INFORMATION

Applicant/Owner: Studio IV, Inc., Franz Nalezny for Villa Ford

Property Location: 2457 N. Canal Street

General Plan Designation: Low Medium Residential 6-15 du/ac (LMDR)

Zoning Classification: Residential Duplex 6,000 sq ft (R-2-6)

Existing Development: Vacant lot

Associated Application: Conditional Use Permit No. 3105-19 and Minor Site Plan Review No. 0992-19

Previous DRC Project Review: None

4. PROJECT DESCRIPTION

The proposal is to establish a new vehicle inventory lot for Villa Ford on 1.13 acres of undeveloped land located at 2457 N. Canal Street. No structures are included for the proposal. The site would be improved with perimeter landscaping, fencing, asphalt surfacing, and security lighting.

The property front and side setbacks facing Heim Avenue and Canal Street would be landscaped with Camphor and Crape Myrtle trees. Groundcover underneath the trees would consist of Rosemary, Sage, and Pine Muhly. Rosemary and Texas Ranger shrubs would be provided at the setback edge, in front of perimeter fencing.

The other property line interfaces with adjacent residential uses would have landscape buffers with Brisbane Box trees, with the exception of the westerly, non-street adjacent property line where tall shrubs and a block wall is proposed.

The southerly project boundary that separates the project from the contiguous lot consisting of turf area used by St. John's Lutheran Church will have brisbane box trees with mulch undercovering.

Site walls and fencing are as follows:

- Canal Street and Heim Avenue interfaces – Six foot tall tube steel fencing and gates will be provided at the property setbacks.
- Easterly property line – An existing six foot tall block wall exists on the adjacent residential properties.
- Southwesterly property lines adjacent to the existing single family dwelling – A six foot tall block wall will be constructed to separate the project from the adjacent residence.
- Southerly project boundary – no fence is proposed.

The project vehicular entry gate will occur on the easterly end of the project's Heim Avenue frontage. A pedestrian gate will be located at the southerly end of the project's Canal Street frontage.

The non-landscaped portions of the lot will receive asphalt surfacing. Lighting will be reviewed by planning and crime prevention staff during plan check to ensure off-site glare does not occur and that necessary on site security lighting is provided.

5. EXISTING SITE

The site is currently utilized as a temporary vehicle storage lot on a gravel surface. The site is owned by St. Paul's Lutheran Church and is a contiguous lot to the southerly turf covered area. The project area would be leased by Villa Ford from the church.

6. EXISTING AREA CONTEXT

The project is on property northwest of the Village at Orange Shopping Center on a transitionally-zoned duplex residential property. Single-family residences exist to the east and northwest of the project site. Multiple-family dwellings exist to the north of the project site. St. Paul's Lutheran Church and School exists to the west of the project site. The contiguous lot with turf area utilized by St. Paul's Church and School is south of the project site.

7. ANALYSIS AND STATEMENT OF THE ISSUES

Issue 1: Site Screening

The new vehicles stored on site will need proper screening from the right-of-way, as would a parking lot. The Orange Municipal code requires parking lots to be screened with hedges or earth mounding. Furthermore, screening of the site from adjacent residential uses is necessary. This issue is resolved by the project's use of a combination of trees, shrubs, walls, and fences along the project perimeter. A project condition is recommended to ensure that landscape maintenance and replacement of dead or dying plants occur.

Issue 2: Site Lighting

The project will need lighting per the City's security ordinance. The lighting will have the potential to create glare and off-site spill onto adjacent properties. This issue would be resolved during building plan check by review of light standard height, location, and photometrics during building plan check by crime prevention and planning staff.

8. ADVISORY BOARD RECOMMENDATION

The City Streamlined Multi-Disciplinary Accelerated Review Team (SMART) reviewed the project on November 6, 2019, March 11, 2020, and June 17, 2020 ultimately leading to the application being deemed complete with a recommendation for the project to proceed to the City's reviewing bodies.

9. PUBLIC NOTICE

Public noticing shall occur at the time of Planning Commission consideration of the project.

10. ENVIRONMENTAL REVIEW

Categorically Exempt per State CEQA Guidelines Section 15331 (Class 32) In-Fill Development Projects. The project involves minor site modifications such as paving, landscaping, and security lighting. The property has no value as habitat for rare or endangered species, as it already utilized as a temporary vehicle storage lot on gravel with the remaining portion of the area being turf, with no natural habitat remaining. The storage use would not use a significant amount of hazardous substances, the project site is served by all necessary public services, and the surrounding area is not environmentally sensitive. The project does not trigger the exceptions listed in CEQA Guidelines Section 5300.2 because the project does not have cumulative impacts, cause a significant effect on the environment due to unusual circumstances, is not near a scenic highway, is not located on a hazardous waste site, and does not contain historic resources.

11. STAFF RECOMMENDATION AND REQUIRED FINDINGS

The courts define a "Finding" as a conclusion which describes the method of analysis decision makers utilize to make the final decision. A decision making body "makes a Finding," or draws a conclusion, through identifying evidence in the record (i.e., testimony, reports, environmental documents, etc.) and should not contain unsupported statements. The statements which support the Findings bridge the gap between the raw data and the ultimate decision, thereby showing the rational decision making process that took place. The "Findings" are, in essence, the ultimate conclusions which must be reached in order to approve (or recommend approval of) a project. The same holds true if denying a project; the decision making body must detail why it cannot make the Findings.

Findings for DRC applications come from three sources:

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

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

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

Although the project site has no specific plan or particular design standards, the project complies with the Orange Municipal Code requirements for site screening and accomplishes a landscaped street frontage, a landscaped buffer from adjacent residential uses, and includes perimeter fencing and walls. The use of the landscaping will provide an appropriate residential frontage in the neighborhood and the use of perimeter trees will help reduce the appearance of lighting off the site. Pursuant to conditioning, lighting will be installed in compliance with the Orange Municipal Code for security needs and in a manner that prevents off-site glare.

12. CONDITIONS

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

1. The project shall conform in substance and be maintained in general conformance with plans and exhibits date stamped (reserved for Planning Commission meeting date), including any modifications required by conditions of approval, and as approved by the Planning Commission. Any future expansion in area or in the nature and operation of the use approved by Conditional Use Permit No. 3105-19, Minor Site Plan Review No. 0992-19, and Design Review No. 4992-19 shall require an application for a new or amended Conditional Use Permit.
2. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permits, save and except that caused by the City's active negligence. The City shall promptly notify the applicant of any such claim, action, or proceedings and shall cooperate fully in the defense.
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. Conditional Use Permit No. 3105-19, Minor Site Plan Review No. 0992-19, and Design Review No. 4992-19 shall become void if not vested within two years from the date of approval. Time extensions may be granted for up to one year, pursuant to OMC Section 17.08.060.
5. Any modifications to the plans including, but not limited to, the landscaping and parking as a result of other Department requirements such as Building Codes, water quality, Fire, or Police shall be submitted for review and approval to the Community Development Director or designee. Should the modifications be

considered substantial, the modifications shall be reviewed and approved by the Planning Commission.

6. Except as otherwise provided herein, this project is approved as a precise plan. After any application has been approved, if changes are proposed regarding the location or alteration of any use or structure, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change 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 hearing.
7. Any future expansion in area or in the nature and operation of the approved use by CUP No. 3105-15 shall require a new or amended application for a vehicle storage lot.
8. Building permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits may be cause for revocation of this entitlement.
9. No signage, other than addressing shall occur in association with the use.
10. Project gates shall remain closed when not in use for vehicular transport.
11. Site and landscape plans submitted for building plan check shall clarify that six-foot tall tube steel fencing will be provide at the Heim Avenue and Canal Street Frontages and that six-foot tall block walls will separate the project from immediately adjacent residential uses. The applicant may elect to install a six-foot tall tube steel fence at the project's southerly boundary.
12. The address number of the site shall be provided prior to final inspection to the satisfaction of the Police and Fire Department inspectors. The numerals in these numbers shall be no less than six inches in height and be of a color contrasting to the background.
13. Photometric plans shall be provided with plans submitted for plan check and shall be reviewed by the City project manager and Crime Prevention staff for compliance with the Orange Municipal Code and approved prior to building permit issuance. Prior to final inspection, 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. In perpetuity, 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.

14. Prior to final inspection, the applicant shall record an easement satisfactory to Fire Prevention staff for necessary on-site access to the property.
15. Prior to final inspection, the applicant shall provide an additional street light in the public right-of-way, in a location satisfactory to the Public Works Director.
16. Prior to building permit issuance, the applicant shall prepare a final landscaping and irrigation plan consistent with the grading plans, site plans, and the conceptual landscaping plan as proposed for the project for the review and approval of the Director of Community Development and Community Services Director.
17. 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 in landscaped areas.
18. 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.
19. The final landscape plan shall include a note that a fully automated irrigation system will be provided.
20. Prior to building permit issuance, City required irrigation and landscape inspection notes shall be placed on the final landscape plan, to the satisfaction of the Community Services Director.

13. ATTACHMENTS

- Attachment 1 – Vicinity Map
- Attachment 2 – Project Plans

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