



Planning Commission

Agenda Item

July 6, 2015

TO: Chair Gladson and
Members of the Planning Commission

THRU: Leslie Aranda Roseberry
Planning Manager

FROM: Lucy Yeager
Contract Planner

SUBJECT

PUBLIC HEARING: CUP No. 2948-14, MJSP No. 0782-14, and DRC No. 4752-14; JR Motel;
428 E. Lincoln Avenue

SUMMARY

The applicant proposes to construct a two-story with basement, 28-room (23,128 square foot) motel, a portion (6 units) with kitchenettes, on vacant land, consisting of two parcels.

RECOMMENDED ACTION

Adopt Planning Commission Resolution No. 19-15 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING
CONDITIONAL USE PERMIT NO. 2948-14, MAJOR SITE PLAN NO.
0782-14 AND DESIGN REVIEW NO. 4752-14 TO ALLOW A 23,128
SQUARE FOOT, TWO STORY WITH BASEMENT 28-ROOM MOTEL
ON TWO EXISTING VACANT PARCELS LOCATED AT 428 E.
LINCOLN AVENUE**

AUTHORIZATION/GUIDELINES

Orange Municipal Code (OMC) Section 17.18.030 authorizes the Planning Commission to review and take action on Conditional Use Permits (CUP) for any motel within the General Business (C-2) zone. The final determination by the Planning Commission on the application may be appealed to the City Council pursuant to the time periods and requirements established in the OMC for appeals.

Attachment 2:
PC Staff Report Dated July 6, 2015
JR Motel, 428 E. Lincoln Ave
Planning Commission 03/02/20

PUBLIC NOTICE

On June 24, the City sent a Public Hearing Notice to a total of 224 property owners/tenants within a 300-foot radius of the project site and, the project site was posted.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15332 (Infill Development Projects) because the project is characterized as an in-fill development, meets the five required conditions noted below and does not trigger any of the exceptions to exemptions listed in CEQA Guidelines Section 15300.2. Documentation in support of this finding is on file in the City's Planning Division. There is no public review required.

- 1) The project is consistent with the applicable General Plan designation and General Plan policies as well as with applicable zoning designation and regulations.
- 2) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- 3) The project site has no value, as habitat for endangered, rare or threatened species.
- 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- 5) The site can be adequately served by all required utilities and public services.

PROJECT BACKGROUND

<i>Applicant:</i>	<i>Chin Chun Juang; JR Investment Limited Partnership</i>
<i>Property Owner:</i>	<i>Chin Chun Juang; JR Investment Limited Partnership</i>
<i>Property Location:</i>	<i>428 E. Lincoln Avenue</i>
<i>Existing General Plan Land Use Element Designation:</i>	<i>General Commercial; Max 1.0 FAR (GC)</i>
<i>Existing Zoning Classification:</i>	<i>General Business (C-2)</i>
<i>Old Towne:</i>	<i>No</i>
<i>Specific Plan/PC:</i>	<i>No</i>
<i>Site Size:</i>	<i>.61 acre (26,508 sq. ft.)</i>
<i>Circulation:</i>	<i>The subject property is located mid-block on the south side of Lincoln Avenue. The City's Master Plan of Arterial Highways classifies Lincoln Avenue as a Major Arterial with a 120 foot right-of-way.</i>
<i>Existing Conditions:</i>	<i>Unimproved vacant land; two parcels</i>
<i>Surrounding Land Uses and Zoning:</i>	<i>North: Multi-Family Residential (Townhomes) in County territory across Lincoln Avenue East: Single-Family Residential; General Business (C-2) South: Single-Family Residential; Duplex 6,000 sq. ft.</i>

	single story overlay (R-2-6 (A)) West: Commercial - Restaurant; General Business (C-2)
<i>Previous Applications/Entitlements:</i>	None

PROJECT DESCRIPTION

The applicant proposes to construct a two-story with basement, 28-room (23,128 square foot) motel, a portion (6 units) with kitchenettes and 6 units defined as suites, located on vacant land, consisting of two parcels. The development will be stepped back and at a lower grade (naturally down sloping) at the rear (south) side. The basement has 2,440 square feet, the first floor level has 11,206 square feet and the second floor level has 9,482 square feet. Three of the kitchenettes are associated with suites and three are associated with double rooms. The building height varies from the lowest height, 16'-9" to the highest height, 29'-5" on the most southerly stepped back elevation.

The site has an existing natural down slope of approximately 15 feet from Lincoln Avenue to the southern property line. Both adjacent properties replicate this down slope. The applicant is proposing to develop the property within the parameters of this natural grade.

Ancillary uses included in the motel will be solely for the use of the motel patrons, not for the public. The ancillary uses include: two multi-purpose conference rooms, play room, facility kitchenette and facility kitchen, lobby, foyer, and, guest and facility laundry areas. Room service and continental breakfast services will be provided. No alcoholic beverages will be offered. Also provided are the following: a manager's office, employee break room, and facility storage room.

The facility will operate with a manager on-site at all times, an assistant manager between 10 am to 7 pm and maid service twenty-four hours. The table below provides the expected employee parameters.

24 Hour Period	# of Employees	# of Hours
8 am – 10 am	4	2
10 am – 5 pm	5	7
5 pm – 7 pm	4	2
7 pm – 8 am	3	13

Parking is provided on-site (28 stalls required). Twenty-six parking stalls are located at the rear of the property, with 11 parking stalls situated as tuck under parking under the first floor of the structure. Two parking stalls are located near the lobby's side entrance on the east side of the structure along with required motorcycle and bike parking. The motel will not offer any shuttle service.

On August 27, 2014, a lot line adjustment application (LL-2014-02) to merge the two vacant lots into one, was recommended by the Staff Review Committee for City Council approval. As is often

the case, the applicant has opted to delay the processing until all discretionary consideration and action is complete. The project is conditioned for this to be completed (Condition No. 5).

Exhibit A, Project Submittal Plans and Exhibits, presents the proposed project and project parameters are also summarized in more detail in the attached Design Review Committee Staff Report (Attachment 4). The building has a relatively flat surface with some articulation through the use of façade insets, materials, and, with a series of varying sized windows. The entrance/lobby is inset on the east side. The southern elevation is significantly setback and with a two-level stepped back building structure. The building ground level of the south elevation is tuck-under parking for the project. The proposed building materials include a tile roof in a terracotta brown blend, a stucco finish in a light sand color with complimentary colored accents and stone veneer in a blend similar to the roof color. The window encasements have some articulation through moldings and colors.

The project meets required development standards as noted below. The Acting Assistant Community Development Director has approved the south dual parallel walls as discussed in Analysis/Statement of Issues Section below.

Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	Allowed 32 feet maximum; 2 stories	2 stories with basement: North 25'-6" East 24'-8" to 25'-0" West 25'-6" to 29'-4" South 16'-9" to 29'-5".	17.18.120
<i>Fence height - Front</i>	42 inches maximum allowed	None	17.18.140.B.1
<i>Fence height – East Side</i>	Limited to 6 feet	Outside of front setback along property line 6' high block wall to where 42" high wrought iron gate is located followed with a 5' high retaining wall. Additional walls (portion 6 ft. high) /fence (portion 42" high) located interior adjacent to stone paver driveway and concrete ramp.	17.18.140.B.3 - As measured from the side of the fence or wall with the highest grade.

<i>Fence height – West Side</i>	Limited to 6 feet	Maximum 6' high wrought iron on existing property line retaining wall except a 6' high block wall along property line adjacent to the parking area on the SWC of site.	17.18.140.B.3 - As measured from the side of the fence or wall with the highest grade.
<i>Fence height – Rear (south)</i>	6 foot high masonry division wall	<p>Three distinct walls proposed:</p> <ul style="list-style-type: none"> • To remain - existing 7' fence between property lines in drainage swale area (5' block wall with 2' wood fence atop) • At property line (which is 2' from existing fence at drainage swale) - new 1' to 5.5' high retaining planter wall aligned with sloping of the finished grade. CDD approved relative to providing two adjacent parallel walls due to the existing and remaining 7' high wall. • New 6' high block wall located 5' north from property line and 6' from the back of open parking. 	<p>17.18.140.A Division Wall Required (due to it's adjacency to residential district) - measured from the highest elevation of land contiguous to the wall.</p> <p>17.18.140.C provides for CDD approval</p>
<i>Setback, Front</i>	10 feet	10'-2" – 10'-6"	17.18.130
<i>Setback, Rear (South)</i>	10 feet	49'-8" to first floor level of building. Landscaping and parking lot screen wall is within the	17.18.130

		required 10 foot setback. Outside required setback is parking lot and the trash enclosure.	
<i>Setback, East Side</i>	0 feet	25'-9" to structure; landscape, fence and concrete driveway located between property line and structure.	17.18.130
<i>Setback, West Side</i>	0 feet	4'-0" to parking area curb - 5'-8" to structure.	17.18.130
<i>Landscaping (non-residential) – Front Yard</i>	Minimum 10 feet fully landscaped	10'-2" to 10'-6" full landscape materials.	17.18.160.A.1.a
<i>Landscaping (non-residential) – West Side</i>	Minimum 4 feet wide when building is not on the property line.	4'-0" - 5'-8" – low ground cover with specific placement of a total of 9 trees for landscape materials.	17.18.160.A.1.b
<i>Landscaping (non-residential) – East Side</i>	Minimum 4 feet wide when building is not on the property line.	4'-4" – 5'-10" – fully aligned with landscape materials including 10 trees, shrubs, and ground cover.	17.18.160.A.1.b
<i>Landscaping (non-residential) – Rear</i>	Minimum 4 feet wide when building is not on the property line	11' – fully aligned with six 15 gallon trees adjacent to south property line wall and six 24" box trees abutting parking lot along with shrubs, groundcover and vines on the south side of the adjacent parking area screen wall.	17.18.160.A.1.b
<i>Landscaping abutting trash enclosure</i>	4 feet on minimum of two sides	4 feet on two sides and 6'-6" on east side yard side.	17.18.160.A.3
<i>Parking areas visible from public</i>	Screened with 5 gallon shrubs at 3'	Planter with perennials provided	17.18.161.A.2

<i>streets</i>	on center	adjacent to two front parking spaces and motorcycle and bike area near lobby entrance.	
<i>Parking (non-residential)</i>	1 per guest room plus as needed for auxiliary uses.	28 spaces plus bike rack and motorcycle area. All auxiliary uses strictly for motel guests.	17.34.060.B - 1 space/guest room, plus additional parking as required for auxiliary uses
<i>Kitchenettes</i>	7 rooms allowed (25% of the rooms)	6 rooms; three are identified as suites and three as double rooms.	17.18.070.S.1

Of note, plans for both lighting and signage will be pursued in the future under separate review and consideration by the Design Review Committee. Such is conditioned (see Condition No. 8 for signage and No. 7 for lighting). A monument sign is referenced on the plans on the frontage of the site.

APPLICATION(S) REQUESTED/ REQUIRED FINDINGS

Major Site Plan: The applicant is proposing a Major Site Plan to construct a 23,128 square foot 28-room motel that is 2- stories in height with basement; a portion (six units) with kitchenettes.

Required Findings:

1. The project design is compatible with surrounding development and neighborhoods.
2. The project conforms to City development standards and any applicable special design guidelines or specific plan requirements.
3. The project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site.
4. City services are available and adequate to serve the project.
5. The project has been designed to fully mitigate or substantially minimize adverse environmental effects.

Conditional Use Permit: The applicant is requesting a Conditional Use Permit to allow the motel use with kitchenettes.

Required Findings:

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

Design Review Committee: The applicant is requesting approval of a Design Review application to construct a 28-room, 23,128 square foot motel that is two stories in height with a basement of which is stepped back and at a lower grade on the rear (south) side, situated on existing vacant land.

Required Findings:

1. In the Old Town Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the Design Review Committee or other reviewing body for the project.
2. In any National Register Historic District, the proposed work complies with the Secretary of the Interior's standards and guidelines.
3. 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.
4. For infill residential development, as specified in the City of Orange infill residential design guidelines, the new structure(s) or addition are compatible with the scale, massing, orientation, and articulation of the surrounding development and will preserve or enhance existing neighborhood character.

ANALYSIS/STATEMENT OF THE ISSUES

Issue 1: Fences and Walls

Section 17.18.140.A, Division Wall Required, requires a masonry division wall on all property lines adjacent to any residential district. The division wall shall be six feet in height, as measured from the highest elevation of land contiguous to the wall.

Section 17.18.140.C, Location, requires all perimeter fences and walls constructed on the property line unless a different location is permitted by the Community Development Director. No parallel wall or fence shall be constructed less than five feet from an existing wall or fence, unless approved by the Community Development Director.

The district adjacent to the south of the property is a residential district. There is an existing division wall located 2 feet south of the property line in an existing drainage swale area. Such wall extends in both the west and east directions between the respective properties. The wall will remain. It is a 7' high 5' block wall with a 2' high wood fence on top of it. The fencing proposed on the property line (which is located 2' from the above referenced 7' high wall/fence) includes a 1' to 5' high retaining wall. This wall is necessary for slope integrity.

While a 6' high division wall is required on the south property line, since it is adjacent to a residential district, the Acting Assistant Community Development Director approved this wall at a height less than 6' and, its location being parallel to and less than 5' from an existing wall/fence. The circumstances are deemed unique in that there is an existing swale that will remain adjacent to the existing 7' high wall/fence which will also remain and, that this is serving more as a retaining wall addressing the more than 2-foot sloping grade from the wall adjacent to the parking lot.

While the property to the east is an existing residential use, it is located in a commercial district rather than a residential district. Therefore, the above referenced division wall parameters do not apply.

Outside of the described Acting Assistant Community Development Director approved wall/fence situation, the project meets required development standards.

ADVISORY BOARD RECOMMENDATION

Staff Review Committee:

The Staff Review Committee reviewed the project on June 25, 2014, September 10, 2014, October 29, 2014, January 14, 2015, April 15, 2015 and, May 6, 2015 and recommended that the project move forward to Design Review Committee and the Planning Commission on May 6, 2015 in that Code provisions were met.

Design Review Committee:

The proposed project was preliminarily presented and reviewed by the Design Review Committee on November 5, 2014. At that meeting the DRC provided the applicant review comments. The applicant responded to the DRC's comments and, the Design Review Committee reviewed the subject proposal at the May 20, 2015 meeting, and recommended the Planning Commission approve the project subject to one recommendation and two additional conditions as noted below. The additional conditions and recommendation are not incorporated in the plan submittal before you.

Recommendation

- Change the plane of the rear solid railings on the second level of the south side to give more articulation to that elevation.

Additional Conditions

- Minimum of four 5-gallon blood red trumpet vines shall be added to the trellises on the west side of the building. (See Condition No. 1)
- The window on the second floor directly over the cantilever on the east elevation toward the south end of the wall shall be moved so it does not fall over the line of the cantilever. (See Condition No. 2)

ATTACHMENTS/EXHIBITS

Attachments to Report:

1. Planning Commission Resolution No. 19-15
2. Vicinity Map
3. Site Photos
4. May 20, 2015 Design Review Committee Staff Report (without attachments)
5. May 20, 2015 Design Review Committee Final Meeting Minutes

Exhibits provided to the Planning Commission:

A. Project Submittal Plans and Exhibits date stamped June 8, 2015

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File