

**CONDITIONAL USE PERMIT NO. 2948-14
MAJOR SITE PLAN NO. 0782-14
DESIGN REVIEW NO. 4752-14**

RESOLUTION NO. PC 19-15

**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**

**APPLICANT: Chin Chun Juang property owner and representative of JR Investment
Limited Partnership**

Moved by Commissioner Correa and seconded by Commissioner Willits that the following resolution be adopted:

WHEREAS, Orange Municipal Code Table 17.14.030 requires approval of a Conditional Use Permit for a Motel on property zoned C-2 (General Business); and

WHEREAS, Conditional Use Permit No. 2948-14, Major Site Plan No. 0782-14, and Design Review No. 4752-14 were filed in accordance with the provisions of the City of Orange Municipal Code; and

WHEREAS, the application for Conditional Use Permit No. 2948-14, Major Site Plan No. 0782-14, and Design Review No. 4752-14 were processed in the time and manner prescribed by law; and

WHEREAS, on June 25, 2014, September 10, 2014, October 29, 2014, January 14, 2015, April 15, 2015 and, May 6, 2015, the Staff Review Committee reviewed the proposed request to allow a 23,128 square foot, two story with basement 28-room motel and recommended that the project proceed subject to conditions; and

WHEREAS, on May 20, 2015, the Design Review Committee reviewed the proposed project, in particular the design of the building and landscape plan associated with the project and recommended that the project be approved subject to a recommendation and project conditions; and

WHEREAS, the Planning Commission has authority per Orange Municipal Code Section 17.08.020 to make a final determination on an application for a Conditional Use Permit, Major Site Plan and Design Review for those projects requiring Planning Commission approval of a land use permit; and

WHEREAS, Conditional Use Permit No. 2948-14, Major Site Plan No. 0782-14 and Design Review No. 4752-14 is categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines Section 15332 (Infill Development Projects); and

WHEREAS, on July 6, 2015, the Planning Commission conducted a duly advertised public meeting, at which time interested persons had an opportunity to testify either in support of or opposition to Conditional Use Permit No. 2948-14, Major Site Plan No. 0782-14, and Design Review Committee No. 4752-14 upon property generally described as follows:

TWO PARCELS:

PARCEL A WHICH INCLUDES ALL OF LOTS 1, 2 AND 3 AND PORTION OF LOTS 4 AND 24 OF FRANKLIN'S ADDITION TO OLIVE HEIGHTS, IN THE CITY OF ORANGE, COUNTY OF ORANGE, AS PER MAP RECORDED IN BOOK 18, PAGE 71 OF MISCELLANEOUS MAPS, IN OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, AND

PARCEL B WHICH INCLUDES LOTS 4, 5, 6, AND 24 OF FRANKLIN'S ADDITION TO OLIVE HEIGHTS, IN THE CITY OF ORANGE, COUNTY OF ORANGE, AS PER MAP RECORDED IN BOOK 18, PAGE 71 OF MISCELLANEOUS MAPS, IN OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY,

AND AS PER MAP FILED IN BOOK 374, PAGE 30 OF PARCEL MAPS, IN THE OFFICE OF THE RECORDER OF ORANGE COUNTY WITH ASSESSOR PARCEL NOS. 374-301-09 AND 374-301-10

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves Conditional Use Permit No. 2948-14, Major Site Plan No. 0782-14 and, Design Review No. 4752-14 to allow the construction of a new 23,128 square foot, two story with basement 28-room motel, a portion (6 units) with kitchenettes, on vacant land, consisting of two parcels, based on the following findings:

SECTION 1 – FINDINGS

General Plan Required 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 City's General Plan in that it is a good use and fitting design for the Lincoln Avenue corridor. It includes a stepped design in the rear allowing

it to integrate with the natural slope of the land reducing the visual mass of the motel on the neighboring residences. (Land Use Element Goal 1.0)

Conditional Use Permit 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.*

The subject property is unimproved vacant property that is in a transitional area zoned C-2, General Business. The same zoning is on adjacent properties to the east and west. A restaurant is located to the west and a legal non-conforming residential unit is located to the east. Residential uses are located to the north and to the south. The subject permit is sought because the Code allows for a motel by the approval of a conditional use permit that meets certain conditions regarding kitchenettes (17.18.070.S.1). Said proposal meets the conditions regarding kitchenettes. Granting a permit for a motel is based on sound land use principles and provides a use complimentary in the transitional commercial area.

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.*

Consideration has been given as to whether the proposed use, a two story with basement 28-room, 23,128 square foot, 16'-9" to 29'-5" high motel with 28 parking spaces, will detrimentally affect adjacent land uses. The applicant revised the plans per the DRC's preliminary comments that included addressing sensitivity to adjacent land uses. The project applicant revised the plans moving most of the parking to the rear of the lot, increased the setback on the south side, reducing the mass and bulk on the south and east elevations, and, added significantly more landscaping to make the project more aesthetically pleasing. Further, the Design Review Committee added two project conditions and also a recommendation in light of the adjacent land uses. The project is building to allowed parameters and meets required development standards. The proposed project has responded to sensitivities and should not result in causing deterioration of bordering uses.

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.*

The property is not located within any community or neighborhood plan. The proposed project is to vacant unimproved land. It is an infill development. A project condition does require the continued sharing of cross lot drainage on the southern property line and the existing drainage ditch to be maintained. The project will be required to connect with the sewer main on Lincoln Avenue that belongs to the Orange County Sanitation District. A project condition requires installation of street lights along Lincoln Avenue. There are no existing or proposed easements. The project will use scout services for trash pick-up and such is a project condition. Specific design and project conditions have been incorporated by the Police Department addressing crime prevention to ensure the site is

secure and not impactful to the southerly residential neighborhood. The effects on the community within this area of the City have been considered and appropriately addressed or requirements included as conditions to be satisfied prior to permit issuance.

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.*

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

Major Site Plan Review Required Findings:

1. *The project design is compatible with surrounding development and neighborhoods.*

The proposed project has been designed to be sensitive to and compatible with the adjacent uses. The project, adjacent to the residential uses, incorporated significant building setbacks to allow for a better transition and was embellished with landscaping to better screen the project relative to existing the residential uses. It is consistent with the applicable development standards of the Orange Municipal Code. The effects on the surrounding development and neighborhoods have been considered and appropriately addressed or requirements included as conditions to be satisfied prior to permit issuance.

2. *The project conforms to City development standards and any applicable special design guidelines or specific plan requirements.*

The property is not located within any special design guideline or specific plan area. It is consistent with the applicable development standards of the Orange Municipal Code. The project, therefore, conforms.

3. *The project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site.*

Consideration has been given regarding the appropriateness and adequacy of vehicular and pedestrian circulation, on and off-site. Project conditions further ensure the project results in safe and adequate provisions.

4. *City services are available and adequate to serve the project.*

The project will be served by City and County services and such are available and adequate to serve the project.

5. *The project has been designed to fully mitigate or substantially minimize adverse environmental effects.*

The project has met the categorical exemption classification, Section 15332, Infill Development Projects, of the California Environmental Quality Act (CEQA) meeting the five required conditions and does not trigger any of the exceptions to exemptions listed in CEQA Guidelines Section 15300.2. It does not result in any adverse environmental effects.

Design Review Required Findings:

1. *In the Old Towne Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the DRC or other reviewing body for the project (OMC 17.10.070.F.1).*

This project site is not within the Old Towne Historic District; therefore, this finding does not apply.

2. *In any National Register Historic District, the proposed work complies with the Secretary of the Interior's standards and guidelines (OMC 17.10.07.F.2).*

This project site is not within the National Register Historic District; therefore, this finding does not apply.

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 (OMC 17.10.07.F.3).*

The proposed project is consistent with the applicable development standards of the Orange Municipal Code.

The proposed project has a building design theme that is consistent on all four elevations.

The landscape used is consistent on the sides and rear and is more distinguished along the frontage.

The project, adjacent to the residential uses, incorporated significant building setbacks to allow for a better transition and was embellished with landscaping to better screen the project relative to the residential.

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 (OMC 17.10.07.F.4).*

This project is not an infill residential development; however, it is an infill development adjacent to residential development.

SECTION 2 – ENVIRONMENTAL REVIEW

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 Department. 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.

SECTION 3 – CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed with approval:

Design Review Committee

1. Minimum of four 5-gallon blood red trumpet vines shall be added to the trellises on the west side of the building.
2. 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.
3. A recommendation to change the plane of the rear solid railings on the second level of the south side to give more articulation to that elevation be considered.

Public Works/Engineering

4. The drainage swale in the rear of the parcel shall be kept clean to allow for clear flow at all times.

5. Prior to issuance of building permits, review and approval by the City Engineer of a lot line adjustment to combine the two parcels into one parcel shall be satisfied and recorded by the County Recorder.
6. The contractor shall obtain a Grading Permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.

Planning

7. Prior to issuance of any construction permits, detailed lighting plans for the entire project complex shall be submitted to the Planning Department for review and scheduled before the Design Review Committee for consideration and recommendation. On said plans, per the Police Department, rear parking lot light poles on south side shall be low with shields to direct light to where it is needed while hiding bulbs from the adjacent residences.
8. Prior to issuance of sign permits, sign plans shall be submitted to the Planning Department for review and scheduled before the Design Review Committee for consideration and recommendation.
9. The applicant at all times shall provide the required number of parking spaces based on the uses on the site.
10. In conjunction with the operation of the business, should parking 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 Conditional Use Permit shall be presented to the Planning Commission for their consideration of further conditions, modifications or revocation.
11. In conjunction with the operation of the business, all noise levels generated shall conform to the levels allowed by Code.
12. Prior to building permit issuance, the applicant shall submit a color palette and sample materials to the Planning Department to demonstrate that all proposed colors and materials match the DRC approvals and if applicable, existing colors and materials on the subject building.

Crime Prevention

13. Prior to building permit approval and on plan check plans, the tuck under parking area should be of open design and it is recommended that the height between the floor surface and the ceiling level be at least 9'-1", as per the plans, throughout the covered parking. The 9'-1" height provides a much greater feeling of space and safety. Avoid architectural designs that provide hiding places where individuals could easily conceal themselves. Design details to be provided to the Police Department before plan check.

14. Aisles, passageways and recesses related to and within the building complex shall be illuminated with an intensity of at least twenty-five one hundredths (.25) foot candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers.
15. All exterior commercial doors, during the hours of darkness, shall be illuminated with a minimum of one foot candle of light. All exterior bulbs shall be protected by weather and vandalism resistant cover(s).
16. To ensure adequate services are provided and to minimize the demands on police service, security and design measures that employ Defensible Space concepts will 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. CPTED promotes public safety, physical security and allows residents the ability to monitor activity in neighboring areas.
17. Glare from any 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 project site 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 Orange Municipal Code standards.

General

The following code provisions are applicable to this project, and are included for information only. This is not a complete list of requirements, and other code provisions may apply to the project.

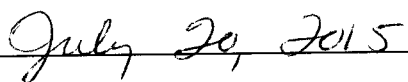
1. All construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled Exhibit A in the Design Review Committee staff report (dated May 20, 2015 and plans date stamped received May 12, 2015), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Further, exterior building color and materials shall conform to the plans and color and materials board approved by the Design Review Committee on May 20, 2015. Any change to the exterior of the building from the approved plans shall be subject to review and approval by the Design Review Committee.
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 permit, save and except that caused by the City's active negligence.

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 will be cause for revocation of this permit.
4. Any modifications to the plans including, but not limited to the landscaping 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 necessary reviewing bodies for approval.
5. 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 plot plan, the Community Development Director may approve the changed plan without requiring a new public hearing.
6. If not utilized, project approval expires twenty-four months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060. The Planning entitlements expire unless building permits are pulled within 2 years of the original approval.
7. In addition to the above conditions, the applicant shall be advised of final plans and permitting requirements as described in Attachment 1.

I hereby certify that the foregoing resolution was adopted on July 6, 2015, by the Planning Commission of the City of Orange by the following vote:

AYES: Commissioners Correa, Gladson & Willits
NOES: None
ABSTAIN: None
ABSENT: None


Adrienne Gladson, Planning Commission Chair


Date

**ATTACHMENT 1
FINAL PLANS AND PERMITTING REQUIREMENTS**

Public Works/Engineering

1. Prior to building permit issuance, a letter from the County Sanitation District shall be submitted to the Public Works Department confirming that an application has been made to the Sanitation District for the sewer connection on Lincoln Avenue.
2. Prior to certificate of occupancy, install city street lights along Lincoln Avenue as required by Public Works Traffic Division.
3. At time of plan check submittal, the plans shall show and confirm that paving shall support heavy trucks.
4. At time of plan check submittal, the plans shall note that scout service shall service the site for trash service. Prior to building permit issuance, a letter from the provider, CR&R, shall be submitted to the City confirming such provision.
5. Show sewer lift station on grading plan and show how sewer is to be connected to Sanitation District main line on Lincoln Avenue.
6. Prior to grading permit issuance, provide a hydrology study for 25- and 100-year flood condition and demonstrate that in both conditions there will be no increase of flow rate "Q".
7. Prior to grading permit issuance, the import and export of dirt in any amount shall require a City Transportation Permit.
8. Show all sewer, storm drain, and water utility lines on the Grading Plan for plan check review.
9. All driveway aprons shall comply with City of Orange Standard Plans and Specifications for Commercial Driveway Aprons. Sidewalks that cross driveway aprons shall conform to current ADA requirements.
10. All work within public right-of-way and public utility easements shall require an Encroachment Permit. This includes, but is not limited to: sidewalk and driveway construction and utility connections.
11. The grading plan shall detail all of the locations where retaining walls will be constructed, including height and engineering for each wall, and obtain a building permit for walls over three (3) feet in height prior to construction.

12. Per grading plan, the applicant shall prepare a dust control plan for review and approval by the Public Works Director.
13. Per grading plan, during construction of the Proposed Project, the contractor shall be required to comply with SCAQMD Rules 402 and 403 in order to minimize short-term emissions of dust and particulates. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. This requirement shall be included as notes on the contractor specifications.
14. The applicant, in coordination with the contractor(s), shall ensure that grading and construction activities comply with the following requirements:
 - a. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintaining mufflers;
 - b. All operations shall comply with City ordinances with respect to hours of construction activity to minimize noise impacts;
 - c. During construction, best efforts shall be made to locate stockpiling and/or vehicle staging areas as far as practicable from surrounding residences.

Public Works –Water Quality

15. Prior to the issuance of any grading permits 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 Routine Source and Structural Control BMPs as defined in the Drainage Area Management Plan (DAMP);
 - 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.
16. Prior to the issuance of certificates for use of occupancy, 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.
17. Prior to the issuance of certificates for use of occupancy 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.
18. Prior to issuance of building permits, 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.
19. 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.
20. 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 and show the proposed storm water treatment Best Management Practices such bioretention planter, drywells, permeable pavers and other proposed BMPs.

Water

21. Prior to the issuance of a building permit, the applicant shall submit a water improvement plan to the water division for new fire hydrants, domestic water services, fire suppression services, landscape services, and or any other proposed improvements or relocations affecting the public water system appurtenances for review and approval. The applicant shall be responsible for the costs associated with the proposed improvements.

22. 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.
23. Prior to approval of the water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspection charges as determined by the water division.
24. All hot taps required on existing city mains to provide water service to any lot, parcel or subdivision shall be performed by city crews at the developer's expense in accordance with the fee schedule established by resolution of the city council.
25. Prior to the issuance of a building permit, the applicant shall be responsible for the installation/relocation of the proposed/existing public water system appurtenances as necessitated by the proposal to a location and of a design per the improvement plans approved by the water division.
26. Prior to building permit issuance, construction documents shall show that each property, main building or structure shall have a separate meter service unless otherwise approved by the water division.
27. Prior to the issuance of a building permit plans shall show that each building shall be protected with a separate fire suppression service unless otherwise approved by the fire department and water division.
28. Prior to building permit issuance, the water division shall approve the type and location of the domestic, landscape irrigation and fire suppression service back flow prevention devices for proposed city services.
29. Prior to building permit issuance, construction documents shall show that the installation of sewer mains in the vicinity of water mains is done per the water division's standard no. 113.
30. 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.
31. Prior to building permit issuance, construction documents shall show that an eight-foot minimum clearance is provided between city water mains, and signs, trees or other substantial shrubs, bushes, or plants.
32. Prior to building permit issuance, construction documents shall show that the minimum separation requirements are met and that each of the various designers' 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, fire master and or fire suppression plans so that their designs are consistent.

33. Prior to building permit issuance, construction documents shall show that permanent signs, awnings, surface water quality features such as but not limited to infiltration planters, basins, pervious pavement or other structures are not installed over the city's water mains, laterals, services, meters, and fire hydrants.
34. That a minimum of fourteen-calendar days prior to public water construction, the applicant's Engineer of Record shall prepare and provide product material submittals consistent with the approved water improvement plans as approved by the water division, for all proposed public water system facilities to the water division for review and approval.

Fire Department

35. Prior to the issuance of a certificate of occupancy, the applicant shall be responsible for the installation of necessary fire hydrants and fire suppression services as determined by the fire department and water division.
36. Plans submitted for Building Plan Check shall comply with the California Fire Code as amended by the City and in effect at the time of application for building permit.
37. At the time of building permit issuance, a copy of the fire master plan shall be provided to the Fire Department in PDF format.
38. An automatic fire sprinkler system will be required per OMC Section 15.32.390. An automatic fire sprinkler system shall be provided throughout all buildings when the total building area exceeds 5,000 square feet in Types I, II, III and IV construction, and 3,000 square feet in Type V construction.
39. In regard to the design of the fire department connection the following shall be considered:
 - a. The fire department connection shall not be affixed to the building;
 - b. The fire department connection shall be located at least 40 feet away from the building;
 - c. The fire department connection shall be located on the address side of the building;
 - d. The fire department connection shall be located within 40 feet of a hydrant on the same side of the street or drive as the hydrant;
 - e. The fire department connection's location shall be approved by the fire code official.
40. Due to the spacing of the existing City hydrants on the South side of Lincoln, a new City hydrant installed at the Developer's cost will be required in order to locate the fire department connection within 40 feet of a hydrant and to meet the hydrant spacing requirements as required in Appendix "C" of the California Building Code.

Planning

41. Prior to Certificate of Occupancy, all parking and landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director.
42. In conjunction with the operation of the business, the trash enclosure shall be maintained and kept clean and free of debris.
43. Prior to the operation of the business, the applicant shall file for a business license with the Business License Division. Failure to obtain the required business license will be cause for revocation of this approval.
44. Show on plan check plans and prior to issuance of building permits, above ground assemblies installed on private property directly behind the right-of-way. Such devices shall include and maintain low height growth landscaping to help screen the device while allowing necessary access for servicing.
45. Prior to building permit issuance, the applicant shall demonstrate to the satisfaction of the Community Development Director that all mechanical and air conditioning equipment shall be shielded and screened from view from pedestrian view and from view from adjacent streets and properties. Screening shall be integrated architecturally with the building and be installed that architecturally matches the building and that the mechanical equipment screen shall be painted to match the walls of the building.

Building

46. At time of plan check, windows will need to show that they are protected with a rated glazing/framing. See 2013 California Building Code Table 705.8 associated with windows that are 5' to 10' from a property line.
47. The project shall incorporate water conservation measures, as required by the California Building Code and the City's building regulations.

Crime Prevention

48. Prior to issuance of building permit, at plan check, the following shall be provided and shown on plans:
 - a. Rear parking lot light poles on south side shall be low with shields to direct light to where it is needed while hiding bulbs from the adjacent residences.
 - b. Install a digital CCTV system on the rear lot to be recorded to a DVR in the building. The locations and camera system details will be coordinated through the Orange Police Department Crime Prevention Unit.

49. Prior to building permit approval, provide a photometric survey of all open and covered areas of the parking lot showing compliance with City of Orange Building Security Ordinance 15.52 reference #7-79 and IESNA standards. Interior walls of the underground parking shall be of a light white color stain/paint to increase uniformity and reflective light. Design details to be provided to the Police Department before plan check.
50. Prior to building permit approval and on plan check plans, to reduce access points into the tuck under parking area, install see through security mesh or other approved alternatives at all first level open sections that are not used for vehicular or pedestrian access. An open mesh type of screening would provide maximum visibility from the exterior. Design details to be provided to the Police Department before plan check.
51. Prior to building permit approval and on landscape plans, limit the size of the landscaping (bushes no higher than 3 feet and trees trimmed up from the ground no lower than 6 feet) to reduce hiding places and allow easy surveillance into the parking areas. Design details to be provided to the Police Department before plan check.
52. Plans submitted into plan check must show that all new structures and modifications shall comply with the requirements of Municipal Code, Chapter 15.52 (Building Security Standards), which relates to the use of specific exterior doors, door hardware, windows, burglar bars for roof penetrations greater than 96 square inches, lighting, etc. (Ord. 7-79). Architectural drawings need to include sections of Ordinance 7-79 that apply to the project under a "Security Notes" section on the site plan. An "Approved Products List 01/08" of hardware, windows, etc. is available upon request. Specifications, details, or security notes may be used to convey the compliance. The project shall comply with the requirements during construction and operation/use of the project.

Community Services - Landscaping

53. Prior to issuance of building permit, at plan check, the irrigation system shall include two (2) additional "quick coupler" valves installed. One at the south/west corner planter area and one at the north/west planter area.
54. 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 Specification. Applicant to provide Certificate of Consistency.
55. 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.
56. The final landscape plan shall include a note that a fully automated irrigation system will be provided.

57. Prior to building permit issuance, a Tree Permit Removal Permit shall be approved by the Community Service Director in accordance with the City's Tree Preservation Ordinance. 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.
58. Certification from the Landscape Architect of record shall be filed that final landscaping was completed in compliance with approved landscape and irrigation plan. City of Orange Staff shall inspect and approve the landscape prior to release.

General

The following code provisions are applicable to this project, and are included for information only. This is not a complete list of requirements, and other code provisions may apply to the project.

59. Prior to the issuance of building permits, 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, Fire Facility, Police Facility, Park Acquisition, Sanitation District, and School District, as required.
60. 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.
61. Construction permits, including building permits, as required by the City of Orange shall be obtained for all construction work by Community Development Department's Building Division and Public Works Grading Division. Failure to obtain the required building permits will be cause for revocation of this permit.
62. In conjunction with construction, all construction 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.
63. These conditions shall be reprinted on the first or second page of the grading, utility and construction documents when submitting to the Building Department for the plan check process.