



# City of Orange

## Legislation Details (With Text)

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**Title:** Public Hearing: Mitigated Negative Declaration No. 1861-18 and Design Review No. 5019-20, Well 28, 225 W. Maple Ave.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 1 - Planning Commission Resolution No. PC 01-21, 3. Attachment 2 - Vicinity Map, 4. Attachment 3 - Site Photographs, 5. Attachment 5 – Plans Reviewed by the Design Review Committee, 6. Attachment 4 - Project Plans, 7. Attachment 6 - MND No. 1861-18, 8. Attachment 7 - Appendix A- Air Quality Report, 9. Attachment 8 - Appendix B - Cultural and Paleontological Report, 10. Attachment 9 - Appendix C - Energy Tables, 11. Attachment 10 - Appendix D - Geological Exploration Report, 12. Attachment 11 - Appendix E - Greenhouse Gas Report, 13. Attachment 12 - Appendix F - Phase I Environmental Site Assessment, 14. Attachment 13 - Appendix G - Well Design Report, 15. Attachment 14 - Appendix H- Noise Study, 16. Attachment 15 - Appendix I - Trip Generation Table, 17. Attachment 16 - Public Comment Letter on MND No. 1861-18, 18. Attachment 17 - Design Review Committee Staff Report Dated November 4, 2020, 19. Attachment 18 - Design Review Committee Meeting Minutes Dated November 4, 2020

Date	Ver.	Action By	Action	Result
1/18/2021	1	Planning Commission	Approved	Pass

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

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

**FROM:** Chad Ortlieb, Senior Planner

### 1. SUBJECT

**Public Hearing:** Mitigated Negative Declaration No. 1861-18 and Design Review No. 5019-20, Well 28, 225 W. Maple Ave.

### 2. SUMMARY

The City will be constructing a new City water well in a walled enclosure and will construct a pocket park on the parcel perimeter. 16-foot brick veneer architectural screen walls with clinging vines surround the well equipment are meant to mimic a building façade.

### 3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 01-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending that the City Council approve Mitigated Negative Declaration No. 1861-18 and Design Review No. 5019-20 for the

construction of Well 28 and associated pocket park located at 225 W. Maple Avenue

#### 4. AUTHORIZING GUIDELINES

Per City policy and past practice, capital improvement projects with significant improvements involving new structures, and projects located in Old Towne are reviewed by the Planning Commission for a recommendation to the City Council. OMC Section 17.10.080 and Section 7.A of the City of Orange Local CEQA Guidelines authorize the Planning Commission to recommend an action to the City Council on Mitigated Negative Declarations.

#### 5. PROJECT BACKGROUND

<i>Applicant:</i>	City of Orange
<i>Property Owner</i>	City of Orange
<i>Property Location</i>	225 W. Maple 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(SP)), Santa Fe Depot Specific Plan, and Chapman University Specific Plan
<i>Old Towne</i>	Yes
<i>Specific Plan/PC</i>	Santa Fe Depot Specific Plan and Chapman University Specific Plan
<i>Site Size</i>	15,695 Square Feet, (0.36 Acre)
<i>Circulation</i>	Access to the well site for maintenance shall occur via Maple Avenue. Pedestrian access shall occur via both Maple Avenue and Lemon Street.
<i>Existing Conditions</i>	The site is vacant, paved with asphalt, and has a 6-foot tall chain link fence around the perimeter.
<i>Surrounding Land Uses and Zoning</i>	The project is in Old Towne, the Santa Fe Depot Specific Plan area, and the Chapman University Specific Plan area. Land uses surrounding the project site include a parking lot for Chapman University to the west across N. Lemon Street, residential and the Metrolink parking structure to the southwest across W. Maple Avenue, light industrial uses adjacent to the north, and a Chapman University office and residential uses to the east. A variety of zoning designations surround the site as follows: West and Southwest: Public Institutional (P-I (SP)) South and Southeast: Old Towne Mixed Use District - 15 DU/AC (OTMU-15 (SP)) and Old Towne Mixed Use District - 24 DU/AC (OTMU-24 (SP)) East: Multiple-Family Residential District (R-3) (SP) and Old Towne Mixed Use District - 24 DU/AC (OTMU-24 (SP)) North and Northwest: Old Towne Mixed Use District - 24 DU/AC (OTMU-24 (SP)) and Single-Family Residential District (R-1-6 (SP))
<i>Previous Applications/Entitlements</i>	None

#### 6. PROJECT DESCRIPTION

The City will be constructing a new City water well in a walled enclosure and a pocket park on the parcel perimeter of the vacant lot at 225 W. Maple Avenue.

At the time plans were reviewed by the Design Review Committee (DRC), the plans were not as refined as the plans now before the Planning Commission. However, the plans reviewed by the DRC were adequate for completing the project environmental analysis, and the well enclosure building and pocket park were substantially the same as now presented on the refined plans. Plan details and refinements such as exact material finishes and colors, pocket park amenities, and lighting will continue to occur with final plan creation. A color and material board is not available at this time.

### Well Facilities

The proposed well facilities will be located in the northeast corner of the project site within a 3,904 square foot area that is surrounded by a 16-foot high brick veneer and clinging vine-clad architectural screen wall that will provide security, sound buffering, and screen the well facilities from off-site views. A concrete base plate and cornice top cap will accompany the enclosure wall, with a removable cornice over the entry door to accommodate well maintenance. The screen walls around the well infrastructure will be set back five feet from the north and east property lines and will utilize a metal fence and gate to close access to the resulting gaps between the screen walls and property lines. The proposed well is a 500-horsepower vertical turbine pump that will be contained within an approximately 400 square foot, 14-foot high sound enclosure structure. The well system inside the enclosure also includes pump control valves, steel piping, appurtenances, and an air gap structure. The project will also install a 550 square foot, 14-foot high cement block building with an electrical room for the electrical switchboard and a chemical room for disinfection equipment.

Access into the well equipment area will be provided via a concrete driveway leading to a 14-foot high automatic rolling door facing W. Maple Avenue. A door entrance to the main switchboard, electrical room, and chemical room is provided alongside the rolling door on the south elevation. Bollards will be placed at the driveway's Maple Avenue interface.

A new Southern California Edison (SCE) transformer will be installed south of the architectural screen wall and east of the driveway next to the well facilities. The transformer will be 10-feet wide and 8-foot long and will be screened by landscaping. The transformer will provide electricity to the proposed equipment.

### Passive Pocket Park

The southwestern portion of the project site will be developed with an 11,780 square foot passive pocket park. The pocket park will incorporate the use of permeable surfaces, such as decomposed granite and turf, and will include decorative perimeter fencing, decorative panels, park benches, precast concrete seating, café game board tables, a central tree planter with edge seating, lighting, landscaping, trash receptacles, and a drinking fountain. Access to the pocket park will be provided by a decomposed granite path with entrances on both Maple Avenue and Lemon Street.

### Architecture

The proposed 16-foot high architectural screen walls (well structure) surrounding the well are designed to screen well equipment and also are meant to mimic a building façade. The well structure will utilize simple materials found within the context of the Santa Fe Depot District in Old Town Orange. Clay brick and running bond application will be used for the veneer on all four elevations of the structure to blend in with the existing masonry of the residential, commercial, and institutional

buildings throughout the Old Towne Orange Historic District, in addition to the Metrolink parking structure on the southwest corner of the Maple Avenue and Lemon Street intersection. The architectural screen walls will include metal trellis wall treatments that will be vegetated. The trellis areas will be recessed approximately 6-inches and will be clad with the same brick veneer as the rest of the building. Metal doors are proposed on the south elevation along Maple Avenue, which will be painted a terra-cotta color to match the brick and will be intentionally non-descript. Brick wall bonding patterns will be enhanced at the elevation of the man-door for visual interest.

Landscaping

The project site, predominantly the pocket park, will be landscaped with ornamental shrubs and trees and have open turf areas for recreational activities. In addition, as discussed above, the proposed architectural screen walls will incorporate the use of trellis wall treatments that will be vegetated. Sheet LP-1 of the project plans reflects the refined landscaping.

Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	32 feet	16 feet	17.24.060
<i>Distance between structures</i>	No standard specified	No other structures beside the enclosure	Not Applicable
<i>Fence height</i>	A masonry division wall shall be constructed 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, except in a required front yard and in a required exterior side yard for a corner, reverse corner or key lot, where the wall shall be limited to forty-two (42) inches in height.	A six foot high metal fence is proposed. Discussed in the issue item section of the report.	17.24.075
<i>Floor Area Ratio (FAR)</i>	0.5	0.25	Per General Plan Land Use Element

<i>Landscaping</i>	Landscaping shall be provided as specified in the City Of Orange Landscape Standards and Specifications	Final landscaping plans will continue to be revised. The plans will not meet all standards as discussed in the issues section of the report.	17.24.090
<i>Loading area (non-residential)</i>	40 x 10 foot loading area	50 x 24 foot loading area	17.34.160
<i>Lot size</i>	6,000 square feet	15,695 square feet	17.24.050
<i>Lot frontage</i>	None Specified	119 feet	Not Applicable
<i>Lot depth</i>	None Specified	132 feet	Not Applicable
<i>Parking</i>	None Specified	None	Not Applicable
<i>Setback, Front</i>	10 feet	66 feet	17.24.070
<i>Setback, Rear</i>	If a property abuts a residential zone district and the structure exceeds one story or twenty (20) feet in height, then a rear yard of at least ten feet shall be provided.	5 feet, less than one story and 20 feet high	17.24.070
<i>Setback, Interior Side</i>	0 feet	5 feet	17.24.070
<i>Setback, Exterior Side Yard for Corner Lot</i>	10 feet	50 feet	17.24.070

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

No issues exist for this project because the design and construction will be refined under City staff oversight to meet City needs and specifications in relation to providing water services, recreational amenities, Old Towne compatibility, area context, and site design. Potentially significant environmental effects have been mitigated to less than significant with the mitigation measures provided in Mitigated Negative Declaration No. 1861-18.

Pursuant to Government Code sections 53090(a) and 53091(a) the City is not required to comply with the strict application of its zoning ordinances. Hence, in the following areas where the project does not meet standards, the project may be approved alternately by the City Council:

The tree count and location specifications of the Landscape Design Guidelines, would otherwise require trees throughout the project within all parking areas and along all property lines. The quantity of trees is determined by adding together the total length of all the perimeter property lines (all sides), the total length of the perimeter of the buildings, and dividing by 36. Hence, the project would require a total of 21 trees, including planting along property lines. However, the eight trees included in the project provides trees in key focal points of the pocket park. This strategic tree placement, along with the well enclosure, accomplishes the screening that would otherwise be achieved by perimeter trees. The tree placement also prevents trees from being planted over underground utilities. Hence, fewer

trees accomplish the same intent. Furthermore, 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..." Because the City's Landscape Standards and Specifications allow deviations to be approved, staff recommends that the Commission recommend that the City Council approve the alternate layout presented.

The Zoning Code would require a six-foot high block wall to be established between the project and adjacent residentially zoned property to the east. However, the area on the back of the well enclosure would utilize a metal fence and access to the back would be restricted by a metal fence connecting the building to the rear metal fence. Visibility into the separation area will be maintained from the Maple Avenue right-of-way and from the residential property to the east. Hence, the metal fence will provide superior crime prevention through natural surveillance than would a solid block wall.

Instead of strict adherence to City standards, the project has been reviewed by staff and will be flexibly and creatively designed in a manner compatible with height, massing, architecture and landscaping that integrates with the project surroundings for the public benefit.

The DRC reviewed the project at its November 4, 2020 meeting as a courtesy review and provided advisory comments and questions. A staff response is provided to each as follows:

- *The design intent and height of the planter should be provided.*

The central pocket park planter is intended as a seating wall with landscaping above. The height would be approximately 18 inches to maintain visual surveillance through the site.

- *Identification of recreational activities envisioned for the pocket park should be established.*

Recreation activities would be limited to passive activities at the pocket park such as sitting, social conversation, and two café tables with game board tops.

- *Treatment of the street trees on the west side of Lemon Street should be repeated on the other side of the street to create a gateway. The addition of trees should occur along the northern property line.*

Street trees for the project were contemplated but determined not to be feasible based on the underground electrical, water, and storm drain infrastructure around the parcel, including those associated with the well.

- *The street trees should relate to the Depot Specific Plan Street Tree Master Plan.*

See the above response.

- *Disabled accessibility should be addressed in the areas where decomposed granite, turf, and concrete transition.*

Accessibility will be refined as plans are further refined. Transitional interfaces may be modified if accessibility is identified as being hindered. The refined plans before the Planning Commission no longer reflect the concrete panels in turf that were reflected in the plans reviewed by the DRC.

- *The level of plan detail precludes the Committee from conducting thorough design review because no information was presented regarding project materials, fence detail, planter and*

*bench designs, and accessibility.*

Project materials and specific details have been refined and further details and enhancement shall occur as the plans are finalized. The project phasing is anticipated to begin with well drilling, progress to well equipping, and then to the pocket park. Hence, sufficient time remains for pocket park refinement. However, the level of plan detail enabled the project environmental analysis needed to evaluate the pocket park layout as part of the project in order to initiate the drilling phase.

- *The screen wall is effective and respectful to the neighboring property.*

Staff has designed the wall to accomplish this goal.

- *Cautious selection of the color of the door on the south elevation should occur to ensure it does not clash with the brick.*

Staff will utilize color sampling against the brick to ensure proper color compatibility.

- *Shape and footprint of the building should relate more to the negative space that is created for the park.*

Staff seeks to minimize the enclosure footprint to only that needed to house the well equipment and to allow access to the well head for maintenance. Staff has pushed the enclosure into the far corner of the site in order to maximize pocket park area.

- *Soldier courses should be considered as part of the brick work on the screen wall.*

Staff will consider soldier courses as design enhancements progress.

- *The intent of the concrete panels in the driveway should be specified.*

The intent of the concrete panels was to create an aesthetic enhancement to the site. The driveway will need to accommodate crane trucks that will lift out well pump equipment when maintenance is needed. Based on further analysis, the driveway has been redesigned resulting in a solid concrete driveway.

- *The intent of the pocket park fence should be specified as either decorative or a means of restricting circulation to certain paths.*

The fence identified in note C3 on the park plan is intended to be decorative, to keep people and animals out of the planters, and to direct users to passive activity areas.

- *A question was asked about the use of turf in small areas in relation to the maintenance effort.*

The turf area has been reimagined. There are no concrete panels in the turf. Instead there will be continuous turf in the area where turf panels were located. Furthermore, the pocket park now directly accesses the turf area adjacent to the park

- *Consider the use of decorative metal panels that are laser cut to achieve quality aesthetic value.*

The panels identified in note C2 of the park plan do not have detail specified at this time. Refinement shall occur and the recommendation is noted.

- *The project should consider the addition of a drinking fountain.*

A drinking fountain has been added to revised plans.

- *The purpose of bollards should be explained.*

The original intent was to utilize removable bollards to facilitate park maintenance vehicles. However, given the size of the park, the removable bollards have been relocated to the well service driveway to deter parking in that area. Existing driveways will be removed and reconstructed to City standard curb and gutters. Park maintenance can occur from the public right-of-way.

## 8. PUBLIC NOTICE

On December 24, 2020, the City sent a Public Hearing Notice to a total of 155 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. An additional 30 agencies were notified. The project site has been posted in two locations, at City Hall, and on the City webpage with the notification on that same date.

## 9. ENVIRONMENTAL REVIEW

**Mitigated Negative Declaration:** Mitigated Negative Declaration No. 1861-18 was prepared to evaluate the physical environmental impacts of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration (MND) finds that the project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures related to unanticipated archeological, human remains, paleontological, or tribal cultural resource finds. The draft MND was circulated for a 30-day public review period from October 29, 2020 ending on November 29, 2020. Copies of the MND were available for public review at City Hall and on the City's website. On or before October 29, 2020, the City sent a combined Design Review Committee meeting notice and Notice of Intent to Adopt Mitigated Negative Declaration No. 1861-18 to a total of 154 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. An additional 30 agencies were notified.

The project site was posted in two locations on-site, at City Hall, and on the City website with the notification on or before October 29, 2020. The Notice of Intent to Adopt Mitigated Negative Declaration No. 1861-18 was posted with the County of Orange County Clerk and with the State Clearinghouse on October 29, 2020.

Staff received one written comment letter during the public review period. In the final MND draft, the City prepared a Response to Comments to address environmental comments received during the public review period (Attachment 16). No changes were merited to the MND based on the comment.

## 10. ADVISORY BOARD ACTION

### **Staff Review Committee:**

The Streamlined Multi-Disciplinary Accelerated Review Team (SMART) reviewed the project on July 22, 2020, and recommended the project proceed with technical comments to be addressed in plan check.

### **Design Review Committee:**

The Design Review Committee reviewed the subject proposal at the November 4, 2020 meeting and provided advisory comments.

## 11. ATTACHMENTS

- Attachment 1 - Planning Commission Resolution No. PC 01-21
- Attachment 2 - Vicinity Map
- Attachment 3 - Site Photographs
- Attachment 4 - Refined Project Plans
- Attachment 5 - Plans Reviewed by the Design Review Committee
- Attachment 6 - MND No. 1861-18
- Attachment 7 - MND Appendix A - Air Quality Report
- Attachment 8 - MND Appendix B - Cultural and Paleontological Report
- Attachment 9 - MND Appendix C - Energy Tables
- Attachment 10 - MND Appendix D - Geological Exploration Report
- Attachment 11 - MND Appendix E - Greenhouse Gas Report
- Attachment 12 - MND Appendix F - Phase 1 Environmental Site Assessment
- Attachment 13 - MND Appendix G - Well Design Report
- Attachment 14 - MND Appendix H - Noise Study
- Attachment 15 - MND Appendix I - Trip Generation Table
- Attachment 16 - Public Comment Letter on MND No. 1861-18
- Attachment 17 - Design Review Committee Staff Report Dated November 4, 2020
- Attachment 18 - Design Review Committee Meeting Minutes Dated November 4, 2020