



# City of Orange

## Legislation Details (With Text)

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**Title:** Public Hearing: Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17, Northern Gateway Commercial Center, 887 N. Glassell Street

**Sponsors:**

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**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 1 - Planning Commission Resolution No. PC 27-21, 3. Attachment 2 - Vicinity Map, 4. Attachment 3 - Letter of Explanation, 5. Attachment 4 - Site Photographs, 6. Attachment 5 - Architectural Plans date stamped 9.7.2021, 7. Attachment 6 - Mitigated Negative Declaration No. 1864-17 Draft, 8. Attachment 7 - Staff Report and Minutes from the September 2, 2020, February 3, 2021, and February 18, 2021 Design Review Committee Meetings, 9. Attachment 8 - Minute Order from the February 18, 2021 Design Review Committee Meeting

Date	Ver.	Action By	Action	Result
9/20/2021	1	Planning Commission	Approved with conditions	Pass

**1TO:** Chair and Members of the Planning Commission

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

**FROM:** Kelly Ribuffo, Associate Planner - Historic Preservation

## 1. SUBJECT

**Public Hearing:** Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17, Northern Gateway Commercial Center, 887 N. Glassell Street

## 2. SUMMARY

The applicant proposes to construct a new 1,827 square foot multi-tenant commercial building and 172 square foot single tenant commercial building on a vacant lot at the southeast corner of N. Glassell Street and E. Collins Avenue.

## 3. RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 27-21 entitled:

A Resolution of the Planning Commission of the City of Orange approving Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, Mitigated Negative Declaration No. 1864-17, and associated Mitigation Monitoring Program for a new 1,999 square foot commercial development at 887 N. Glassell Street.

## 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.08.020 authorizes the Planning Commission to review

and take action on applications for Design Review that include a Mitigated Negative Declaration.

## 5. PROJECT BACKGROUND

<i>Applicant:</i>	Leason Pomeroy III
<i>Property Owner</i>	CPR Developing Partners
<i>Property Location</i>	887 N. Glassell Street
<i>Existing General Plan Land Use Element Designation</i>	General Commercial (GC)
<i>Existing Zoning Classification</i>	Limited Business (C-1)
<i>Historic District</i>	No
<i>Specific Plan/PC</i>	No
<i>Site Size</i>	9,880 square feet
<i>Circulation</i>	The property is located at the southeast corner of N. Glassell Street and E. Collins Avenue, with driveway access to both streets.
<i>Existing Conditions</i>	The project property is a vacant lot with no paving or vegetation. It is currently used intermittently as a temporary construction staging site for Public Works road and infrastructure projects.
<i>Surrounding Land Uses and Zoning</i>	The property is located in an area of transition between residential uses to the south and east and commercial and industrial uses to the north towards Katella Avenue and to the west towards Main Street. The site is bordered to the north and west by commercial retail and restaurants (C-1), to the east by single-family residential development (R-1-6), and to the south by multifamily residential development (R-3).
<i>Previous Applications/Entitlements</i>	None

## 6. PROJECT DESCRIPTION

The applicant proposes to construct a new 1,827 square foot multi-tenant commercial building and 172 square foot single tenant commercial building on a vacant lot at the southeast corner of N. Glassell Street and E. Collins Avenue.

The larger multi-tenant building is placed at the southeast corner of the lot with the front elevation facing the intersection. The exterior finishes are similar to surrounding commercial properties, with a flat roof, plaster siding and metal storefront windows. The building serves as a backdrop to the new standalone building at the northwest corner of the lot, which has a more prominent location near the intersection. The smaller building has a unique contemporary style, with a plaster and glass block body and a dramatic sloping roofline made of transparent Kalwall panels. Proposed landscaping highlights the corner building and consists of a variety of drought tolerant plantings accenting large London Plane trees.

Previous versions of the project included relocation of a historic gas station building at 305 S. Main Street. However, the applicant has revised the plans to remove that item from the project scope in favor of the construction of the new small commercial building. The historic gas station and related appurtenances are no longer a part of the project.

Project plans, including architectural, landscape, civil, and sign program are included in Attachment 5. The project as proposed meets all of the development standards for the C-1 zone.

### Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	32 feet	19 feet for multi-tenant and 28 feet for single tenant building	17.18.120
<i>Fence/Wall height</i>	6 feet	6 feet	17.18.140
<i>Floor Area Ratio (FAR)</i>	1.0	0.2	General Plan Land Use Element
<i>Landscaping (non-residential)</i>	Tree Count, Landscaped Setbacks	20.3% of lot area, 3 trees	17.18.160
<i>Loading area (non-residential)</i>	10 feet x 40 feet	10 feet x 40 feet	17.34.160
<i>Parking (non-residential)</i>	10 spaces	10 spaces	17.34.020
<i>Parking (motorcycle and bicycle)</i>	50 square feet and 1 bike rack	50 square feet and 1 bike rack	17.34.080
<i>Setback, Front (West)</i>	15 feet	22 feet	17.18.130
<i>Setback, Rear (East)</i>	0 feet	5 feet	17.18.130
<i>Setback, Street Side (North)</i>	10 feet	10 feet	17.18.130
<i>Setback, Interior Side (South)</i>	0 feet	0 feet	17.18.130

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

### Issue 1: Removal of Historic Building Relocation from Plan

Previous versions of the project included relocation of a historic gas station building at 305 S. Main Street. Mitigated Negative Declaration (MND) No. 1864-17 includes the relocation and rehabilitation of the building and related signage in the project description and analysis sections. The building was proposed to be located at the northwest corner of the property facing the intersection.

The Design Review Committee (DRC) reviewed the version of the project including the historic gas station and recommended denial of the project. The DRC cited concerns related to the adequacy of the Cultural Resources Assessment in the MND and the potential negative impact on the historic integrity of the building that may result due to the relocation and reorientation of the building on a new site (Attachment 8). In response to the DRC denial, the applicant chose to alter the scope of the project to remove the building relocation entirely from the project (Attachment 3). Instead, the applicant has replaced the historic gas station with a new 172 square foot building in a contemporary design in the same location and orientation. The new building design has been reviewed by staff on its own merit for compliance with Design Review findings.

Though the project description has been altered, the MND prepared adequately contemplates and mitigates the potential environmental impacts of the project. The MND identifies potential impacts

and recommends mitigation related to geology and soils, noise, and tribal resources that are applicable to the project site at 887 N. Glassell Street. The scale of those impacts is not altered by the revised project scope, as the size of the proposed development remains the same. The size of the new small commercial building is the same as the gas station building.

Impacts to cultural resources were identified in the MND related to the relocation of the gas station building. No cultural resources impacts were related to the 887 N. Glassell Street site. Therefore, those impacts are no longer applicable since the gas station is not part of the revised project description.

### Issue 2: Compatibility with Surrounding Development

The proposed project is not located in an area of the City with any specific adopted design standards or guidelines. However, the project must still be evaluated to determine whether it upholds community aesthetics through implementation of an internally consistent and integrated design theme.

The subject site is located at the southeast intersection of N. Glassell Street and E. Collins Avenue. The intersection is located in an area of transition between residential uses to the south and east, and commercial and industrial uses to the north towards Katella Avenue and to the west towards Batavia Street. Existing commercial development includes small-scale commercial strip centers and some standalone restaurant buildings that back up directly to adjacent residences. Though it is located near Old Towne, the area has no consistent design theme. Commercial buildings reflect simple low-rise development, with plaster siding, glass storefronts, and flat roofs with red clay tile accents. Residences represent a mix of architectural styles ranging from the 1920s to present day.

The applicant proposes to construct a simple commercial building with finishes to match those of surrounding commercial properties. The building serves as a backdrop to the new standalone building at the northwest corner of the lot, which has a more prominent location near the intersection on the site plan. This building has a more striking design, with glass block and a transparent Kalwall sloped roofline, which creates a covered patio next to the building.

Overall staff is in support of the architectural style of the building as proposed. The development is similar in style compared to the other developments around it, and the mass and scale is consistent with previous development in the area. The site is directly adjacent to single-family and multifamily residential development, but commercial activity on the site is oriented towards the street intersection, away from residential uses.

### Issue 3: Tree Count

Orange Municipal Code (OMC) Section 17.18.160.B.1.a states that the number of trees required for projects in commercial zoning districts shall be calculated as follows:

“... add together the total length of all the perimeter property lines (all sides), the total length of the perimeter of the buildings, and the total length of all parking rows on the site, and divide by 36.”

Per this calculation, 21 trees are required for the project site. The applicant proposes installation of three 24” box London Plane trees (*Platanus acerifolia*) as part of the new landscape plan/

The proposed tree count was reviewed by the City’s landscape reviewer through the staff review

process, and staff supports a reduced tree count on the property. Due to the proximity to the Collins/Glassell Street intersection there is limited area available for installation of trees that may cause visibility issues for vehicles turning right onto Collins Avenue. Fire access prevents installation of any landscaping, including trees, along the north property line.

Due to the proximity to the intersection and future plans to widen the street for a dedicated right turn lane, there are currently no plans for the Public Works Department to install any street trees in the public right-of-way.

Staff does recommend that, given the number of trees proposed, the size of the planted trees should be increased to a minimum of 60" box size for the two trees adjacent to the commercial buildings, one at the Glassell Street entrance and one south of the Collins Street exit. This will allow the landscaping to become established more quickly on the site.

## **8. PUBLIC NOTICE**

On September 10, 2021, the City sent a Public Hearing Notice to a total of 87 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. The project site has been posted in three locations with the notification on that same date.

## **9. ENVIRONMENTAL REVIEW**

**Mitigated Negative Declaration:** Mitigated Negative Declaration No. 1864-17 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 (Attachment 6). The 20-day public review period was initiated on August 28, 2020, ending on September 26, 2020. The document was available for public review online on the city's website and CEQA Net.

The Mitigated Negative Declaration finds that the project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures to address potential impacts to noise, geology and soils, and tribal cultural resources. The project description has been modified to remove relocation of a historic building and no longer has an environmental impact on Cultural Resources.

No public comments have been received.

The current proposed project would have qualified for a categorical exemption from the provisions of CEQA per State CEQA Guidelines Section 15303 - Class 3 (New Construction) as the project is construction of new commercial buildings under 10,000 square feet in an urbanized area with access to public services and facilities. However, as the MND was already prepared and identified potential environmental impacts from development of the project site, mitigation measures for those impacts must be carried forward as part of the project.

## **10. ADVISORY BOARD ACTION**

### **Staff Review Committee:**

The Staff Review Committee reviewed the project on February 14, 2018, July 18, 2018, January 16, 2019, August 7, 2019, April 29, 2020, July 1, 2020, and March 24, 2021 and recommended approval of the project to the Design Review Committee.

### **Design Review Committee:**

The Design Review Committee reviewed the subject proposal at the September 2, 2020, February 3, 2021 and February 18, 2021 meetings and recommended denial of the project as originally proposed

with relocation of the historic gas station. Staff reports and minutes are included as Attachments 7 and 8.

## **11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 27-21 Draft
- Attachment 2 - Vicinity Map
- Attachment 3 - Letter of Explanation
- Attachment 4 - Site Photographs
- Attachment 5 - Architectural Plans date stamped September 7, 2021
- Attachment 6 - Mitigated Negative Declaration No. 1864-17 Draft
- Attachment 7 - Staff Report and Minutes from the September 2, 2020, February 3, 2021, and February 18, 2021 Design Review Committee Meetings
- Attachment 8 - Minute Order from the February 18, 2021 Design Review Committee Meeting