



# Planning Commission Agenda Item

December 7, 2015

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

**THRU:** Leslie Aranda Roseberry  
Planning Manager

**FROM:** Jennifer Le  
Acting Principal Planner

## SUBJECT

**PUBLIC HEARING:** Zone Change No. 1275-14, Major Site Plan Review No. 0649-10, Design Review No. 4675-13, Tentative Parcel Map 0005-14 & Environmental Review No. 1832-14 – Metrolink Parking Structure Project located at 130 N. Lemon Street

## SUMMARY

A proposal to construct a new parking structure at the northwest corner of Chapman Avenue and Lemon Street. The parking structure would contain 611 parking spaces on five levels (two below grade, one at grade and two above grade); 500 spaces would be for transit users and 111 spaces for general use.

## RECOMMENDED ACTION

Adopt the following Resolution:

Planning Commission Resolution PC No. 40-15 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF ORANGE ADOPTION OF MITIGATED NEGATIVE DECLARATION NO. 1832-14 INCLUDING ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM; APPROVAL OF ZONE CHANGE NO. 1275-14, A ZONE CHANGE FROM PUBLIC INSTITUTION (SPECIFIC PLAN) TO OLD TOWNE MIXED USE-15 (SPECIFIC PLAN); AND APPROVAL OF TENTATIVE PARCEL MAP NO. 0005-14, MAJOR SITE PLAN REVIEW NO. 0649-10, AND DESIGN REVIEW NO. 4675-13 FOR THE METROLINK PARKING STRUCTURE PROJECT LOCATED AT 130 NORTH LEMON STREET**

## **AUTHORIZATION/GUIDELINES**

Orange Municipal Code (OMC) Sections 17.08.020 B.2.b.i and v. authorize the Planning Commission to review and make a recommendation to the City Council on applications for Zone Changes and environmental documentation as described in the City's environmental review guidelines. Further, OMC Sections 17.08.020 B.2.a.iii and iv. authorize the Planning Commission to hear and decide on applications for Major Site Plan Review and Design Review. OMC Section 16.12.050 authorizes the Planning Commission to make a recommendation to the City Council on a Tentative Parcel Map. Footnote (b) of Table 17.08.020 - Reviewing Bodies of the OMC states that when more than one type of application is filed for a single project, the application requiring the highest level of approval shall dictate the review process for the entire group of applications. Therefore, the Planning Commission is acting as a recommending body to the City Council on all of the applications for the subject project.

## **PUBLIC NOTICE**

On November 25, 2015, the City sent a Public Hearing Notice to over 1,000 property owners and tenants within a 500-foot radius of the project site, as well as persons specifically requesting notice and persons who were previously noticed of project design workshops. A notice was also published in the Orange County Register on November 25, 2015. Notice was also posted on the project site.

## **PROJECT BACKGROUND**

The Orange County Transportation Authority (OCTA) is working to expand Metrolink service in Orange County. At full roll out of the Metrolink service expansion, OCTA projects that the Orange station will need 900 parking spaces. The station currently has 375 spaces. In early 2009, the City and OCTA entered into a cooperative agreement and began to plan for a new parking structure to serve the Orange Transportation Center (OTC).

In November 2009, the Orange City Council identified a preferred design option which involved construction of two parking structures: one on the West Chapman Parking Lot (located immediately west of the railroad tracks between Chapman Avenue and Palm Avenue) and the Lemon Street Parking Lot (located at the northwest corner of Chapman Avenue and Lemon Street). After additional investigation, the parking structure on the West Chapman Lot was found to be infeasible and efforts refocused on the Lemon Street location.

In 2010 and 2011, a number of design concepts were presented at community outreach meetings and vetted through the City Council. Outreach meetings were held on December 13, 2010, October 4, 2011, and November 10, 2011 with local residents, business owners, and local preservation groups such as the Old Towne Preservation Association (OTPA), the Orange Barrio Historical Society, and the Plaza Design Collaborative. Feedback was generally positive. Design-related comments were made on the structure height, rooftop lightpoles/light spill, the brick exterior treatment, and the proportion of the brick columns and lintels compared to other historic commercial buildings in the area.

In 2012, the project was delayed for 18 months due to funding complications related to the dissolution of the Orange Redevelopment Agency. In 2013, project funding issues were resolved with the State, and work on the project began again.

The project was reviewed by the DRC on March 20, 2013 for preliminary review. At the time the project consisted of the parking structure and the development of two commercial buildings and a paseo south of the parking structure. Since then, the two previously-proposed commercial buildings were eliminated from the project so that the project now focuses exclusively on the parking structure and its construction staging area. Development of commercial uses and a paseo on the remaining portions of the Lemon Street lot may occur at a later date as a separate and independent project.

In addition, since the 2013 DRC review, the project design was refined to address DRC and community comments. For example, the photovoltaic panels were redesigned to be flush-mounted on the top deck and located below the parapet wall to minimize its visibility. The height of the light poles on the top deck were reduced to 14 feet tall (the shortest possible pole height that could maintain minimum security light levels on the top deck). The elevations and brick treatment were also further refined.

Schematic design plans were finalized in late 2014 and CEQA and NEPA compliance documents and technical studies were prepared. A Mitigated Negative Declaration was released for public review on June 10, 2015. A Town Hall Meeting was held on July 8, 2015. The CEQA public comment period ended on July 15, 2015. The project has now moved forward to public hearings. The project is a City-sponsored construction effort. As such, the City Council has final decision-making authority over project approval and funding decisions.

<b>SITE SUMMARY</b>	
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<i>Applicant:</i>	City of Orange
<i>Property Owner:</i>	City of Orange
<i>Property Location:</i>	130 N. Lemon Street
<i>Existing General Plan Land Use Element designation:</i>	Old Towne Mixed Use (OTMU), 6-15 du/acre
<i>Existing Zoning Classification:</i>	Split-zoned. Public Institution (Specific Plan), PI (SP), and Old Towne Mixed Use -15 (Specific Plan), OTMU-15 (SP)
<i>Old Towne:</i>	Yes
<i>Specific Plan/PC:</i>	Yes (Santa Fe Depot Specific Plan/ Southwest Design Standards)
<i>Site Size:</i>	1.73 acres
<i>Circulation:</i>	Vehicle access to the parking structure would be provided via new driveways on Lemon Street and Maple Avenue.
<i>Existing conditions:</i>	The site is 1.73 acres and is currently used as a 172-space public surface parking lot. The site is paved with striped parking spaces, planters, landscaping, lighting and perimeter fencing

	and walls. Access is via two driveways on Lemon Street. The site is located within the City’s National Register-listed and locally designated Old Towne Orange Historic Districts.
<i>Surrounding land uses and Zoning:</i>	The project site is located in a transitional area of the City which contains a mix of residential, commercial, industrial and institutional uses. The site is bordered to the north by Maple Avenue and Chapman University’s Dodge Film School, which is zoned PI (SP). Single family residential and commercial uses on Lemon Street are located to the east and are zoned OTMU-15 (SP). Chapman Avenue and commercial uses to the south are zoned OTMU-24 (SP). Single family residential, commercial, and industrial uses on Cypress Street to the west are zoned OTMU-15 (SP). The surrounding area contains a mix of contributing and non-contributing structures. The Orange Transportation Center including the Santa Fe Depot and railroad tracks are located two blocks to the west.
<i>Previous Applications/Entitlements:</i>	None.

**PROJECT DESCRIPTION**

The project site is 1.73 acres in size and is comprised of the proposed parking structure site (1.23 acres) and the adjacent construction staging area (0.5 acres) to the south. Refer to the Project Location Map included as Attachment 2 to this report. The project would involve the removal of the existing 172-space public surface parking lot and construction of a five-level parking structure, with two subterranean levels, one at-grade level, and two above-grade levels on the 1.23-acre portion of the project site. The parking structure would provide 611 parking spaces, with 500 dedicated for transit users (Metrolink) and 111 spaces for general use. Access would be provided via two driveways, one on Lemon Street and one on Maple Avenue.

The structure height would be up to 28 feet. The structure would be clad with a brick veneer exterior wall finish to be compatible with the historic masonry commercial and industrial buildings in the surrounding area. The structure openings would be squared off with metal mullions to echo the style of window openings found on many commercial buildings in the Old Towne area. Brick pilasters with a precast concrete base would be incorporated on all four structure elevations. A precast concrete band is proposed at the top of the parapet. Brick soldier courses at the top of the structure openings are also incorporated into the facade to add visual interest. Parking structure access points would be accented with metal canopies. Two elevator towers are proposed at the north and south ends of the structure (up to 40 feet in height) and would be finished with glass panels to allow for visibility and security. Flush-mounted photovoltaic panels are proposed on the top deck of the parking structure to generate power for the structure. The panels would be flush-mounted on top of the two elevator towers and on the parking structure’s top deck located on a ramp cover that is positioned below the top of the parapet. Lighting would also be installed on the top deck for security purposes, using a combination of 14-foot light poles and wall-mounted lights.

Historically-referenced public art is envisioned along the east elevation of the parking structure and down-lit with historically referenced gooseneck lighting. However, due to project funding considerations, the public art may be designed and installed as a separate future effort from parking structure construction.

An equipment/storage area with a metal door is proposed on the northwest side of the parking structure off of Maple Avenue and will house a Southern California Edison transformer. The enclosure will either reuse the existing block wall at the western property line (if the condition of the existing wall allow for its reuse), or the City will demolish the existing block wall and construct a new enclosure wall at the same height as the existing wall.

A bicycle plaza that would accommodate City bike lockers and bike racks would be included in the project along Maple Avenue immediately west of the parking structure. The bike plaza includes paving, landscaping, lighting, a canopy, bike lockers and bike racks. Flush-mounted photovoltaic panels are proposed on top of the bicycle plaza canopy and are designed in a manner such that they will not be substantially visible from the street.

The proposed project includes construction of a new sidewalk, curb and gutter, and installation of street trees and City light standards along Lemon Street and Maple Avenue where the parking structure interfaces with the sidewalk. Onsite landscaping is concentrated on the east and north project site frontages at the base of the parking structure along Maple Avenue and Lemon Street.

<p><b>APPLICATION(S) REQUESTED/ REQUIRED FINDINGS</b></p>
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**Environmental Review:** MND No. 1832-14 has been prepared in accordance with California Environmental Quality Act (CEQA).

*Findings:*

There are no required findings for adoption of the MND.

**Zone Change:** The City is processing a Zone Change to change site zoning from PI (SP) to OTMU-15 (SP) to bring the site’s zoning into conformance with its existing OTMU General Plan land use designation. The site is currently split zoned, PI (SP) and OTMU-15 (SP).

*Findings:*

There are no required findings for a Zone Change since it is a legislative action.

**Tentative Parcel Map:** The City is processing a Tentative Parcel Map to merge and reorganize the parcel lines on the project site per the Subdivision Map Act and the procedures in the Orange Municipal Code (OMC) Title 16. There are currently 12 individual lots on the project site. After project, the project site would contain four lots whose boundaries coincide with the limits of the bike plaza area, parking structure, and construction staging area. Public street and utility easements would also be established with the Parcel Map.

*Required Findings:*

1. The proposed parcel map complies with all requirements of the Subdivision Map Act and Title 16 Subdivisions of the Orange Municipal Code, and all other resolutions and ordinances of this City, including, but not limited to, requirements concerning area, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, public safety facilities and environmental protection.

**Major Site Plan Review:** The City is processing a Major Site Plan Review application for the project. Major Site Plan Review is required because the project involves construction of a new structure greater than 10,000 square feet in size.

*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.

**Design Review:** The City is processing a Design Review application for the architectural and landscape design for the project. Design review would apply because the project involves new development that requires Planning Commission/City Council approval.

*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 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.

<b>STATEMENT OF THE ISSUES</b>
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**Issue 1: General Plan/Zoning consistency**

The site has an existing General Plan designation of OTMU, 6 to 15 dwelling units per acre, but is split-zoned PI (SP) and OTMU-15 (SP). The PI zoning district is not consistent with the OTMU existing General Plan land use designation. As such, the proposed Zone Change to OTMU-15 (SP) would correct a split zoning condition and would bring the site zoning into consistency with the City’s General Plan. It should be noted that public parking is an allowed use in both the PI and OTMU-15 zoning districts per the Santa Fe Depot Specific Plan. Therefore, the zone change is not required in order to implement the project, but is rather proposed to clean-up the existing General Plan-zoning inconsistency on the site.

The General Plan designation allows for 6-15 dwelling units per acre and up to 1.0 Floor Area Ratio (FAR). The proposal does not propose housing units and parking structures are not counted toward FAR per OMC Section 17.04.025. Therefore, the proposal is consistent with the General Plan designation and the proposed zoning. Furthermore, the site is identified in the Santa Fe Depot Specific Plan as the site of a potential parking structure. Therefore, the use is consistent with the vision identified in the Depot Specific Plan.

*Resolution*

The proposed Zone Change would bring the site’s zoning into consistency with its existing residential General Plan land use designation. The proposed zoning is also consistent with zoning found on properties in the surrounding area. Staff is recommending approval of the Zone Change.

**Issue 2: Design Compatibility with Old Towne and the Surrounding Area**

The parking structure has been designed to comply with the Secretary of the Interior’s Standards for Treatment of Historic Properties, Old Towne Design Standards, Santa Fe Depot Specific Plan and Southwest Design Standards. These standards call for new development to be compatible with surrounding development and with the Old Towne historic district. To minimize the visual impact of the new structure, the parking structure was designed with two levels of below-ground parking, minimizing the above-ground portion of the structure and limiting structure height. By limiting the height to two stories (28 feet), the proposed structure is in keeping with the maximum height of other commercial, industrial, and institutional buildings of the historic district (which are generally one to two stories). Although the massing and scale will be greater than those small commercial and residential buildings immediately adjacent to the project site, there are examples of buildings within the historic district of similar or greater massing and scale that are similarly interspersed with small residential buildings. As such, the scale and design of the parking structure is consistent with the

pattern of mixed use development in Old Towne and references historic industrial buildings to ensure design compatibility.

In the development of the design for the parking structure, the design team surveyed buildings in the surrounding area to reference the materials and features of historic industrial and commercial buildings to ensure the design would draw from and be compatible with these buildings. As such, the proposed materials, colors and architectural elements (including the brick façade, structure openings, mullions, elevator towers, and the pilasters on all four elevations) create a structure with visual interest that is also compatible in scale and style with other large commercial and industrial buildings located within three blocks of the project site. For a detailed analysis of compatibility, please refer to the Historic Resources Technical Report included as part of Exhibit B to this staff report.

### *Resolution*

The parking structure has been designed to be compatible with the surrounding area and the Old Towne historic district. The issue of compatibility was reviewed by the Design Review Committee and the State Historic Preservation Office (SHPO). The DRC recommended approval to the Planning Commission making the finding that the project conforms with the Old Towne Design Standards. Similarly, SHPO determined that the project was in conformance with the Secretary of Interior's Standards (refer to SHPO letter included as Attachment 11).

### **Issue 3: Street Trees and Depot Specific Plan**

The project includes wider sidewalks, large street trees in large 7' x 7' tree wells and pedestrian and vehicular street lighting to enhance the streetscape on Lemon Street and Maple Avenue. Onsite landscaping is focused at the base of the structure along Lemon Street and Maple Avenue to soften the building foundation from the street.

The street tree species shown on the plans calls for the Lavender Trumpet Tree on Maple Avenue and Southern Magnolia on Lemon Street. Both species are listed in the existing STMP tree palette as options. (It should be noted that the Street Tree Master Plan is currently being updated and both trees are also in the *proposed* street tree palette.) However, the Depot Specific Plan Figure 5-5 calls for Sweet Gum (Liquid Amber) on Maple Avenue. Although this species (*rotundiloba*) is included in the Street Tree Master Plan tree palette, in recent years, the City has avoided planting new Liquid Amber trees due to the damage to City sidewalks this species' root system has caused. As such, staff intends to revise the Depot Specific Plan to change the tree species identified for Maple Avenue to be consistent with City Public Works policy. However, this revision has not yet occurred.

### *Resolution*

Staff included as a DRC condition a requirement that staff bring forward for City Council consideration an amendment to the Depot Specific Plan to allow for the street tree species shown on the Parking Structure's landscape plan. The condition states that tree species installed on Lemon Street and Maple Avenue shall be consistent with the Depot Specific Plan as approved at the time of



tree installation. Therefore, regardless of the outcome of the Depot Specific Plan amendment, the street trees installed will comply with approved City standards and design guidelines.

**Issue 4: DRC Conditions**

DRC reviewed the project and recommended approval subject to certain conditions. In particular, the DRC added a condition requiring an additional ½ grate be added to the end of each tree well. The proposed street tree grates are 7' by 7'. As such, adding a ½ grate at each end would bring the tree grate size to 7' wide by 14' long. This additional length is intended to provide a larger growing area for the street trees. However, the additional length would also create a condition by which a large portion of the sidewalk area on Lemon Street and Maple Avenue would be covered by tree grates, with intermittent sections of sidewalk in between. From a visual standpoint, this may not be desirable. There is also a cost associated with requiring additional tree grates, which would be borne by the City.

There is also DRC condition requiring that any future public art go back to the DRC for approval. The project was originally envisioned with public art and gooseneck lighting on the east elevation. Initially, the design team envisioned the art as packing crate graphics using a mosaic tile or other similar material. However, there is no budget identified for the artwork. In addition, over the course of community meetings and DRC review, representatives of the Old Towne Preservation Association indicated that they were not in favor of the public art and thought it unnecessary. In addition, the DRC indicated in their deliberations that the public art could be a nice design element for the building, but questioned whether the artwork was the right concept and the right quality. Given these facts, staff determined that the public art concepts had not been developed in sufficient detail to respond to DRC's concerns and removed the public art from the Parking Structure's design elevations (leaving a note indicating possible locations for future public art). Instead, staff suggested a DRC condition requiring any future public art to return to the DRC for review. At the Planning Commission's discretion, the Planning Commission may recommend to the City Council removal of the public art component from the project, along with the DRC condition. Alternatively, Planning Commission may leave the condition as is and/or recommend the City move forward with further developing the public art concepts.

*Resolution*

The Planning Commission may make a recommendation as to the DRC's conditions. Ultimately, the Planning Commission's recommendation will be forwarded to the City Council for a final decision.

**ENVIRONMENTAL REVIEW**

**Mitigated Negative Declaration:** An Initial Study/Mitigated Negative Declaration (MND) was prepared for the project. The MND concludes that the project will have less than significant impacts to the environment with the implementation of mitigation measures related to biological resources (potential for impacts to nesting birds during tree removal), cultural resources (potential for undocumented buried resources unearthed during excavation activities and construction-related impacts to adjacent historic buildings), noise/vibration (potential for construction-related noise and

vibration impacts to surrounding buildings), and traffic (potential for incremental increases in traffic at surrounding roadways and intersections). The MND, including a Mitigation Monitoring and Reporting Program, is included as part of Exhibit B to this report.

The 30-day public review period for the MND was held from June 10, 2015 through July 15, 2015. A Notice of Intent (NOI) was filed with the Orange County Clerk, posted onsite, mailed to property owners and tenants within 500 feet of the project site (as well as other individuals who expressed interest), and published in the local newspaper. The MND was made available online and posted at City Hall and the Orange Public Library and History Center for review.

During the comment period, 19 comments were received: two letters from State agencies, four comment cards (submitted at the July 8, 2015 Open House), 12 comments submitted online, and one verbal comment provided at the City's July 15, 2015 DRC meeting. The majority of community comments indicated support for the project and/or requested to be added to the project notification list. Other community comments indicated a desire for the project to be compatible with the historic district and commented on the brick palette, mass and height of the structure, elevator towers and proposed public art. One commenter who lives adjacent to the project site expressed concern about privacy, nuisance noise and lighting, existing homeless issues and the need for public restrooms at the parking structure. Comments and responses to comments are included as part of Exhibit B to this staff report.

## **ADVISORY BOARD RECOMMENDATION**

### **Staff Review Committee:**

The City's SMART team (formerly SRC) reviewed the project on February 2, 2011 and December 14, 2011 for preliminary review. SMART recommended approval of the project subject to conditions on May 27, 2015.

### **Design Review Committee:**

The project was reviewed by the DRC on March 20, 2013, July 15, 2015 and September 16, 2015 for preliminary review. The DRC recommended approval of the project subject to conditions on November 4, 2015 by a vote of three ayes and none opposed. The DRC conditions are included in the Planning Commission Resolution (Attachment 1). DRC staff report and meeting minutes are included as Attachments 3 through 10.

## **ATTACHMENTS/EXHIBITS**

### Attachments to Report:

1. Planning Commission Resolution PC No. 40-15
2. Project Location Map
3. Minutes of the DRC Meeting, March 20, 2013
4. DRC Staff Report, March 20, 2013
5. Minutes of the Design Review Committee Meeting, July 15, 2015

6. DRC Staff Report, July 15, 2015
7. Minutes of the Design Review Committee Meeting, September 16, 2015
8. DRC Staff Report, September 16, 2015
9. Minutes of the Design Review Committee Meeting, November 4, 2015
10. DRC Staff Report, November 4, 2015
11. Letter from the State Historic Preservation Office (SHPO), dated November 2, 2015

Exhibits provided to the Planning Commission:

- A. MND No. 1832-14 (electronic copy on disk) including the Mitigation Monitoring Program and Comments and Response to Comments
- B. Schematic Design Plans

cc: Lisa Kim, City of Orange Economic Development Manager