



Planning Commission Agenda Item

December 7, 2015

TO: Chair Gladson and
Members of the Planning Commission

THRU: Leslie Aranda Roseberry
Planning Manager

FROM: Marissa Moshier
Associate Planner – Historic Preservation

SUBJECT

PUBLIC HEARING: Variance No. 2237-15, Minor Site Plan No. 0828-15, and Administrative Adjustment No. 0229-15 – Casa Teresa Office/Retail Conversion, 234 N. Glassell Street

SUMMARY

The property contains a single family residence that is proposed for conversion to office and retail use for Casa Teresa, a non-profit providing temporary housing and ongoing support to pregnant women. The existing building is a contributing historic resource within the Old Towne Historic District. Conversion from residential to commercial use requires Minor Site Plan Review. In order to provide parking behind the historic building, two Variances and two Administrative Adjustments are proposed as follows:

- 1) A Variance to allow a reduction in the required number of parking spaces from seven to five.
- 2) A Variance to allow a reduction in the required 25 foot wide two-way driveway to the existing 11 foot wide driveway.
- 3) An Administrative Adjustment to allow a reduction in the required 25 foot parking space back-up distance to 24 feet.
- 4) An Administrative Adjustment to allow a reduction in the required length of two parking spaces from 18 feet to 17 feet 4 ¾ inches.

RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 38-15 entitled:

A RESOLUTION OF THE PLANNING COMMISSION APPROVING MINOR SITE PLAN NO. 0828-15; VARIANCE NO. 2237-15 TO: 1) ALLOW A REDUCTION IN THE REQUIRED NUMBER OF PARKING SPACES FROM SEVEN TO FIVE, AND 2) ALLOW A REDUCTION IN THE REQUIRED DRIVEWAY WIDTH TO 11 FEET; AND ADMINISTRATIVE ADJUSTMENT NO. 0229-15 TO 1) ALLOW A REDUCTION IN THE REQUIRED PARKING SPACE BACK-UP DISTANCE TO 24 FEET, AND 2) ALLOW A REDUCTION IN THE REQUIRED PARKING SPACE LENGTH TO 17 FEET 4.75 INCHES FOR 2 PARKING SPACES ON PROPERTY LOCATED AT 234 N. GLASSELL STREET

AUTHORIZATION/GUIDELINES

Orange Municipal Code (OMC) Section 17.10.040.C authorizes the Planning Commission to review and take action on any Variances not within the purview of the Zoning Administrator and Variances submitted in conjunction with another application. One of the Variances and the two Administrative Adjustments could be considered by the Zoning Administrator but, because they are in association with one Variance to reduce the required number of parking spaces, all Variances and Administrative Adjustments require review by the Planning Commission. OMC Section 17.10.060 requires Minor Site Plan Review for projects that involve conversion of an existing residential use to a commercial use. Pursuant to OMC 17.08.020, 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 application. The Planning Commission has final project determination on the Variances, Minor Site Plan, and Administrative Adjustments.

PUBLIC NOTICE

On November 25, 2015, the City sent a Public Hearing Notice to a total of 163 property owners/tenants within a 300-foot radius of the project site and persons specifically requesting notice. The project site has been posted in one location with notification on that same date.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 – New Construction or Conversion of Small Structures), Section 15311 (Class 11 – Accessory Structures) and Section 15331 (Class 31 – Historical Resource Restoration/Rehabilitation) because the project involves conversion of an existing single family residence to office/retail use and construction of a small parking lot at the rear of the property in an urbanized area. The proposed project involves rehabilitation of the exterior of the historic building, including construction of an accessible ramp. The project is in conformance with the *Secretary’s Standards* because all proposed alterations preserve the character of the historic building. No public environmental review is required.

PROJECT BACKGROUND

<i>Applicant:</i>	MZ Partners, LLC
<i>Property Owner:</i>	MZ Partners, LLC
<i>Property Location:</i>	234 N. Glassell Street
<i>Existing General Plan Land Use Element Designation:</i>	Old Towne Mixed Use-15S
<i>Existing Zoning Classification:</i>	Old Towne Mixed Use-15S
<i>Old Towne:</i>	Contributor to Old Towne Historic District
<i>Specific Plan/PC:</i>	None
<i>Site Size:</i>	7,841 square feet
<i>Circulation:</i>	Access occurs from N. Glassell Street, a local collector.
<i>Existing Conditions:</i>	The site is developed with a 1,667 square foot, single-family residence. The property has no garage or other established off street parking. The existing building was constructed c. 1910 and is a contributing historic resource to the Old Towne Historic District.
<i>Surrounding Land Uses and Zoning:</i>	Surrounding land uses are a mix of commercial and residential. Properties to the north, south and east are zoned Old Towne Mixed Use 15S. Properties to the west are zoned Single Family Residential (R-1-6).
<i>Previous Applications/Entitlements:</i>	None

PROJECT DESCRIPTION

The applicant proposes to convert an existing single family residence to commercial use. The existing building square footage would be allocated to 889 square feet of office and 778 square feet of retail. To convert the building to commercial use, the property must be brought into compliance with the parking requirements for the new uses established in Orange Municipal Code Chapter 17.34. The required number of parking spaces for the office/retail use is seven. With the placement and size of the historic building on the property, the applicant has determined that a maximum of five parking spaces will fit at the rear of the building. As a result, the applicant is requesting a Variance for a reduction in two required parking spaces. The applicant is also requesting two Administrative Adjustments to reduce the required back-up distance from the parking spaces by one foot and to reduce the required length of two parking spaces by 7 ¼ inches. Under the OMC, a two-way driveway must be a minimum of 25 feet wide. The second Variance is required to allow use of the existing 11 foot wide driveway as a two-way driveway.

Other components of the project include landscaping in the front, side and rear yards, painting the building with compatible colors, construction of an accessible ramp, construction of a trash enclosure, and re-roofing.

Development Standards

	Required	Proposed	Code Section
<i>Parking, Commercial Use</i>	5 spaces per 1,000 square feet of gross floor area for retail use. 4 spaces per 1,000 square feet gross floor area for office use. 7 total spaces required for 1,667 SF building.	5 spaces provided. Variance required.	17.34.060.A
<i>Driveway, Width</i>	25' for two-way driveway	11' provided. Variance required.	17.34.110.F.6
<i>Parking, Back-up Distance</i>	25' back-up distance required from parking spaces	24' provided. Administrative Adjustment required.	17.34.110.A
<i>Parking, Space Length</i>	18'	18' provided for 3 spaces. 17' 4 3/4" provided for 2 spaces. Administrative Adjustment required.	17.34.110.A
<i>Parking, Space Width</i>	9' or 10' feet when adjacent to a wall or fence	9' or 10' provided as required.	17.34.110.A

APPLICATION(S) REQUESTED/ REQUIRED FINDINGS

Variance: The applicant is requesting a Variance from Orange Municipal Code Sections 17.34.060.A and 17.34.110.F.6 to allow:

1. A reduction in the required number of parking spaces from seven to five for the office/retail uses.
2. A reduction in the required 25 foot wide two-way drive aisle to allow use of the existing 11 foot wide driveway.

Required Findings:

1. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is

found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

2. The variance granted shall be subject to such conditions which will assure that the authorized adjustment shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is located.

Minor Site Plan: The applicant is requesting conversion of the property from residential to commercial use which requires Minor Site Plan Review.

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.

Administrative Adjustment: The applicant is requesting Administrative Adjustments from Orange Municipal Code Section 17.34.110.A to allow:

1. A less than 10 percent reduction in the required parking space back-up distance from 25 feet to 24 feet.
2. A less than 10 percent reduction in the required length of two parking spaces from 18 feet to 17 feet 4 ¾ inches.

Required Findings:

1. That the reduction in standards will not be detrimental to the public health, safety, and general welfare of persons residing or working on the subject property or in the vicinity.
2. That issuance of the permit does not compromise the intent of this code.

ANALYSIS/STATEMENT OF THE ISSUES

Issue 1: Justification for Variances and Administrative Adjustments

The proposed office and retail uses are permitted by right in the Old Towne Mixed Use-15S zone and are consistent with the Old Towne Mixed Use General Plan designation for the property. The 200 block of N. Glassell Street consists primarily of small scale commercial buildings. Many of the properties contain historic residential buildings that have been converted to commercial uses with surface parking lots in the rear yards. In order to convert the existing single family residence to office and retail uses, the applicant is required to provide parking for the new uses on site. Given the constraint of the historic building on the property, the applicant seeks one Variance to reduce the required number of parking spaces for the office and retail uses, one Variance to allow use of the existing driveway as a two-way drive aisle, and two Administrative Adjustments to reduce the back-up distance and length of the parking spaces in the new parking area.

The area available for parking on the property is limited by the placement and size of the historic building. In order to preserve the streetscape character of the Old Towne Historic District, parking is prohibited in the front yard area. The applicant studied alternative parking layouts for the rear yard; however, none of the alternative options were able to substantially increase the total number of parking spaces. The applicant also considered the possibility of demolishing two small pop-out additions at the rear of the historic building to provide additional space for parking. However, these rear additions appear to have been constructed early in the building's history and are likely contributing features of the historic building.

Other buildings on the block have been converted from residences to commercial uses and have similar constraints on the size, back-up area, and parking dimensions. Staff recommends that the small reduction in the back-up distance and length of two parking spaces will not reduce the functionality of the parking area. Similarly, use of the existing 11 foot wide driveway for both ingress and egress to the rear parking area is typical of the historic residential buildings that have been converted to commercial uses in the 200 block of N. Glassell Street. With the change in use, the applicant has agreed to rehabilitate the historic building, including seismic retrofit, re-roofing, new landscaping, repairs and painting. The applicant's investment in repairs will improve the streetscape and will support the long-term preservation of the historic building. Granting the Variances and Administrative Adjustments will confer no more rights to the subject property than already exist for other properties in the neighborhood, and staff supports the proposed Variances and Administrative Adjustments in order to preserve the historic building on the property.

ADVISORY BOARD RECOMMENDATION

Staff from interested departments reviewed the project on October 28, 2015 and recommended approval with conditions.

ATTACHMENTS/EXHIBITS

Attachments to Report:

1. Vicinity Map
2. Planning Commission Resolution PC 38-15
3. Site Photos
4. Survey Form for 234 N. Glassell Street

Exhibits provided to the Planning Commission:

- A. Submitted Plans and Exhibits date stamped November 19, 2015

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