

DESIGN REVIEW COMMITTEE AGENDA ITEM

AGENDA DATE: SEPTEMBER 19, 2012

To: Chair Woollet and Members of the Design Review Committee

THRU: Leslie Aranda Roseberry, Planning Manager

FROM: Robert Garcia, Associate Planner

SUBJECT: DRC No. 4603-11 – SOUTHSIDE TOWING

SUMMARY

The applicant is proposing the construction of a new 1,200 square foot metal modular building at an existing tow and impound yard.

RECOMMENDED ACTION—RECOMMENDATION TO PLANNING COMMISSION

Staff recommends that the Design Review Committee (DRC) review the proposal and make a recommendation to approve to the Planning Commission (PC) regarding the design of the proposal to support the required findings and ensure the preservation of community aesthetics.

BACKGROUND INFORMATION

Applicant/Owner: David Padua

Property Location: 551 N. Batavia Street

General Plan Designation: LI (Light Industrial Max 1.0 FAR)

Zoning Classification: M-2 (Industrial)

Existing Development: Tow and Impound Yard

Property Size: 29,258 square feet

Associated Applications: CUP No. 2843-11 and MNSP No. 685-11

Previous DRC Project Review: None

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15303 (Class 3 – New Construction) because the project consists of a new metal modular structure. There is no public review required.

PROJECT DESCRIPTION

A proposal to replace an existing 160 square foot modular building with a prefabricated 1,200 square foot modular storage building to be used as a dispatch office, customer lobby and storage area to be used for police impound investigations. The facility currently operates as an outdoor tow impound yard with storage of tow trucks at the site. The applicant has applied for the Orange Police Department impound rotation list. The modular building would consist of a 300 square foot office area and 900 square foot storage for police impounds. The proposed color on the metal building will enhance the visual interest to the proposed building. The exterior of the building will consist of:

- Ribbed aluminum siding with factory applied paint
- Ribbed steel panel roof with factory applied paint
- Metal fascia with paint finish
- Aluminum roll-up door and three steel man doors with paint finish

EXISTING SITE

The property is about 7.08 acres in size consisting of various industrial uses including the applicant's tow and impound yard. There are multiple metal industrial buildings on the subject site. The existing industrial metal buildings on the site and surrounding area are similar.

EXISTING AREA CONTEXT

The subject site is surrounded by various industrial uses to the west north and east. To the south there are industrial uses and residential multiple family units. The site is adjacent to the railroad corridor along its eastern property line.

EVALUATION CRITERIA

Orange Municipal Code (OMC) Section 17.10.070 establishes the general criteria the DRC should use when reviewing the project. This section states the following:

The project shall have an internally consistent, integrated design theme, which is reflected in the following elements:

1. **Architectural Features.**

- a. The architectural features shall reflect a similar design style or period.
- b. Creative building elements and identifying features should be used to create a high quality project with visual interest and an architectural style.

ANALYSIS/STATEMENT OF THE ISSUES

The applicant is proposing a new modular structure to house police impounds and a new office/lobby area for an existing use at the site. The site is predominately surrounded by industrial type uses and multiple family residential uses to the south. The proposed metal modular building is similar in style and architecture as the existing industrial metal buildings on the site and surrounding area. Since the use is currently in operation and the nature of the use

will not change, staff believes that the request will not create an adverse impact on surrounding land uses.

ADVISORY BOARD RECOMMENDATION

The Staff Review Committee (SRC) reviewed the proposal on December 14, 2011 and provided comments to the applicant requesting additional information. On July 25, 2012 the SRC reviewed the revised proposal and recommended approval with additional comments and conditions.

STAFF RECOMMENDATION AND REQUIRED FINDINGS

The courts define a "Finding" as a conclusion which describes the method of analysis decision makers utilize to make the final decision. A decision making body "makes a Finding," or draws a conclusion, through identifying evidence in the record (i.e., testimony, reports, environmental documents, etc.) and should not contain unsupported statements. The statements which support the Findings bridge the gap between the raw data and the ultimate decision, thereby showing the rational decision making process that took place. The "Findings" are, in essence, the ultimate conclusions which must be reached in order to approve (or recommend approval of) a project. The same holds true if denying a project; the decision making body must detail why it cannot make the Findings.

The Findings are applied as appropriate to each project. Based on the following Findings and statements in support of such Findings, staff recommends the DRC recommend approval to the CDD with recommended conditions.

- 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).
 - The project is not located in the Old Towne Historic District; therefore this Finding does not apply to the application at hand.
- 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).
 - The project is not located in the National Register Historic District; therefore this Finding does not apply to the application at hand.
- 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 metal modular building is similar in style and architecture as the existing industrial metal buildings on the site and surrounding area. The proposed color on the metal building will enhance the visual interest to the proposed building.
- 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).

The project is not infill residential development; therefore this Finding does not apply to the application at hand.

CONDITIONS

The recommendation for approval of this project is subject to the following conditions:

- 1. All construction shall conform in substance and be maintained in general conformance with plans and exhibits date labeled September 19, 2012, including modifications required by conditions of approval, and as recommended by the Design Review Committee.
- 2. Modifications to the approved architecture and color scheme 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 Design Review Committee.
- 3. Graffiti shall be removed from the exterior walls and windows of the licensed premises within 72 hours of discovery.
- 4. All structures shall comply with the requirements of OMC Chapter 15.52 (Building Security Standards), which relates to hardware, doors, windows, lighting, etc. (Ord. 7-79).
- 5. Lighting on the premise shall be directed, controlled, screened or shaded in such a manner as not to shine directly on surrounding premises. A Photometric plan may be required to be submitted for review and approval as part of the building permit process.
- 6. 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 permits, save and except that caused by the City's active negligence.
- 7. Prior to 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.
- 8. Building permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits will be cause for revocation of this Design Review Permit.

ATTACHMENTS

- 1. Vicinity Map
- 2. Photographs
- 3. Proposed Plans

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