Minutes

Planning Commission May 2, 2011
City of Orange Monday 7:00 p.m.

PRESENT: Commissioners Buttress, Gladson, Grangoff, Merino and Steiner
ABSENT: None

STAFF
PRESENT: Ed Knight, Assistant Community Development Director
Robert Garcia, Associate Planner
Dan Ryan, Historic Preservation Planner
Gary Sheatz, Assistant City Attorney
Sandi Dimick, Recording Secretary

ADMINISTRATIVE SESSION

Chair Steiner opened the Administrative session @ 6:47 p.m. with a review of the Agenda.

Chair Steiner stated there were 5 Agenda items and he asked if there were any questions.

Assistant Community Development Director Ed Knight stated on Item No. 4, Harvard House, that the applicant had requested a continuance. Chair Steiner asked if the request for a continuance could be covered at the beginning of the meeting instead of in order of the Agenda. Assistant City Attorney Gary Sheatz stated that would be acceptable. Chair Steiner stated he would state that the applicant was requesting that their project be continued to a date uncertain.

Commissioner Merino stated his packet had minutes from the April 4th Planning Commission Meeting. Mr. Knight stated there was a typo in the dates and they were the minutes from April 18, 2011. Commissioner Merino stated he would be recused for the approval of the minutes as he had been absent from the April 18, 2011 meeting.

Chair Steiner stated they would be hearing 2 requests for CUP's from towing companies. He understood in speaking with Mr. Sheatz that there was a hold on one of them due to a legal matter on the determination by the Police Department to use the towing company and if they were selected, the Police Department would use the 2 towing companies on a rotating schedule. Mr. Sheatz stated the legal proceeding was status quo and the City was already using the towing companies. Associate Planner Robert Garcia stated the towing company operators were bidding out to other Police Departments. Chair Steiner asked why the storage on site was temporary? Mr. Garcia stated the storage was temporary on the site with the exception of a Police Department impound that needed to be retained due to a Police matter.

Chair Steiner stated they would also be reviewing the Crawford Residence.

Commissioner Gladson stated she would be recused from participating in the discussion on that item as she had been on the Design Review Committee when that item had gone through the DRC. Historic Preservation Planner Dan Ryan stated on Condition No. 19, there would be a word change.

Chair Steiner asked if there was anything additional from Staff.

Mr. Sheatz stated regarding the tickets from the OTPA to their Gala; the Committee Members could accept one ticket for themselves, however, any additional tickets would need to be purchased. Chair Steiner stated he understood that the OTPA had wanted the Planning Commission members to pay for a ticket to their event.

Mr. Knight stated the packets for Item No. 4 and 5 had been switched in their binders.

There was no further discussion.

Administrative Session adjourned @ 6:56p.m.

PUBLIC PARTICIPATION: None

REGULAR SESSION:

Consent Calendar:

(1) APPROVAL OF MINUTES FROM THE REGULAR MEETING OF APRIL 18, 2011.

Commissioner Buttress made a motion to approve the minutes from the regular meeting of the Planning Commission on April 18, 2011, as written.

SECOND: Commissioner Gladson
AYES: Commissioners Buttress, Gladson, Grangoff and Steiner
NOES: None
ABSTAIN: Commissioner Merino
ABSENT: None

MOTION CARRIED

New Hearing:

(2) CONDITIONAL USE PERMIT NO. 2804-10 – AUTHENTIC BROTHERS TOWING

The applicant proposes outdoor storage/impound of vehicles on a temporary basis in a lot adjacent to an existing towing dispatch office and indoor vehicle storage. The applicant would also store company owned tow truck vehicles on site when not in service.

LOCATION: 979 N. Parker

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project consists of minor alterations to the land use.

RECOMMENDED ACTION:
Adopt Planning Commission Resolution 10-11 approving an outdoor Storage/impound yard of vehicles.

Associate Planner Robert Garcia stated the applicant was not in the audience and he proceeded with a presentation of the project overview consistent with the Staff Report.

Chair Steiner stated there had been a reading of the project overview and he asked if the applicant was present. The applicant came forward.

Francisco Vasquez, address on file, stepped forward to address the Commission. He stated he would allow his son to speak as he could not speak clear English. There was nothing additional added.

Chair Steiner stated there was a Staff presentation and there was an Agenda item before them requesting approval of a CUP for a towing yard. The terms and conditions were clearly stated and he asked the applicant if there was anything additional that he wanted to add. There was nothing additional.

Chair Steiner opened the hearing for Public Comment. There was none.

Chair Steiner brought the item back to the Commission for any further discussion or action.

Commissioner Merino stated the item before them was a pretty straight forward application and the site was located in an Industrial Zone with no one speaking against it and from a land use perspective, he felt there were no additional concerns.

Commissioner Merino made a motion to adopt PC Resolution10-11, approving CUP No. 2804-10-Authentic Brothers Towing, subject to the conditions contained in the Staff

Report and noting the item was categorically exempt from CEQA.

SECOND: Commissioner Buttress
AYES: Commissioners Buttress, Gladson, Grangoff, Merino and Steiner
NOES: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

(3) CONDITIONAL USE PERMIT NO. 2811-10 – CRAWFORD RESIDENCE

The applicant is proposing to demolish a non-contributing garage and construct a new 1-1/2 story detached two-car garage and studio with a full bathroom. Project also includes replacing the existing foundation and basement access on the existing 1-1/2 story contributing 1904 Gable Roofed Cottage residence.

LOCATION: 394 S. Orange (Old Towne Orange Historic District)

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines per the following Sections:

1. Section 15303 – (Class 3 – New Construction or Conversion of Small Structures)
2. Section 15302 – (Class 2 – Replacement or Reconstruction) consists of replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose as the structure replaced.
3. Section 15331 – (Class 31 – Historical Resource Restoration and Rehabilitation) consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

The proposed work complies with the Secretary of the Interior's Standards for Rehabilitation and the City's Local CEQA Guidelines as to: use of in-kind materials, secondary roof height, massing, placement and orientation of the addition in relation to the site, block and surrounding Historic District.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 09-11 approving the demolition of a non-historic garage and construction of a new two-car detached garage including a craft room with a full bath for a contributing residence.

Commissioner Gladson stated she would recuse herself from the item's presentation as she had participated in the item at the Design Review Committee level.

Historic Preservation Planner Dan Ryan presented a project overview consistent with the staff report.

Chair Steiner invited the applicant to address the Commission.

Robert Imboden, address on file, stated he wanted to thank the Commissioners for their time and consideration in hearing the proposed project and to Mr. Ryan for his time in completing the Staff Report. He was pleased with the Staff Report that Mr. Ryan had prepared and the clarification that he had made regarding the mow strip in regard to the two driveways. He wanted to make one clarification in regard to the work that was being completed to the foundation of the existing 1904 cultural resource structure. It was not so much an issue of settling, but due more to a structure that was sitting on un-reinforced masonry, it was sitting on a brick foundation; and in the seismic zone the property was located in, it was not the best foundation in terms of long term preservation. They were looking to replace that with a concrete structure as part of the Mills Act agreement on the property. He was available for any questions.

Chair Steiner opened the hearing to Public Comment.

Jeff Frankel, address on file, stated he represented the OTPA. He stated he had met with the applicant and the designer to review the plans initially and he had been following the project. It was a great project. There was appropriate use of materials. The project was sympathetic to the street scape and the Historic District on a whole. The FAR was a little high; the property was spread out and the garage and second story were across the street from an alley and no one would be looking directly at it. All and all it was a great project and the OTPA supported the project.

Janet Crenshaw, address on file, stated she trusted Mrs. Crawford with what she was doing in Old Towne and she voted yes for the proposed project.

Annalisa Goode, address on file, stated she was a friend and neighbor of Ms. Crawford. Several weeks ago she was invited to look over the design of the proposed garage project and she was pleased to see the care that was taken to ensure a sympathetic and complimentary design for her 1904 home. She supported the project and asked that the Planning Commission approve the request as proposed.

Chair Steiner closed the Public Hearing and brought the item back to the Commission for any further discussion or action.

Commissioner Merino stated he supported the proposed project and hoped that all future projects could be put together as well as the project before them. Based on the experience of the individual representing the applicant, that was not a shock.

Commissioner Merino made a motion to adopt PC Resolution 09-11, CUP No. 2811-10-Crawford Residence, subject to the conditions contained in the Staff Report and noting the item was categorically exempt from CEQA.

Chair Steiner stated the motion would include that Condition No. 19 to be consistent with Condition No. 2.

SECOND:	Commissioner Grangoff
AYES:	Commissioners Buttress, Grangoff, Merino and Steiner
NOES:	None
ABSTAIN:	None
ABSENT:	None
RECUSED:	Commissioner Gladson

MOTION CARRIED

(4) CONDITIONAL USE PERMIT NO. 2813-10 – HARVARD HOUSE DEMOLITION

The applicant is proposing to demolish two substandard, non-contributing buildings and construct two (2) two-story residential structures for new in-fill housing. The two new separate 1,766 square foot buildings will be of the Prairie architectural style.

LOCATION: 468 N. Olive (Old Towne Historic District)

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines per the following Sections:

1. Section 15303 – (Class 3 – New Construction or Conversion of Small Structures)
2. Section 15302 – (Class 2 – Replacement or Reconstruction) consists of replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose as the structure replaced.

The proposed work complies with the Secretary of the Interior's Standards for Rehabilitation and the City's Local CEQA Guidelines as to: use of in-kind materials, secondary roof height, massing, placement and orientation of the addition in relation to the site, block and surrounding Historic District.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 08-11 approving the demolition of two non-contributing residential buildings and the construction of two two-story residential units for new in-fill housing.

Chair Steiner stated there was a written request from the applicant to continue the item to a date uncertain.

Commissioner Buttress made a motion to continue, CUP No. 2813-Harvard House Demolition, to a date uncertain.

SECOND: Commissioner Merino
AYES: Commissioners Buttress, Gladson, Grangoff, Merino and Steiner
NOES: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

(5) CONDITIONAL USE PERMIT NO. 2819-11– CALIFORNIA COACH

The applicant proposes outdoor storage/impound of vehicles on a temporary basis in a lot adjacent to an existing towing dispatch office and indoor vehicle storage. The applicant would also store company owned tow truck vehicles on site when not in service.

LOCATION: 572-574 N. Batavia

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project consists of minor alterations to the land use.

RECOMMENDED ACTION:
Adopt Planning Commission Resolution 11-11 approving an outdoor storage/impound yard for vehicles.

Associate Planner Robert Garcia presented a project overview consistent with the Staff Report.

Chair Steiner invited the applicant to address the Commission.

Andy Lujan, address on file, stated he was the owner of California Coach and they had a second location in the City of Walnut. They employed great employees at both locations. He had been towing for Orange County Transit for the last 15 years and he was in very good standing with his neighbors. He had improved the neighborhood and had not asked the neighbors to participate when the 10' block wall had been built around the property. He painted and re-landscaped the facility. The appeal from the street and from within the property was very clean.

Commissioner Buttress stated she wanted to compliment the applicant on how nice the property looked. She had driven by it and it looked great.

Mr. Lujan stated that he had spoke with the neighbors in regard to the site lighting and if there was an unsatisfactory situation he would deal with it and everyone had been very cooperative.

Commissioner Merino asked Mr. Garcia, in regard to the properties that bordered the subject site, had those neighbors received noticing and had there been any communication or comments received?

Mr. Garcia stated the property owners had been noticed and there had not been any comments received.

Commissioner Merino stated on the 2nd page of the packet there was an isometric lighting chart that showed the different impacts and lighting levels, he asked if all the results were

within the City's ordinance guidelines.

Mr. Garcia stated the data had been reviewed by crime prevention and he believed the plans had been approved.

Commissioner Gladson stated with the adjacency and the land use being residential, there were draft findings in terms of compatibility. With the residential, she was curious about how the requirements were achieved and what could the residents do if there was a noise issue that occurred? With a 24 hour operation, how could that be monitored?

Mr. Garcia stated based on the previous history of the applicant and the lack of non-complaints and the location of the storage yard. In addition on Condition No. 10 in the draft resolution, that Condition would cover any noise issues that were raised.

Commissioner Gladson stated there was an annual review with the Community Development Director and the Police Chief. If there were complaints received, and she was thinking more about the middle of the night nuisances that would not necessarily violate the City's noise ordinance, would there be a process to address any issues.

Mr. Garcia stated if Staff received any complaints, he would work with the applicant to resolve any issues.

Commissioner Merino asked if the applicant was running a 24 hour operation.

Mr. Lujan stated at his current location his drivers arrived a 4:30 a.m. and returned around 9:00 p.m. They limited their noise and had not had any neighbor complaints. They would be no honking of their horns or anything like that. They were very quiet. When the trucks started, they left and they had a speed limit in their lot.

Commissioner Merino stated the business was not currently running as a 24 hour operation.

Mr. Lujan stated that was correct and he had not had any neighbor complaints in 7 years.

Commissioner Merino stated, as the business was not currently a 24 hour operation, they had not discovered how a 2:00 a.m. call might affect the neighbors and he wanted to address that whether or not the business was currently a 24 hour operation. With Commissioner Gladson's observation of ways that could mitigate any potential problems or if neighbors developed concerns with things that occurred in the middle of the night, they would have a way to address those concerns.

Chair Steiner asked the applicant if he had read the 16 Conditions of Approval and if he agreed with them?

Mr. Lujan stated he agreed.

Chair Steiner brought the item back to the Commission for any further discussion or action.

Commissioner Grangoff made a motion to adopt PC Resolution 11-11, CUP No. 2819-California Coach, subject to the conditions contained in the Staff Report, noting the item was categorically exempt from CEQA.

SECOND: Commissioner Gladson
AYES: Commissioners Buttress, Gladson, Grangoff, Merino and Steiner
NOES: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

Chair Steiner stated he had received 2 speaker cards that referenced opposition to Item No. 6, which was adjournment. No one from the audience came forward.

(6) ADJOURNMENT:

Adjournment to the next regular Planning Commission Meeting scheduled for Monday, May 16, 2011.

Commissioner Buttress made a motion for adjournment to the next regular scheduled meeting of the Planning Commission on May 16, 2011.

SECOND: Commissioner Merino
AYES: Commissioners Buttress, Gladson, Grangoff, Merino and Steiner
NOES: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

Meeting Adjourned @ 7:32 p.m.