CITY OF ORANGE DESIGN REVIEW COMMITTEE MINUTES – FINAL

February 18, 2009

Committee Members Present: Bill Cathcart

Adrienne Gladson Tim McCormack Craig Wheeler Joe Woollett

Committee Members Absent: None

Staff in Attendance: Leslie Aranda Roseberry, Planning Manager

Doris Nguyen, Associate Planner Sonal Thakur, Assistant Planner Sandi Dimick, Recording Secretary

Administrative Session – 5:00 P.M.

The Committee met for an Administrative Session beginning at 5:07 p.m.

Chair McCormack opened the Administrative Session and confirmed there were no minutes to review.

Planning Manager, Leslie Aranda Roseberry, stated there were no minutes and there would be minutes to review at the next meeting. There were generally, for the Administrative Session, three standing topics: (1) the review of the Agenda, (2) Policy and Procedural information, and (3) review of the minutes. Generally on the review of the Agenda it was an opportunity to let the Committee Members know if there had been any changes to the Agenda, such as an item being withdrawn or a continuance of an Item. Generally, the Administrative Session was not used to discuss the projects as those discussions were saved for the more public session at 5:30 p.m. For Policy and Procedural information it was an opportunity for Staff to impart any information to the Committee Members regarding any new policies or any upcoming events or information. The final topic was a review of the minutes. There was nothing currently to discuss during the Administrative Session; all the Agenda Items were continued projects.

Committee Member Woollett stated he had made a call to Public Works and he had not received a return phone call. His question had been was there a policy regarding using the soil under a building as a heat sink? It was a technology that had been used for a long time. He had wanted to discuss that issue and it was relevant to projects they had reviewed and it could be of importance to a project on the current Agenda. He felt placing equipment in yards or on roofs of buildings was a serious problem and it could be a possibility to avoid such placement of equipment if underground technology could be utilized.

Ms. Aranda Roseberry stated unless it involved public right-of-way it could be a question posed to the City's Building Official, David Khorram.

Committee Member Woollett stated he did not think the ground under a building was public right-of-way.

Ms. Aranda Roseberry stated she felt he was correct.

Committee Member Woollett stated sometimes in certain facilities the project went deep enough to actually use water taken from the soil which could be heated up and then returned to the soil. In certain cases it might not involve water and there would be a hole in the ground with pipes in it. He had not wanted to speak about that type of technology with respect to projects where it could be very difficult from a design standpoint if in fact the City would not allow it. It had been a thought during the last meeting with the discussion regarding the placement of chillers on the roof of a building. With a new facility the building could be designed to accommodate the equipment, however, with an existing facility it could be a problem. He felt they needed to look at the big picture of wanting the facilities in the City to have updated technology that benefited the entire City. The technology he spoke of was one that only architects would most likely be aware of.

Ms. Aranda Roseberry invited David Khorram, Building Official, to join the discussion.

Committee Member Woollett stated from time to time they had reviewed existing projects that had installed new equipment that required a lot more cooling and the typical way to handle that was to install evaporative coolers on the roof or chillers. It created a problem for the DRC as they looked at the aesthetics of the project. Even the screening of such equipment presented a problem. He asked if there would be any opposition from the City to suggest the use of using the ground as a heat sink, allowing the pipes to be installed underground and generating cooling through that method?

Mr. Khorram stated it certainly was a noble idea, however, he had not seen that technology used in Southern California. They had used concrete slabs for heat mass which was a reverse situation. For cooling, the method Committee Member Woollett referred to could be used, he just had not seen it used much.

Chair McCormack asked why was that the case?

Mr. Khorram stated it was generally due to lack of initiative; it was a green technology and he would not be opposed to the use of it.

Committee Member Woollett stated he was working on a project in Garden Grove where they were utilizing ground source heat pumps and the energy demand on the building was reduced to approximately 25% of what it would be otherwise. The builder/owner would get his money back in approximately 10 years as it was more costly up front. He had not found the technology used very much as he felt no one wanted to pay a higher fee to design it.

Mr. Khorram stated it would also need to be a substantial project for the technology to work.

Committee Member Woollett stated that was not necessarily the case, as the depth or number of holes was dependent on the load. The larger the building the more holes or the deeper the holes would need to be.

Chair McCormack asked, besides costs or lack of knowledge, was there maintenance issues?

Committee Member Woollett stated the maintenance was minimal; it was something that was just not being done. Approximately 10 years ago he had wanted to use the technology on a project in Irvine and he had been approved to use it, however, he could not find anyone who was familiar with it. He had not wanted to suggest it on projects he reviewed, representing the City, if it would be turned down or not allowed.

Mr. Khorram stated the City was not in a position to deny the use. It was a matter of designing a project and proving to the City that it would work.

Committee Member Woollett stated if the water was drawn from the ground for cooling and then returned to the ground it was generally a more efficient means of cooling. Many times that would involve working with the Water District as well.

Committee Member Gladson stated in 2011 there was a provision that the State would be adopting for the uses of green technology and was that cooling method a part of those provisions?

Mr. Khorram stated there were 17 items included in those provisions and the technology that they spoke about was not included.

Chair McCormack asked if those provisions were being adopted by the City?

Mr. Khorram stated in January of 2011 the 17 items would be mandates, until then the items were on a voluntary basis and could be considered as options. The DRC could recommend the technology; however, it could not be a condition.

Committee Member Woollett stated the DRC could be in a position to reject a project due to the inability of an applicant to cool their equipment without creating an objectionable appearance on the building.

Mr. Khorram stated in that case the applicant would need to seek another solution.

Committee Member Wheeler asked if anyone had done a life cycle cost analysis on such a system?

Committee Member Woollett stated he was doing that on the project he was currently working on and the technology was used in the East quite a bit. Last summer in New Hampshire there was a project that required digging down 750' to obtain water and as they had dug so far they used the space for cooling the air conditioning equipment.

Committee Member Wheeler stated the same type of system was used on an energy efficient house in Japan in the '80's.

Committee Member Woollett stated in 1960 on a project in Fullerton they had a 500 ton chiller. A well was dug which they used to pump water at 2,200 gallons per minute through the equipment to cool it and it was injected back into the ground. Just about the time they had gotten

the project set up, Orange County water people came out and they were told they could not do that unless they paid for the water. He felt it was a very narrow point of view as they were not using the water, they were not contaminating it, they were just heating it up and returning it to the ground.

Ms. Aranda Roseberry stated there was nothing further to discuss.

Committee Member Cathcart made a motion to adjourn the Administrative Session. Administrative Session adjourned at 5:25 p.m.

SECOND: Adrienne Gladson

AYES: Bill Cathcart, Adrienne Gladson, Tim McCormack, Joe Woollett, Craig Wheeler

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED.

Regular Session - 5:30 P.M.

ROLL CALL:

All Committee Members were present.

PUBLIC PARTICIPATION:

Opportunity for members of the public to address the Design Review Committee on matters not listed on the Agenda.

There was none.

CONSENT ITEMS:

All matters that are announced as Consent Items are considered to be routine by the Design Review Committee and will be enacted by one motion. There will be no separate discussion of said items unless members of the Design Review Committee, staff or the public request specific items to be removed from the Consent Items for separate action.

(1) APPROVAL OF MINUTES: None

AGENDA ITEMS:

Continued Items:

Item No. 2 was removed from the Consent Calendar to be heard as a regular Agenda Item.

- (2) DRC No. 4403-08 and AA No. 0168-08 CITRUS MEDICAL IMAGING CENTER
 - A proposal to construct two MRI chillers in the front yard of a two-story medical office building.
 - 1031 West Chapman Avenue
 - Staff Contact: Doris Nguyen, 714-744-7223, dnguyen@cityoforange.org
 - DRC Action: Final Determination

Associate Planner, Doris Nguyen, presented a project overview consistent with the Staff Report.

Chair McCormack opened the item for discussion.

Committee Member Wheeler stated he had a concern regarding the aesthetics and the acoustics of the project. He had a hard time believing that the proposed landscape would provide screening. The proposed trees had very thin trunks and would grow fairly tall and not provide much screening. There were Loquat plants that would not provide much screening. He was concerned with the sound. Standing on the site where the unit would be located there was a visual of 1½ windows of the residence to the North and it would be in the direct line of sight. The decibel rating was to be below 35; however, with two units working he wondered if the noise factor had been adequately addressed. He suggested moving the units to the north side of the building and to enclose them with some sort of 6' high masonry wall. There was a precedent for such a design as they had approved a project on South Batavia where they enclosed the units with a wall and those units were at the rear of the project. He had gone by that project and even with the enclosures the equipment was quite noisy.

Committee Member Woollett stated he was very concerned with the sound factor. The chillers were very noisy and the size of the chillers was significant. He was concerned with the aesthetics as well. He asked if there had been any consideration by the applicant to use ground source cooling. If there had not been consideration of that use he would want the applicant to explore that use.

Applicant, Basel Abu-Dayyieh, address on file, asked what was ground source cooling?

Committee Member Woollett stated basically the ground was approximately at 68 degrees and pipes would be run down through the ground, vertically with wells, and water was circulated through the pipes to be cooled. It was considerably more economical over the long run, as the only energy used would be the pumps which were low energy compared to the chillers. If the applicant had not considered that use he would want them to. He felt the proposed project was fairly marginal in terms of the neighborhood. The initial costs would be more.

Mr. Abu-Dayyieh stated the chillers they proposed were very close looped chillers and there was a glycol mixture and the units were very temperature sensitive. The units called for a specific degree of cooling and heating as the MRI procedures were administered. It was not a constant temperature requirement. It was a sophisticated design.

Committee Member Woollett asked if he knew what the required Delta T was on the MRI?

Mr. Abu-Dayyieh stated no.

Chair McCormack stated he echoed the concerns of his Committee Members. He looked at two things; the first was that there was a statement made in the Staff Report that the units could not be placed on the roof and he wanted to know why not? It was a fairly new building and he felt structural engineers would have designed the roof to accommodate the equipment. He wanted to know the reason for the units not being able to be placed on the roof. The second concern was the precedent the proposed location of the chillers set in allowing them to be placed in the building setback. He felt it opened up the door to other projects in the City that wanted to place equipment in the setback area. The proposed project was the last resort location and using landscape to screen was tenuous at best. There was a 6' high chiller with a fence that was not even as high as the chiller. There had been an Administrative Adjustment required for the fence and he had not understood why that was required?

Ms. Nguyen stated in a front yard setback the allowance was for only a 42" fence and anything more would require a variance. The applicant had requested the use of wrought iron fencing in order to allow ventilation to cool the units.

Chair McCormack stated he was looking for an alternative means to screen the units and the possibility of exploring alternative locations for the units.

Committee Member Gladson stated her observations were much the same as her colleagues. When dealing with a front yard setback, it was troubling to place equipment in that location when it would fit better in a rear or side yard. That was her biggest obstacle. The area was the applicant's front yard and she questioned what would be a better alternative and she felt the proposed location would be the last resort for the location of the equipment. She was not opposed to having the units on the north side; however, there were sound issue concerns. She understood the applicant needed to place the equipment in a location that they would function properly. Her particular concern was to have the units in the best location and to prove that there was not a better design.

Committee Member Cathcart stated he felt the mechanical equipment was in the wrong place; the landscape was pretty, however, he felt it would not buffer the noise from the units. He asked for a response from the applicant.

Applicant, Louay Ayoub, address on file, stated on the noise issue the City requirement was 55 DB with a distance of 32' from the property. The proposed project complied with the City requirements. The equipment was actually more than 32' away from the property line and the chillers put out 55 DB. They had checked with the City prior to choosing the proposed location for the equipment. They pushed the unit away further than 32' away from the property line. He reviewed the plans with the Committee to explain where the equipment would sit.

Ms. Nguyen asked the applicant why they had not proposed to place the unit on the rear area of the property?

Mr. Ayoub stated in placing the units in the rear area it was too close to the property line.

Chair McCormack asked if there was a way to submerge the equipment and enclose it?

Mr. Ayoub stated the equipment could not be enclosed on top as it required total circulation. A vault would not work and placing it in a rear location would be too close to neighboring properties. They had also looked at placement on the north side, however, they had run into the same issues. The other option, which they had looked into, was placement of the equipment on the roof. They had two problems with that; one was the parapet height. The parapet was between 4-5', 4' and the ridgeline and 5' at the lowest point where the drains were, in adding 6' of chiller height plus the platform they would be close to 6 ½' and they would be 18" above the parapet line.

Chair McCormack asked if the units would need to be located so close to the parapet?

Ms. Nguyen stated that the parapet had to come up to the exact level of the mechanical equipment. They had not looked at it by line of sight.

Committee Member Wheeler asked in placing the equipment on the roof could they use a screen all the way around it?

Ms. Nguyen stated the equipment was taller and with the original approval of the building it carried a CUP for the building height; increasing the height even 18" would require review by the Planning Commission to have a modification of the CUP. Committee Member Wheeler asked whether they could use the rule where certain structures occupying not more than 5% of the roof structure are excluded from the measurement. Ms. Nguyen stated unfortunately, the height of the tower already occupies over 5% of the roof, which is why they processed the CUP.

Mr. Ayoub stated placement of the equipment on the roof also presented a weight issue. The building was designed with a calculation of the roof trusses for the amount of equipment that was placed on the roof at construction and they had not made accommodations for future equipment needs that might need to be placed there. The trusses would need to be re-engineered; however, the costs prohibited that.

Chair McCormack asked if there were other chillers that had a lower profile?

Mr. Abu-Dayyieh stated it was not only the height. The chillers were part of the MRI equipment; they were supplied by the MRI manufacturer. They contained pre-designed pumps, and there was a distance requirement that they had to maintain in regards to the distance between the MRI units and the chillers. All that had to be considered in choosing the location. They had explored options such as the roof or the north side of the building. They had strict manufacturer's guidelines that they had to follow. The distance was a concern and they had to meet specific specifications for the location of the units.

Mr. Ayoub stated the landscaping that was chosen were plants that would provide screening. The Crape Myrtles were being relocated and he pointed out the area on the plans where the trees would be placed. They were intended to block the view of the chillers.

Chair McCormack stated the Crape Myrtles were deciduous and would only provide coverage for part of the year. He felt the proposed landscape, which was just moving plants around, would not do the job of screening.

Mr. Abu-Dayyieh asked if he meant it would not do the job from an aesthetics standpoint or from a noise standpoint?

Chair McCormack stated from an aesthetic standpoint. If the objective was to screen the equipment he suggested that they remove the turf and use landscape layering.

Mr. Abu-Dayyieh stated they could utilize more landscaping as the chillers pulled ventilation from the tops of the units and they had to keep a 42" clearance for servicing and proper ventilation.

Chair McCormack stated the issue he had with the proposed landscape was that the landscape was not expanded far enough to give the project a landscape concept and it appeared on the proposal that they were trying to hide the chiller. He felt the design could be different.

Committee Member Woollett stated he could not believe that the MRI equipment could not be cooled in another manner. It appeared that the chillers were down below with the cooling equipment on the top and he felt there was some reluctance by the applicant to consider any other alternatives. It was a package deal and was that the only deal the applicant had?

Mr. Abu-Dayyieh stated they had worked with the manufacturer's requirement in preparing the project. It was sold as a package; each manufacturer had their own specifications.

Committee Member Woollett stated he was not willing to approve the project as presented.

Committee Member Wheeler suggested moving the units to the Chapman side of the building and have the units screened with a fairly significant amount of landscaping. It would alleviate the sound issues. He felt in placing them at that location and providing good landscaping would be a workable solution.

Committee Member Gladson stated moving it toward the more commercial side of the street rather than the residential edge might work.

Committee Member Wheeler stated he understood there could be a distance problem. He had spoken with someone who had been involved in the placement of the same types of equipment and he was of the opinion that the distance problem could be overcome with additional booster pumps, and he pointed out another area on the plans that the units might be placed. He suggested having a CMU enclosure.

Applicant, Randy Brooks, address on file, stated the location that Committee Member Wheeler suggested was moving it closer to the residential area.

Committee Member Wheeler stated using an enclosure would mitigate that.

Mr. Brooks stated they were very sensitive to moving the units closer to the residential properties. The location that they had presented had been chosen as there was an automotive center across the street and they felt it would have less of an impact to that business. They had taken into consideration the aesthetics and noise factor and wanted to move the equipment as far away from the neighboring residential property as possible. The discussion to place the units on Chapman was a concern as there was a bus stop on Chapman. There was already a situation with a graffiti issue and they had a concern that someone might throw something into the fan blades of the units.

Committee Member Wheeler stated if the units remained in the location as proposed, he suggested that the lawn area that was in front of the units be changed to a berm, with the possible addition of rocks, something that would act as a sound barrier.

Chair McCormack stated the proposed landscape would not have any effect towards the noise or for screening. He suggested layering the landscape. If they used a landscape approach that covered the entire width of the side where the mechanical units were it would provide adequate screening and not appear as if they were just trying to hide the chillers.

Committee Member Wheeler stated although they were limited in the fence height they were not limited to the height in the landscaping. Garden berms could go reasonably high.

Chair McCormack stated he had seen projects where panels of bamboo or Italian Cypress trees were used. He was suggesting that the landscape be designed in a bigger sense.

Ms. Nguyen asked was the suggestion for the redesign of the landscape secondary to the suggestion for the use of under grounding the equipment or to another location for the equipment?

Chair McCormack stated he felt another location or under grounding should still be considered.

Mr. Louay stated there was not another location for the units and under grounding was impossible.

Committee Member Woollett asked if the units could be moved to the parking lot?

Mr. Louay stated that presented a distance issue.

Ms. Nguyen stated the project was already tight on parking and an Administrative Adjustment had already been processed to decrease the parking.

Committee Member Cathcart suggested a continuance of the item. The applicants had heard their concerns and the applicant could be allowed to go back and return with a solution that was different than what had been initially proposed.

Mr. Louay stated the landscaping could be worked out; however, the location was not an option. Committee Member Gladson stated would it be agreeable to allow the applicant to summarize why an alternate location would not work.

Committee Member Cathcart stated one of the solutions that would be palatable would be a better landscape design along the side of the building where the unit was initially placed.

Committee Member Wheeler stated he would certainly accept the applicant's argument that there was not an alternate location for the equipment and he would hope that they would explore the ground source cooling situation. If that was not feasible, he would be okay with allowing the equipment to be placed as presented with a whole new landscape concept and adding elements that counted as landscape, however, would not count as a fence and to have elements that could exceed the 42"fence restriction.

Chair McCormack stated he felt the landscape should be layered, and to not have it appear that it was only there to act as a screen.

Applicant, Karen Villanueva, address on file, stated that she was understanding that they wanted to see a landscape package, not just an area of landscape that would be used for an obvious screen.

Committee Member Wheeler stated although they had met the noise requirement he suggested the use of solid mass materials to cut down the noise more.

Chair McCormack suggested layering, with smaller plants in the front, with the next layers being taller.

Committee Member Cathcart stated with the berm, some of the plant materials would instantly become much taller.

Mr. Abu-Dayyieh asked how far to the sidewalk could they go with landscaping?

Chair McCormack suggested taking out the turf and going all the way to the sidewalk and to begin the layering there.

Ms. Nguyen asked if the Committee Members were asking that the landscape immediately screen the units when installed or could the landscape grow to screen?

Committee Member Cathcart stated he felt they would want immediate screen.

Mr. Ayoub asked if they could get approval with the suggestions made and submit the landscape plan when they submit to Planning and Building?

Committee Member Gladson stated she had not believed they had the approval for that.

Ms. Aranda Roseberry asked if the applicant was referring to submitting to plan check?

Mr. Ayoub stated yes.

Ms. Aranda Roseberry stated the City would require an "at risk" letter. A letter that would state that the applicant was aware that they had not been approved and they would pay the fees and make any changes that were requested.

Committee Member Woollett stated he would want a very clear motion on the project. He had had too many projects ruined when applicants accepted manufacturer's recommendations and the projects could have gone a different way, however, the right questions were not asked.

Mr. Abu-Dayyieh stated they had been installing MRI units for over 20 years and they looked at every angle, every possible solution, and it was not always the least expensive way they chose. They looked at the aesthetics of the projects and the manufacturer's recommendations.

Chair McCormack made a motion to continue DRC No. 4403-08 and AA No. 0168-08, Citrus Medical Imaging Center, with the conditions contained in the Staff Report and with the following directions:

- 1. The applicant explore an alternate method of cooling, such as the one suggested by Committee Member Woollett.
- 2. To prepare an alternate landscape solution that would effectively present a new landscape concept that was a stand-alone landscape concept and acted as a screen upon the immediate installation of plant and other landscape elements.

SECOND: Bill Cathcart

AYES: Bill Cathcart, Adrienne Gladson, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

(3) DRC No. 4314-07 and MNSP No. 0542-07 - COURTYARD APARTMENTS

- A request for approval of landscaping associated with the DRC's previous approval of a new leasing office.
- 977 North Highland Street
- Staff Contact: Sonal Thakur, 714-744-7239, sthakur@cityoforange.org
- Previous DRC Meeting of September 17, 2008
- DRC Action: Final Determination

Assistant Planner, Sonal Thakur, presented a project overview consistent with the Staff Report.

Applicant, Dan Long, address on file, stated they had met with City Staff to accomplish the direction received from the DRC. On the slope of the bioswale, they explored ways to increase the slope to increase drainage. In increasing the slope it created other challenges. Physically it could be done; however, it created site challenges with the biggest challenge being water quality. In raising the grade there was a grade break. All the water that came onto the site required that it be treated. In working with Staff they came to the conclusion that the landscape treatments should be left as initially designed. It would allow them to treat all the water on site. With the 1% flow that it had currently, City Staff agreed that it was intended to be at 1% to allow the water to be percolated into the ground and have the water treated to be in compliance with the MPDS and their regulations. They looked at how could they treat the water in the bioswales and keep the trees. They could physically keep them, however, how could they get the bioswales around the trees. It had been recommended by the DRC that they go along the curb and gutter line. In reviewing the building plans that area was where the building footing would be and having drainage right up against the building would not be a safe situation. They looked at having the bioswale and to dig around the trees. Physically it could work, however, it would require cutting through the roots and compromising the root system of the Camphor trees and it created a safety issue. They studied it further and decided that removal of the trees would be the best option and they would plant additional trees and revise the type of foliage and ground cover that they would use. They had not come to these conclusions quickly, they had explored many alternatives and felt the proposed project was the best solution.

Applicant, Frank Radmacher, address on file, stated with the Camphor trees they were planted approximately 40 years ago and he felt they were the wrong trees for the wrong space. Whether the trees came out next week or next year they would eventually need to come out. They were lifting sidewalks and they presented a trip and fall issue. The property owner was concerned with that issue. No matter what was done with the building and the street scape it was just the wrong tree in the wrong place. He attempted to save trees whenever it was possible, with the proposed project he felt it was an appropriate measure to take. With the swell they wanted to save 1% to make them function in the proper manner, what was on the plan was a grass mix that was designed specifically for bioswales and elements like that to filter and slow down the water. It would be a tall grass that was not mowed and it was irrigated and would not always be wet depending on the run off. The edge would be kept fairly tailored as the grass would be behind a box that ran along the walk. They would increase the tree sizes to meet the City requirements.

Applicant, Bart Stryker, address on file, stated the bioswales were at 1%, which they could be at and still allow the water to percolate through the grass and not create a lake. It was a circulating system that would run through a pump and was treated in that manner.

Public Comment

None.

Chair McCormack opened the item for discussion.

Committee Member Cathcart stated they had needed to increase the size of the trees and particularly the Queen Palm trees.

Committee Member Gladson stated she was generally okay with the proposal; she relied on their engineers and landscape experts for feedback. She would not want trees to be just haphazardly cut down unless there was a very compelling reason to do that. The pictures to her told a lot, the trees appeared that they had been pruned over time and they did not provide much shading on the street. She would like to have more shade on the street and possibly planting new trees would do that.

Chair McCormack stated he agreed that the applicant had done a good job on choosing the right grass for the bioswale. He was skeptical that at 1% it would work, and in looking at the length and width of it with the water shed for the area, which would include the run-off from the roof and essentially from the entire street and with all that water being placed into a 1% it would not flow. It was a standard deal that on turf it should be 2%; when they dropped to 1% on turf it would not flow, the water would sit. He had completed projects that contained vertical sumps with placing them every 4' and they went down approximately 8' to allow the water to percolate down with the water flow at 1% to 2%. He had a real problem with the tree removal. He understood everything that was said, however, if everyone had the same view they would be clear cutting the whole City. He had spoken with the concrete guy at the City and the tree guy at the City and the City was in the thought process that they would not remove trees for a concrete sidewalk issue. The thinking that it was not the green thing to do and did not create value for the neighborhood. The City had a program for sidewalk grinding and replacement. He agreed that Camphor was probably not the right tree for their project and to have turf there and no provisions for deep water, the applicant was correct in that thinking. When driving around the neighborhood there were many Camphor trees. He had a struggle with supporting a project that took six mature Camphors out, and he felt it was not a good design and it would not look good. He understood the liability issues and he was from the school of thought that when there were trees such as those at the proposed project site he wanted to take every measure to keep them. He was not certain that they would get much from the proposed trees which were 15 gallon Queen Palms or 15 gallon Crape Myrtle trees. From a moral standpoint he was not from the thinking of clear cutting mature trees and replanting new trees, he felt it was the miniaturization of the urban forest and he had not believed in that. He believed in the right tree for the right space, unfortunately it was a tough thing for him to promote the removal of trees and not dealing with the trees they had. He could not support the project as presented. They could probably keep the trees, shave the sidewalk, place the bioswale in; however, the building foundation would not allow that.

Applicant, Barry Cottle, address on file, stated the buildings were approximately 55 years old and the trees were planted approximately 40 years ago. They had planted approximately 20 trees since they had been on the property. He had been served a lawsuit recently due to a sidewalk situation in Huntington Beach. The City had a lot to do, they had spoken with the City regarding the sidewalks and the City was way behind. They had hired their own grinder to work on the sidewalks. He believed that it was just the wrong trees that had been planted and they had proposed to plant more trees than would be taken out. They were looking at a long term solution.

Chair McCormack stated he understood their point of view, however, he had not felt a Queen Palm would do justice for what was currently there. He had the same situation in front of his own home with a Liquid Amber tree and a situation where the sidewalk was continually having to be ground. If it was the only tree on the street he could probably support its removal, however, there were many Camphor trees on the site.

Mr. Radmacher stated that the concept of the leasing office was that it was a separate element in the project and they had wanted it to be different with individual elements. He drove to Villa Park every day and he had noticed that the City was removing several Ficas trees and he understood the problems they created. They were the wrong parkway tree. It would be wonderful to just keep the trees; however, it was a fact of life that they lived in a litigious society now.

Chair McCormack stated Santa Monica dealt with the same issues.

Mr. Radmacher stated it was the mentality of the Community. He was speaking of public safety and he had not felt the trees were that great or that the pruning had been done properly. He felt that losing those trees would not cause anyone any particular heartache. He felt they were poorly maintained and the roots were a problem and they would come out eventually. They had not wanted to make the sales office look like the rest of the project; they had wanted it to stand out to draw attention to it.

Committee Member Wheeler asked that if the Camphor trees were removed could they plant another type of tree that was similar in form to the Camphor that would not cause the sidewalk problems?

Mr. Radmacher stated the problem was that they would be planting at the edge of the bioswale and the width was not great, they wanted to use Palm trees that would not have a spreading root system.

Committee Member Wheeler wondered if there was another tree that would be more compatible.

Mr. Radmacher stated he felt the Palm trees were not incompatible. There were no Palm trees currently there and the project did not have a landscape theme. He felt there needed to be changes made to the overall project as the project got older.

Committee Member Cathcart stated it bothered him to take out trees, however, in the proposed project the new building was so much different that blending the landscape was not an issue. He did feel that using larger Palm trees, trees that would make an impact was necessary. Removing

six large Camphor trees was not an issue for him if the new trees they chose to plant were larger trees.

Mr. Radmacher stated they could use 24" box and they would explore using 36" if they were able to use those. They would not be 40 year old trees and that had to be taken into consideration. He felt the Camphor trees on the site were poorly maintained and he had seen Camphors that were well maintained and that were spectacular trees. They had to be realistic and take into consideration the trip and fall issues.

Committee Member Gladson stated it was a balancing issue for her. The trees were on private property and balancing out what would be a great thing to keep and maintain them with the reality of the fact that they were not a public tree so to speak. It was looking at the lesser of the two evils and she was fine with the removal of those trees and the proposed landscaping.

Mr. Radmacher stated the Camphor trees needed to be planted in large open spaces such as a park.

Committee Member Cathcart stated the suggestions of placing cores in the bioswales would be appropriate to allow water drainage. One of the things that was important when critiquing other people's landscape plans was that everyone would choose something different and was it that important to interject those feeling when the applicant's solution was okay.

Chair McCormack pointed out an area on the plans that they could possibly keep a few of the trees.

Mr. Radmacher stated the area he pointed out was close to the foundation and they would need to trim the root base of those trees, and then again it would create a safety issue.

Committee Member Cathcart made a motion to approve DRC No. 4314-07 and MNSP No. 0542-07, Courtyard Apartments, with the conditions contained in the Staff Report and with the following additional conditions:

1. Add vertical sump areas to the bioswale.

Mr. Stryker stated with the vertical sump areas he believed they had not added additional vertical elements to comply with the water quality control requirements and they could add those if they were approved through those requirements.

Committee Member Cathcart revised his condition to read:

- 1. Add vertical sump areas to the bioswale within the guidelines of the Water Quality Management District.
- 2. The Queen Palms to be of a 10' round trunk height.

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SECOND: Adrienne Gladson

AYES: Bill Cathcart, Adrienne Gladson, Joe Woollett, Craig Wheeler

NOES: Tim McCormack

ABSTAIN: None ABSENT: None

New Agenda Items:

- (4) DRC No. 4404-09 and MNSP No. 0587-08 ROYAL STREET COMMUNICATIONS (LA2912B)
 - A proposal for a new roof-mounted wireless facility on top of an existing building in a commercial shopping center.
 - 7520 East Chapman Avenue
 - Staff Contact: Sonal Thakur, 714-744-7239, sthakur@cityoforange.org
 - DRC Action: Final Determination

Assistant Planner, Sonal Thakur, presented a project overview consistent with the Staff Report.

Applicant, Jackie Le, address on file, stated she had been working closely with Ms. Thakur and she had nothing further to add.

Public Comment

None.

Chair McCormack opened the item for discussion.

Committee Member Wheeler stated that in the Staff Report there was a notation that the equipment would be enclosed within the parapet and it would not be visible. In looking at the drawings they appeared to be behind the parapet and not within the parapet.

Ms. Thakur stated using the word enclosed was probably the wrong verbiage. The equipment would be surrounded so it would not be visible.

Committee Member Wheeler asked the applicant if she had been involved in the placement of the antennas on the northeast building of the complex. Those appeared to be cut into the parapet in a most unfortunate way. When looking at the parapet from the street it was very visible and he wanted to ensure that they were not looking at the same type of installation.

Ms. Le stated the proposal was to box in the antennas so they would be fully enclosed. They did not have time to revise the plans to show the completed enclosures.

Committee Member Cathcart stated if the equipment was surrounded by the parapet, was it also being enclosed again to cover the antennas?

Committee Member Wheeler asked if the drawings they had were obsolete as they would not be mounted behind the parapet?

Ms. Le stated that was correct. The equipment would be entirely boxed in with a new wall on the back side.

Committee Member Wheeler asked if they could put a condition in to make sure they would not be adding anymore metal Z flashing. He had not wanted to add more lines and not add more siding onto the existing siding.

Committee Member Woollett suggested that the siding would be removed down to the existing flashing point and a new piece would be added to go all the way up.

Ms. Le stated they could certainly do that. Typically they would reproduce what existed on the building. They proposed to use a special fiberglass material which would allow the antennae to propagate the signal.

Committee Member Wheeler asked if they would use studs on the parapet or how had they planned to support it?

Ms. Le stated she did not have those specific details. There would be support in the back.

Committee Member Wheeler stated he wanted to make sure it would not warp out similar to the other installation he had spoken about.

Ms. Le stated she would note that to be addressed.

Committee Member Wheeler stated from Newport Avenue, from the south, the roof of the complex contained all different colors and materials and he suggested that the backside should be painted to match the front.

Ms. Le stated they intended to use a tan color to match the front.

Committee Member Gladson asked by adding the parapets were they going beyond the maximum height limit?

Ms. Thakur stated no, they were within the height limit.

Chair McCormack, referring to the plans, asked on the elevation it showed that an element was popping up above the parapet and then it showed them popping up above in another area as well?

Committee Member Wheeler stated he was looking at the equipment that was in the back/center of the building and not the equipment that was being located by the parapet.

Ms. Le stated the drawings were not done from the line of sight but from a ground level view.

Committee Member Gladson pointed to an exhibit and stated it read existing and there was something back there, and then on another exhibit it appeared to be photo shopped and she asked if it was all re-plastered?

Ms. Le stated where the antennas were and where the return was it might be re-plastered from the roof line, however, the outcome would match the existing treatments.

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Committee Member Wheeler asked if they would use some type of new horizontal joint between the plaster and the fiberglass material?

Ms. Le stated she was not certain of the exact process but the ones she had seen had been matched very well.

Chair McCormack asked if there was any way to square off that area?

Committee Member Wheeler stated it actually followed the motif of the center.

Ms. Thakur stated the applicant had initially suggested another design, however, Staff had suggested that they follow the same form that existed.

Committee Member Wheeler pointed out that on Sheet No. 3 the existing and the composed photographs were the same photograph just a different size. The Committee reviewed the plans.

Committee Member Wheeler made a motion to approve DRC No. 4404-09 and MNSP No. 0587-08, Royal Street Communications (LA2912B), with the conditions contained in the Staff Report and with the following conditions:

- (1) The new siding or siding substitute be installed without creating new horizontal joints and the new siding or siding substitute be carried down to an existing joint.
- (2) The back sides of the enclosures be painted to match the fronts of the enclosures.

SECOND: Joe Woollett

AYES: Bill Cathcart, Adrienne Gladson, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

ADJOURNMENT:

Committee Member Wheeler made a motion to adjourn to the next regular scheduled meeting on Wednesday, March 4, 2009 at 5:00 p.m. The meeting adjourned at 6:55 p.m.

SECOND: Bill Cathcart

AYES: Bill Cathcart, Adrienne Gladson, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None