



# *DESIGN REVIEW COMMITTEE*

## AGENDA ITEM

AGENDA DATE:      OCTOBER 21, 2015

TO:                    Chair McCormack and Members of the Design Review Committee

THRU:                Leslie Aranda Roseberry, Planning Manager

FROM:                Marissa Moshier, Associate Planner - Historic Preservation

SUBJECT:             DRC No. 4777-14 – University Food Mart & Gas

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### **SUMMARY**

The applicant proposes to remodel an existing service station and convenience store in the Old Towne Historic District (Historic District). The building is a non-contributor to the Historic District. On September 2, 2015, the Design Review Committee (DRC) approved the building, canopy and hardscape designs with the condition that the landscape design for the planting material, the building, canopy and awning color scheme, and the lighting design return to the DRC for final determination prior to issuance of a building permit.

### **RECOMMENDED ACTION – FINAL DETERMINATION**

Staff recommends that the DRC approve the proposed project, subject to conditions of approval contained in the staff report and any conditions that the DRC determines appropriate to support the required findings.

### **BACKGROUND INFORMATION**

Applicant:            Darlan, Inc.

Owner:                Mildar, LLC

Property Location:   480 N. Glassell Street

General Plan Designation:   OTMIX

Zoning Classification:   OTMU-15S

Existing Development:   2,417 SF service station and convenience store

Property Size:        16,712 SF

Associated Applications:   MNSP 0799-14

Previous DRC Review:   September 2, 2015

## **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 15301 (Existing Facilities), because the project involves remodeling and reopening an existing service station and convenience store with no expansion of the existing use. There is no environmental public review required for a Categorical Exemption.

## **PROJECT DESCRIPTION**

The applicant proposes to remodel and reopen an existing service station and convenience store with new storefronts, awnings, paint, signage, lighting and landscaping. On September 2, 2015, the DRC approved the building, canopy and hardscape designs with the following conditions:

1. The aluminum storefront shall be changed to a clear anodized aluminum.
2. Lettering on the signage shall be Antique Olive Semi-Bold.
3. The quatrefoil over the entry door shall be eliminated.
4. The following items shall return to the Committee prior to issuance of the building permit:
  - Landscape design for the planting material
  - Building, canopy, and awning color schemes
  - Lighting design

In fulfillment of DRC Condition 4, the applicant is returning to the Committee with revisions to the color scheme, planting materials, and light fixtures as follows:

- In response to DRC comments about the cohesiveness of the building and the canopy, the applicant is proposing to paint the body of the building and the canopy ICI The Master Palette “Indian Legend” (#A0083) and the trim ICI The Master Palette “Stonington Gray” (#A1845).
- The applicant is proposing a medium gray awning color, as shown on the color elevation and as recommended by the DRC as a potential replacement for the burgundy awnings originally proposed. Staff recommended that the applicant also provide a sample awning color in dark blue as an option for DRC consideration, given the warm beige tone of the proposed paint colors. Samples of both awning colors will be provided to the DRC at the meeting.
- The applicant revised the landscape plan to the following palette:
  - Italian Cypress

- Crape Myrtle (white)
- Queen Palm (existing)
- Cherry Laurel
- Kangaroo Paw (orange)
- Indian Princess (pink)
- Foothill Sedge

Staff recommends replacing the pink Indian Princess variety with a white variety and has included such as a condition of approval.

- The proposed light fixtures are LED Lexington lantern style post-top fixtures. The applicant is proposing a powder coated white finish for the luminaire and post. Staff recommended that the applicant also provide information on alternate finishes for the fixtures. These are included in Attachment 5. Staff is seeking DRC direction for the light fixture finish. Staff also included a condition that the color temperature for the area lights shall be neutral white (4000K).
- The applicant also revised the drawings to reflect the DRC's three additional conditions.

### **EXISTING SITE**

The site is developed with a 2,417 square foot service station and convenience store, constructed in 1969. There are eight existing pump stations. The building is a non-contributor to the Old Towne Historic District.

### **EXISTING AREA CONTEXT**

The property is located at the southwest corner of the intersection of N. Glassell Street and W. Walnut Avenue. It is at the northern boundary of the Old Towne Historic District. The property is surrounded by commercial and institutional uses on N. Glassell Street and by residences on W. Walnut Avenue. Surrounding properties are zoned OTMU-15S to the south, R-2-6 to the west, Public Institution (P-I)/Chapman University Specific Plan to the east, and C-1 to the north. Of the four properties on the south side of W. Walnut Avenue, three are contributors to the Historic District. Of the 10 properties on the west side of N. Glassell Street, five are contributors to the Historic District.

### **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.

2. **Landscape.**
  - a. The type, size and location of landscape materials shall support the project's overall design concept.
  - b. Landscaping shall not obstruct visibility of required addressing, nor shall it obstruct the vision of motorists or pedestrians in proximity to the site.
  - c. Landscape areas shall be provided in and around parking lots to break up the appearance of large expanses of hardscape.
3. **Signage.** All signage shall be compatible with the building(s) design, scale, colors, materials and lighting.
4. **Secondary Functional and Accessory Features.** Trash receptacles, storage and loading areas, transformers and mechanical equipment shall be screened in a manner, which is architecturally compatible with the principal building(s).

## **ANALYSIS/STATEMENT OF THE ISSUES**

### **Issue 1: Color Palette**

At the September 2 meeting, the DRC recommended a cohesive color scheme for the building and canopy and suggested a cream/off-white as a primary color to coordinate with the Arco signage. The applicant is proposing a unified color palette for the building and canopy with an off-white canopy (ICI The Master Palette "Indian Legend" (#A0083)) as the primary color and a beige/gray (ICI The Master Palette "Stonington Gray" (#A1845)) as an accent for the trim. The DRC recommended a medium gray for the awning material to coordinate with the clear anodized aluminum storefronts. The applicant provided a sample of a medium gray awning as shown in the color elevation. Staff also recommended that the applicant provide a sample of a dark blue awning to coordinate with the Arco signage for the DRC's review at the meeting. Staff is seeking DRC's direction on the awning color.

### **Issue 2: Light Fixtures**

The applicant proposes to remove three existing area lights and to install five new LED lantern style, post-top lights. Based on the DRC discussion at the September 2 meeting, the applicant chose to continue with the lantern style luminaire as a more "historical" option, reflecting the property's location at a major entrance to the Old Towne Historic District. Two of the lights will flank the brick "Old Towne Historic District" monument sign at the intersection of Walnut Avenue and Glassell Street. The applicant is proposing a white finish for the luminaire and post. Staff also recommended that the applicant consider a black or other metal fixture to coordinate with the approved pole sign, wall sign, and storefront materials. The applicant provided the color options for the luminaires (See Attachment 5). Staff is seeking DRC's direction on the light fixture finish.

### **Issue 3: Plant Palette**

At the September 2 meeting, the DRC recommended exchanging the pink Crape Myrtle for the white variety, using plantings that provide greater screening for the propane tank, and replacing the Myoporum with a low grass. The revised plant palette of Italian Cypress, white Crape Myrtle,

Cherry Laurel, orange Kangaroo Paw, Indian Princess, and Foothill Sedge reflects the DRC's recommendations. The DRC recommended eliminating the pink flowering varieties from the landscape palette, so staff has included a condition of approval to replace the pink Indian Princess (*Rhaphiolepis* 'Pinkie') with the white variety (*Rhaphiolepis* 'Clara').

### **ADVISORY BOARD RECOMMENDATION**

SMART, formerly the Staff Review Committee, recommended approval of the project to the Design Review Committee on June 17, 2015.

### **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 approve the project with 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.G.1).*

The proposed project is in conformance with the Old Towne Design Standards, which are the prescriptive design criteria for projects within the Old Towne Historic District. The remodeling includes minimal changes to the existing building, which are compatible with the character of the Historic District. The design changes and the proposed colors and materials are appropriate for a non-contributing building in the Historic District. The proposed landscape palette is in keeping with the scale of the property and the building, and will screen portions of the parking areas and mechanical equipment from the street. The proposed project does not adversely affect the Historic District and is in conformance with the Old Towne Design Standards.

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.G.2).*

Projects found to be in conformance with the Old Towne Design Standards are generally considered to be in conformance with the *Secretary's Standards*. In conformance with Standard 9, remodeling the existing non-contributing building does not impact historic materials that characterize the Historic District. The proposed design elements, including

the landscape palette, paint colors, awnings and light fixtures, are compatible with similar architectural features on contributing buildings in the Historic District. In conformance with Standard 10, reuse and remodeling of the existing building will not impair the form and integrity of the Historic District, because the mass, scale and design of the building is compatible with the Historic District. The proposed project is in conformance with the *Secretary's Standards*.

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.G.3).*

Projects located within the Old Towne Historic District must comply with the Old Towne Design Standards and *Secretary's Standards* (as applicable). As described above, the proposed work conforms with these design standards.

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.G.4).*

This project does not involve residential infill development. The *City of Orange Infill Residential Design Guidelines* do not apply, and this finding does not apply.

## **CONDITIONS**

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

### **Community Development Department Conditions of Approval from October 21, 2015**

1. The channel letter sign on the building shall be centered in the gable end.
2. Rhapsiolepis 'Clara' shall be used in place of Rhapsiolepis 'Pinkie' in the landscape plan.
3. The LED Lexington light fixtures shall have a Neutral White (4000K) color temperature.

### **DRC Conditions of Approval from September 2, 2015**

4. The aluminum storefront shall be changed to a clear anodized aluminum.
5. Lettering on the signage shall be Antique Olive Semi-Bold.
6. The quatrefoil over the entry door shall be eliminated.

### **Community Development Department Conditions of Approval from September 2, 2015**

7. All construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled Attachment 5 in the staff report (date stamped received October 6,

2015), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee.

8. 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 permit, save and except that caused by the City's active negligence.
9. Except as otherwise provided herein, this project is approved as a precise plan. After any application has been approved, if changes are proposed regarding the location or alteration of any structure, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, the Community Development Director may approve the changed plan without requiring a new public meeting.
10. Prior to the 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.
11. Construction permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building Division and Public Works Grading Division. Failure to obtain the required building permits will be cause for revocation of this permit.
12. All structures shall comply with the requirements of Municipal Code – Chapter 15.52 (Building Security Standards), which relates to hardware, doors, windows, lighting, etc. (Ord. 7-79). Approved structural drawings shall include sections of the security code that apply. Specifications, details, or security notes may be used to convey the compliance.
13. The final approved conditions of approval shall be reprinted on the first or second page of the construction documents when submitting to the Building Department for the plan check process.
14. If not utilized, project approval expires twenty-four months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060. The Planning entitlements expire unless Building Permits are pulled within 2 years of the original approval.
15. The landscape plans and irrigation system shall comply with the City of Orange Landscape Standards and Specifications, as determined by the Community Services Department.
16. Prior to issuance of a certificate of occupancy, the existing tree stumps and roots shall be removed in their entirety, including subsurface excavation. Stump grinding to grade is not sufficient to comply with this condition.
17. The final landscape plan shall include a detail drawing of the proposed new planting curbs, including footings.
18. Prior to the issuance of a building permit, the applicant shall submit a water improvement plan to the water division for new fire hydrants, domestic water services, fire suppression services, landscape services, and or any other proposed improvements or relocations affecting the public

water system appurtenances for review and approval. The applicant shall be responsible for the costs associated with the proposed improvements.

19. Prior to the issuance of a building permit, the applicant shall be responsible for the installation/relocation of the proposed/existing public water system appurtenances as necessitated by the proposal to a location and of a design per the improvement plans approved by the water division.
20. Prior to approval of the water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspection charges as determined by the water division.
21. All hot taps required on existing city mains to provide water service to any lot, parcel or subdivision shall be performed by city crews at the developer's expense in accordance with the fee schedule established by resolution of the city council.
22. Prior to building permit issuance, the water division shall approve the type and location of the domestic, landscape and or fire suppression service back flow prevention devices for proposed city services.
23. Prior to building permit issuance, construction documents shall show that the installation of new water mains and new supply lines in the vicinity of pipelines conveying sewage, storm drainage and or hazardous fluids is done per the water division's standard number 113.
24. Prior to building permit issuance, construction documents shall show that a six foot minimum horizontal clearance and a one foot minimum vertical clearance would be maintained between city water mains, laterals, services, meters, fire hydrants and all other utilities except those identified in the water division's standard number 113.
25. A minimum of fourteen-calendar days prior construction, the applicant's Engineer of Record shall prepare and provide product material submittals consistent with the approved water improvement plans as approved by the water division, for all proposed public water system facilities to the water division for review and approval.
26. The applicant/developer shall furnish and install individual pressure regulators on the private side of new services where the incoming pressure exceeds eighty pounds per square inch.
27. Prior to the issuance of a certificate of occupancy, the applicant shall be responsible for the installation of necessary fire hydrants and fire suppression services as determined by the fire department and water division.
28. Prior to the issuance of certificates for use of occupancy, the applicant shall demonstrate the following to the Public Works Department:
  - a. That all structural and treatment control best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with the approved plans and specifications,
  - b. That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
  - c. That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.



29. Prior to the issuance of certificates for use of occupancy or final signoff by the Public Works Department, the applicant shall demonstrate to the satisfaction of Public Works, that the preparer of the WQMP has reviewed the BMP maintenance requirements in Section V of the WQMP with the responsible person and that a copy of the WQMP has been provided to that person. A certification letter from the WQMP preparer may be used to satisfy this condition.
30. The project applicant shall maintain all structural, treatment and low impact development BMPs at the frequency specified in the approved WQMP. Upon transfer of ownership or management responsibilities for the project site, the applicant shall notify the City of Orange Public Works Department of the new person(s) or entity responsible for maintenance of the BMPs.
31. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan and ensure the proposed landscape plans are consistent with the project grading plans and show the proposed storm water treatment Best Management Practices.

## **ATTACHMENTS**

1. Vicinity Map
2. Site Photographs
3. Survey Forms for 480 N. Glassell Street
4. Light Fixture Specifications
5. DRC Minutes from September 2, 2015 meeting
6. Color and Materials Samples (to be provided at meeting)
7. Plans (date stamped October 6, 2015)

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