

DESIGN REVIEW COMMITTEE AGENDA ITEM

AGENDA DATE: FEBRUARY 1, 2012

To: Chair Cathcart and Members of the Design Review Committee

THRU: Leslie Aranda Roseberry, Planning Manager

FROM: Robert Garcia, Associate Planner

SUBJECT: DRC No. 4527-11 7-ELEVEN

SUMMARY

The applicant is proposing to demolish an existing service repair station and construction a 2,798 square foot convenience store with fuel dispensing.

RECOMMENDED ACTION—RECOMMENDATION TO PC

Staff recommends the DRC recommend approval of the proposal to the Planning Commission, subject to conditions of approval contained in the staff report and any conditions that the Design Review Committee (DRC) determines appropriate to support the required findings.

BACKGROUND INFORMATION

Applicant/Owner: 7-Eleven/Rassol Eftekharian

Property Location: 615 S Tustin Street

General Plan Designation: GC (General Commercial)

Zoning Classification: C-1 (Limited Business)

Existing Development: Service repair station with fuel dispensing

Property Size: .5 acre (21,786 sq ft)

Associated Applications: CUP NO. 2817-11 and MNSP No. 652-11

Previous DRC Project Review: None

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

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 is a single structure that is less than 10,000 square feet and

where all necessary public services and facilities are in place. There is no public review required for CEQA.

PROJECT DESCRIPTION

The proposed new 2,798 square foot 7-Eleven convenience store will consist of different finish materials within an earth tone palette. The front façade will consist of varying wall planes which assist in the breaking up of the building mass while adding visual interest. The proposal will comply with the required parking spaces and with the landscape requirements including the required number of trees. The proposed design includes:

- Stucco finish used as a base color with darker accent colors.
- Dark trim paint to give contrast and definition to the building.
- Ledge stone and wood features are used to pronounce the front entrance.
- Roof system consists of a roof tile over the front entrance and parapet on the remaining build.
- Incorporating a stone veneer and stucco trim treatment to the existing canopy.
- Landscaping along the property boundaries to add visual interest.
- Signage is not part of this proposal.

EXISTING SITE

The half acre site is currently improved with an existing service station.

EXISTING AREA CONTEXT

The area is currently developed with commercial and multi-family residential uses.

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. **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

The proposal as currently submitted indicates that the proposed meets the Orange Municipal Code including, but not limited to the commercial development standards, parking standards and landscape standards. Staff believes that the proposal in general is appropriate given the location of the site.

ADVISORY BOARD RECOMMENDATION

None required

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 Planning Commission 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 architectural elements enhance visual interest to the proposed commercial building. The integrated theme of the proposed plan will help to uphold and improve the aesthetics of the community. The accent treatment and varying wall planes will enhance the proposed building frontage. The new landscaping and parking areas are consistent with the applicable 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.F.4).

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

CONDITIONS

The recommended 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 February 1, 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. Final landscape and irrigation plans are to be submitted to the City for review and approval. The landscape plan planting legend shall include a symbol and name, quantity and size for plant material and more detail indicating plant placement, location and spacing on plan.
- 4. The irrigation plan shall include symbol, manufacture, model, spray pattern and other irrigation equipment i.e. controller, backflow device, etc. Landscape plans shall include City required inspection notes.
- 5. All landscape areas shall be shall be maintained in a neat and healthy condition. Should the plant material die, the business owner/operator shall replace it with new plant material.
- 6. The Final Water Quality Management Plan (WQMP) shall be reviewed and approved during the plan check process.
- 7. All mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building.

- 8. Signage shall be submitted separately. All signage shall meet the requirements in OMC Section 17.36.
- 9. Graffiti shall be removed from the exterior walls and windows of the licensed premises within 72 hours of discovery.
- 10. 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. The City shall promptly notify the applicant of any such claim, action, or proceedings and shall cooperate fully in the defense.
- 11. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.

The following code provisions are applicable to this project, and are included for information only. This is not a complete list of requirements, and other code provisions may apply to the project.

- 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.
- 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.
- These conditions shall be reprinted on the first page of the construction documents when submitting to the Building Department for the plan check process.

ATTACHMENTS

- 1. Vicinity Map
- 2. Photographs of Site
- 3. Color Rendering
- 4. Plans date labeled February 1, 2012

cc: Joseph Karaki
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