DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE:	MAY 2, 2012
TO:	Chair Woollett and Members of the Design Review Committee
THRU:	Leslie Aranda Roseberry, Planning Manager
FROM:	Doris Nguyen, Associate Planner
SUBJECT:	DRC No. 4625-12 – Orange Town and Country Center Sign Program

SUMMARY

The applicant is proposing to modify the existing sign program to allow two lines of copy instead of one line of copy on all signs and to add the General Requirements typically added to current sign programs.

RECOMMENDED ACTION – FINAL DETERMINATION

Staff is requesting that the DRC approve the proposed project.

BACKGROUND INFORMATION

Applicant/Owner:	Sign Contractors Inc for Orange Town and Country SPE, LLC
Property Location:	745-791 South Main Street
General Plan Designation:	Urban Mixed Use 1.5-3.0 FAR (UMIX)
Zoning Classification:	Urban Mixed Use (UMU)
Existing Development:	105,500 SF of retail/restaurants
Property Size:	8.26 acres
Associated Applications:	None
Previous DRC Project Review:	None

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Existing

Facilities) because the project includes modification to an existing sign program. There is no environmental public review required for a categorical exemption.

PROJECT DESCRIPTION

The applicant is proposing to modify the existing sign program to allow two lines of copy instead of one line of copy on all signs and to add the General Requirements typically added to sign programs today. Currently, Bullet 2 of the General Sign Criteria and Restrictions page of the existing sign program restricts signs to one line of copy. The proposed sign program is included as Attachment 3 and the existing sign program as Attachment 4.

Staff has also requested that the applicant add the General Requirements that are standard on all sign programs processed within the last few years. Samples of the General Requirements include submittal and permit requirements, maintenance responsibilities, approval responsibilities, prohibited signage, and items not covered in the program default to the Orange Municipal Code (OMC).

There are no other changes are proposed.

EXISTING SITE

The existing 8.26-acre property has three commercial buildings comprised of 105,500 SF of retail and restaurant tenants. It is located on the south east corner of Main Street and La Veta Avenue.

EXISTING AREA CONTEXT

Surrounding property to the north and south include mixed use developments with retail and apartments, lofts. There are office buildings to the east and the Santa Ana Main Place mall to the west. The properties to the south and west are within the City of Santa Ana.

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 Lines of Copy:
The applicant is requesting to modify the existing sign program to allow two lines of copy on wall signs and the freestanding monument. Currently, Bullet 2 of the General Sign Criteria and Restrictions page of the existing sign program restricts signs to one line of copy. Staff has also requested that the applicant add the General Requirements that are standard on all sign programs processed within the last few years.

In researching the development history of why one line of copy was originally placed in the sign program. Staff assumes that it was a landowner preference because the OMC Sign Ordinance from 1997-1998 did not restrict signs to one line of copy. The current 2012 Sign Ordinance also does not restrict signs to one line of copy. There was no mention of the lines of copy in the 1998 DRB meeting minutes, which are attached as part of Attachment 4. The 1998 staff report was not available for review.

Currently, there are 5 signs within the subject center that have two lines of copy as listed below. Photos of the stores are included as part of Attachment 2.

Store Name	Address
The Flame Broiler	745 S. Main St #150
Men's Wearhouse	745 S. Main St #100
Pat & Oscar's	763 S. Main St #200 A & B
Arriba! Baja Grill	745S. Main St #170
Barnes& Noble	791 S. Main St #100

In researching the Building Permits for the existing signs, it seems that a determination was made for signs that were trademarked as two lines of copy. In these cases, the registered

trademark overruled the sign program. The applicant is requesting to formalize this change to allow two lines of copy for any tenant.

ADVISORY BOARD RECOMMENDATION

None

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 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).*

   This project site is not within the Old Towne Historic District; therefore, this finding does not apply.

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).*

   This project site is not within the National Register Historic District; therefore, this finding does not apply.

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 project is located within the Orange Amended Redevelopment District's South Main/La Veta Thematic District. Although the State is in the process of closing the Redevelopment Agencies, the District and associated Design Guidelines are still intact until the City Council rescinds them. At the date of printing, this matter has not been agendized for discussion by the City Council; therefore, staff continues to use the Guidelines. The section specific to the South Main/La Veta Thematic District does not address signage. Page 20 of the general guidelines discusses signage and refers readers

to the Orange Municipal Code Sign Ordinance. The Sign Ordinance does not restrict the number of lines of copy; therefore, the proposal is consistent with the OMC.

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).*

   This project is not an infill residential development; therefore, this finding does not apply.

CONDITIONS

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

1. Following the DRC meeting, and prior to issuance of a building permit, the applicant shall provide the City with two copies of the final sign program which incorporates any comments from the DRC.
2. All future sign construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled Attachment 3 in the staff report (date stamped received April 17, 2012), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Any change to the signage from the approved plans shall be subject to review and approval by the Design Review Committee.
3. 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.
4. The applicant, business owner, managers, successors, and all future assigns 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.
5. Except as otherwise provided herein, this project is approved as a precise plan. After any application has been approved, if changes are proposed, 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 hearing.
6. Any future expansion in area or in the nature and operation of the sign program approved by Design Review Committee No. 4625-12 shall require an application for a new or amended application.
7. 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.

8. Construction permits shall be obtained for all future 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.
9. 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.

ATTACHMENTS

1. Vicinity Map
2. Photos of Existing 2-Line Signs
3. Proposed Sign Program (date stamped received April 17, 2012)
4. Existing Sign Program for DRB 3259-97 and Sept. 9, 1998 DRB meeting minutes

cc: Sign Contractors Inc
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