DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE:	MAY 15, 2013
TO:	Chair Fox and Members of the Design Review Committee
THRU:	Leslie Aranda Roseberry, Planning Manager
FROM:	Doris Nguyen, Associate Planner
SUBJECT:	DRC No. 4673-13 – Lazy Dog Café Addition

SUMMARY

The applicant proposes to add 1,063 SF of indoor dining and storage space to the existing 12,276 SF restaurant.

RECOMMENDED ACTION – FINAL DETERMINATION

Staff is requesting that the DRC approve the proposed project.

BACKGROUND INFORMATION

Applicant/Owner:	Lazy Dog Café at the Stadium Promenade
Property Location:	1623 W. Katella Ave, Suite 212
General Plan Designation:	Urban Mixed Use (UMIX)
Zoning Classification:	C-R (Commercial Recreation)
Existing Development:	12,276 SF restaurant
Property Size:	24.5 acre center
Associated Applications:	MNSP 724-13

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 the addition of 1,063 SF to an existing 9,837 SF building plus 2,439 SF patio. The addition does not increase the size of the building by more than 50%;

nor is it greater than the 2,500 SF threshold. There is no environmental public review required for a Categorical Exemption.

PROJECT DESCRIPTION

The applicant, Lazy Dog Café, is requesting to expand the existing building by adding 1,063 SF to the 12,276 SF restaurant. The existing total SF is divided between the 9,837 SF building and the 2,439 SF patio. The building expansion is expected to add 56 new indoor seats to the existing 251 indoor and 64 outdoor seats. After the addition, the restaurant would have a total of 371 seats. The restaurant is open 11:00 am to 11:00 pm Monday – Thursday, 11am to midnight Friday and Saturday, and 10:00 am to 11:00 pm on Sundays. The hours are expected to remain the same. The intent of the addition is to accommodate the dining crowd during event nights at the nearby stadiums.

The area of the façade is currently used as a dog play area, see Attachment 2. The proposed addition would change the look of the existing façade along one of the main entrance driveways into the Stadium Promenade. The addition provides an 18'-4" tall extension on the south elevation, close to the east side of the building. It would add storefront windows, new rough sawn canopies, chain link downspouts, and stucco walls with stone sills.

As part of the addition, the applicant proposes to repaint the entire building. The main stucco walls would be repainted in Dunn Edwards Cinnabar (DE 5209), Leaf Print (CL 2826A), Burmese Tan (DE 5332). The canopies would have rough sawn douglas fir fascia.

The applicant currently has an Alcohol Beverage Control Type 47 license to sell beer, wine, and distilled spirits under the existing CUP 2608-06, PC Resolution No 46-06. The addition requires that they modify the CUP to include the additional square footage in order to sell or serve alcohol in the addition. The applicant has requested to bifurcate the site development from the CUP so that they can construct the addition during the summer, while simultaneously processing the CUP modification. The applicant understands that if the CUP modification is not approved, and the construction is complete, they can serve food, but cannot sell or serve alcohol in the 1,063 SF interior addition. Therefore, the DRC is the final determining body for project numbers DRC 4673-13 and MNSP 724-13, which includes the building construction, change in color palette, and landscape modifications.

EXISTING SITE

The Stadium Promenade consists of an eclectic mix of building materials, colors, and architecture. Uses with the property include several freestanding buildings occupied primarily with restaurants, a multi-screen movie theatre, along with a parking lot that serves the on-site uses. The building has green and tan colored stucco walls with a brown horizontal trim band at the top of the building, stone towers, and a stone wainscoting at the base. The windows on the south elevation are currently trimmed with stained wood, and then trimmed with wood painted red. The windows are covered with metal canopies that are held up by angled metal support

rods. There is landscaping lining the outer limits of the space to screen it from the entrance driveway, while the dog play area is mostly open and covered with decomposed granite.

EXISTING AREA CONTEXT

Surrounding property to the north, south, east, and west include a mix of industrial, commercial, and office tenants. This is because the C-R zone accommodates a wide variety of land uses ranging from commercial to industrial 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. **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 Exterior Improvements:

The applicant proposes to modify the exterior of the building. The proposed exterior architectural treatments are internally uniform in design, complimentary in color to the other existing buildings, and reflect an appropriate pedestrian scale in relation to the building height. The design does not necessarily match the façade of the adjacent tenants or any other pad tenant in the center. However, the central theme for the center is that each tenant is unique and unduplicated. Each tenant in the center seems to maintain the appearance of a stand-alone site.

Buildings in the center are moving towards using deeper, richer tones on the buildings. The applicant proposes to use dark red metal window trims with the existing dark brown cornice. They would offset the darker colors with the use of greens, orange, and yellow for the main body.

Currently, there are douglass fir doors and window frames that are stained. The natural wood frames trim the existing red aluminum storefront windows. The applicant is proposing to paint the natural wood frames red to match the metal store front so that the entire wood and metal trim would be ruby red in color. Staff does not support painting the natural wood trims red. The center may not have many architectural elements that tie it together, but has maintained that the majority of the stone, brick, and stained wood remain natural. The natural wood also adds to the rustic feel of the building and ties the building to the exterior elements like the wood trellis, outdoor seats, and proposed natural wood fascia on the addition.

Currently, the building is mostly stucco with wood trim and stone wainscoting and towers. Many other restaurants in the center have multiple materials to add interest to the building facade. The applicant previously showed stone wainscoting on the addition, however, that specific style of stone on the existing building is no longer available; therefore, the applicant is showing a stucco base and covering it with landscape.

Issue 2 Landscape:
The proposed landscape plan is shown on the same sheet as the site plan, see Sheet A-1 of Attachment 3. The irrigation and planting plans for the existing Lazy Dog Cafe have been added to the end of the plans for reference; see Sheets L-1 and L-2 of Attachment 3. No new irrigation plans are provided. The applicant intends on bidding the irrigation plans as a design/build contract if the proposal is approved. The new addition proposes to choose plants from the same palate currently on-site. To cover the lack of stone wainscoting, the applicant proposes the use of 1 gallon flax, planted at 18" on center. In front of that, they propose 5 gallon coast rosemary, planted at 36" on center. Staff is requesting direction from the DRC whether this screening is considered adequate.

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 not located within any specific plan area or area with specific design standards. The Stadium Promenade center is an eclectic mix of building materials, colors, and architecture. The addition would be complementary to the building, allowing for natural light into the restaurant. The darker colors and use of mixed materials match other buildings in the center. However, painting all of the natural wood trim on the doors and windows would not maintain an internally consistent design theme since the building has a rustic design, and the stained wood ties the building to the exterior elements on the patio.

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. All signage shall comply with the Stadium Promenade Sign Program. Any deviation from the sign program would require a formal request to amend the sign program.
2. The stained wood trim surrounding the windows and doors shall not be painted.
3. 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.

4. 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 as approved by the Water Division.
5. Plans submitted during plan check shall show that the water improvement plans are consistent with the fire suppression plans and/or fire master plan. The applicant's consultant preparing the water improvement plans shall coordinate their plans with the consultant preparing the fire suppression plans and or fire master plan so that their designs concur.
6. 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.
7. Prior to building permit issuance, construction documents shall show that permanent signs, awnings, surface water quality management features such as but not limited to infiltration planters, basins, pervious pavement or other structures are not installed over the City's water mains, laterals, services, meters, and fire hydrants.
8. A minimum of fourteen-calendar days prior to public water construction, the applicant's civil engineer 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.
9. All 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 May 2, 2013), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Further, exterior building color and materials shall conform to the plans and color and materials board approved by the Design Review Committee on May 15, 2013. Any change to the exterior of the building from the approved plans shall be subject to review and approval by the Design Review Committee.
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 permit, save and except that caused by the City's active negligence.
11. 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.
12. 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.

13. 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 use or 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 hearing.
14. Plans submitted for Building and Fire Plan Check shall comply with the California Fire Code as amended by the City and as frequently amended and in effect at the time of application for Building Permit.
15. Applicant/developer shall be aware that all work within the public right-of-way requires the issuance of an Encroachment Permit. Such work includes, but is not limited to, work on the sidewalk, driveway construction, and utility laterals.
16. 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.
17. 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.
18. 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.
19. 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. Existing Site Photos
3. Site Plan/Landscape Plan, Floor Plan, Exterior Elevations, Existing Irrigation and Landscape plans (date stamped received May 2, 2013)

cc: RSI Group
ATTN: Cody Cowan or Moni Dosanjh
3187 Airway Ave, Suite A
Costa Mesa, CA 92626

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