DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE: JUNE 19, 2013

TO: Chair Fox and Members of the Design Review Committee

THRU: Leslie Aranda Roseberry, Planning Manager

FROM: Robert Garcia, Associate Planner

SUBJECT: DRC No. 4640-12 – BJ's RESTAURANT & BREWHOUSE

SUMMARY

The applicant, BJ's Restaurant and Brewhouse, is requesting review of the landscaping which was bifurcated by the by the Design Review Committee (DRC).

RECOMMENDED ACTION—FINAL DETERMINATION

Staff recommends the DRC review and approve the landscape plan 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:	BJ's Restaurant and Brewhouse
Property Location:	460 S. The City Drive
General Plan Designation:	UMIX (Urban Mixed Use)
Zoning Classification:	UMU (Urban Mixed Use)
Existing Development:	Shopping Center (New Pad Proposed)
Property Size:	73 acres (10,000 Proposed Pad SF)
Associated Applications:	CUP NO. 2873-12 & MNSP NO. 697-12

Previous DRC Project Review: November 7, 2013

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

The new restaurant square footage is part of the former Block at Orange Expansion Final Project. An Addendum to Environmental Impact Report (FEIR) served as the environmental review of the modified Block at Orange Expansion project, as required pursuant to the provisions of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,

the State CEQA Guidelines, and the City of Orange Local Guidelines for Implementing CEQA (Local CEQA Guidelines). There is no public review required.

PROJECT DESCRIPTION

At the DRC meeting of November 7, 2012, the DRC reviewed a proposal to construct a new BJ's Restaurant and Brewhouse at the Outlets at Orange. At the DRC meeting, the Committee recommended approval of the building layout and design, but requested that the landscaping return to the DRC for further review and a determination.

EXISTING SITE

The Outlets at Orange is currently developed with a variety of retail shops and restaurants, a movie theater, bowling alley and a skate park. The Outlets currently contains nine buildings with a gross building area of 887,877 square feet.

EXISTING AREA CONTEXT

The surrounding area is currently developed with a mix of commercial and institutional uses including hotels, office towers, the UCI Hospital, County judicial and animal control facilities and a City fire station. The site is bordered to the south by the 22 Freeway.

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:

- **Landscape**.
    - The type, size and location of landscape materials shall support the project's overall design concept.
    - Landscaping shall not obstruct visibility of required addressing, nor shall it obstruct the vision of motorists or pedestrians in proximity to the site.
    - Landscape areas shall be provided in and around parking lots to break up the appearance of large expanses of hardscape.

ANALYSIS/STATEMENT OF THE ISSUES

The applicant has made some of the changes to the landscape palate as requested by the Committee. In particular, the Committee was requesting that the landscape plan be reviewed for spacing and plant choices, such as Rosemary Huntington Carpet, the Flaxes, and Chinese flame trees. Another issue the Committee had an interest in was in looking at the irrigation.

ADVISORY BOARD RECOMMENDATION

No additional review for the landscaping plan.

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 PC 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 design of the project landscape creates a cohesive theme since the proposal utilizes type, size and location of landscape materials that support the project's overall design concept. The theme of the landscape plan will help to uphold and improve the aesthetics of the community at the Outlets at Orange. The design of the project creates a cohesive theme since the proposal utilizes building forms and features compatible to other establishments in the chain

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 approval of this project is subject to the following conditions, as it relates to landscaping:

1. All construction, including landscaping and site design shall conform in substance and be maintained in general conformance with plans and exhibits date labeled June 19, 2013, including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Any change to the approved plans shall be subject to review and approval by the Design Review Committee.
2. Prior to the issuance of a Certificate of Occupancy, all parking lot and landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director or designee.
3. Prior to building permit issuance, final landscaping plans for the project shall be designed to comply with the City's Water Efficient Landscape Guidelines as described in Section IX et al of the City of Orange Landscape Standards and Specifications.
4. Security and design measures that employ Defensible Space concepts shall be utilized in development and construction plans. These measures incorporate the concepts of Crime Prevention through Environmental Design (CPTED), which involves consideration such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing and landscaping.
5. 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.
6. 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.
7. 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. Design Review Committee Minutes dated November 7, 2012
2. Plans date labeled June 19, 2013

cc: Nina Raey
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