DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE:	OCTOBER 16, 2013
TO:	Chair Fox and Members of the Design Review Committee
THRU:	Leslie Aranda Roseberry, Planning Manager
FROM:	Anne E. Fox, Contract Staff Planner
SUBJECT:	DRC NO. 4710-13 – WHO-SONG & LARRY'S EXTERIOR REMODEL

SUMMARY

The applicant proposes to remodel the interior and modify the exterior of a 7,705 square foot restaurant as a result of a re-branding of a Mexican restaurant chain from Acapulco to Who-Song & Larry's, including new signage.

RECOMMENDED ACTION – FINAL DETERMINATION

Staff is requesting that the DRC approve the proposed project.

BACKGROUND INFORMATION

Applicant/Owner:	Real Mex Restaurants/Stadium Promenade, LLC
Property Location:	1535 West Katella Avenue
General Plan Designation:	Urban Mixed Use (UMC)
Zoning Classification:	C-R (Commercial Recreation)
Existing Development:	7,705 SF freestanding restaurant building
Property Size:	24.50 Acres (Stadium Promenade Shopping Center)
Associated Applications:	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 15302 (Replacement or Reconstruction) because the project includes remodel for an existing building. There is no environmental public review required for a Categorical Exemption.

PROJECT DESCRIPTION

The applicant is remodeling the interior and modifying the exterior of an existing freestanding restaurant as part of a re-branding of the Mexican restaurant chain from an Acapulco to a Who-Song & Larry's. No additional square footage is proposed. The exterior modifications to be reviewed by the DRC are shown on the submitted plans provided as Attachments 2 & 3 and generally include:

- Sheets DM10 & DM30 – removal of overhead patio structure, removal of awning fabric, relocation of some of the awning structures, removal of all storefront signage, removal of light fixtures, and removal of storefront façade affecting all building elevations.
- Sheets A50, A51, & A60 – provide details and finish materials of new and retained/re-used structures that are further described in bullet points below.
- Outdoor patio area shows newly constructed overhead structure using a dark wood stained lattice over the outdoor bar-top area, existing thatched sunshades to remain over outdoor patio seating areas, awnings to be changed out to a "Tuscan" colored Sunbrella fabric, construction of new bar-top counter and back bar on patio area, and installation of new roll-up door at wall backing the bar-top area.
- All exterior finishes to be patched and resurfaced as necessary from the removal of appurtenant structures, and then painted to a new scheme using varying shades of grays with gold and aqua-colored accents on trim and column supports. The painting scheme includes the use of a "rust-drip" decorative paint applied just under the edge of the two and one-half wide wood planking used near the roof-top. New wood planking in a dark stain is also proposed to highlight the building entrance and used to break up the long, continuous wall elevations and give a finished appearance on all sides.
- Exterior light fixtures include wall-pack LED style focused downward to illuminate finishes on building exterior, an aluminum up/down fixture using spots at the building entrance columns and on each wood-column detail on all elevations, and a continuous LED strip of light at the underside of the two and one-half wide wood planking cap near the roof-top.
- Three new stencil-painted wall signs using black lettering with a gold outline, using ground-mounted uplights, are proposed on the exterior surface of the building elevations. One faces the intersection of Katella Avenue and the shopping center entrance drive, the second is located over the trellis at the building entrance, and the third oriented towards the parking lot area. The signs are proportionate to the wall surface area and comply with the Orange Municipal Code (OMC) requirements for wall signs.

EXISTING SITE

The Stadium Promenade shopping center 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 existing building is a 7,705 square foot restaurant building that currently operates as part of the Acapulco Mexican Restaurant chain. The building is primarily finished in lightly colored stucco with corporate color accents at the parapet, used for the signage, and awning materials.

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 Façade Remodel

The applicant proposes to significantly modify the exterior of the building to reflect the re-branding of the Mexican restaurant chain. 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 woods and deeply colored grays with vibrant gold and aqua-

colored accents, which is consistent with this thread of changes to the center overall. Proposed signage is consistent with the theme that the newly modified exterior will portray.

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. The darker colors and use of mixed materials match other buildings in the center lending itself to a more industrial warehouse appearance evoking a Mexican "cantina."

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 construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled as Attachments 2 and 3 in the staff report (label dated October 16, 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 substantially conform to the plans and color and materials board approved by the Design Review Committee on October 16, 2013. Any change to the exterior of the building from the approved plans shall be subject to subsequent review and approval by the Design Review Committee.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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.
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. Submitted Full-Size Plans (label dated October 16, 2013)
3. Submitted Color Elevations and Renderings (label dated October 16, 2013)

cc: Rex Shields
Real Mex Restaurants
5660 Katella Avenue, Suite 200
Cypress, CA 90630

Angela Tang
IDA
115 Pine Avenue, Suite 250
Long Beach, CA 90802

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