



# *DESIGN REVIEW COMMITTEE*

## AGENDA ITEM

AGENDA DATE: APRIL 16, 2014  
TO: Chair Imboden and Members of the Design Review Committee  
THRU: Leslie Aranda Roseberry, Planning Manager  
FROM: Robert Garcia, Associate Planner  
SUBJECT: **DRC No. 4744-14 – THE TILTED KILT RESTAURANT**

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### **SUMMARY**

The applicant proposes a new outdoor patio area of 1160 SF and making exterior changes for the outdoor patio at a restaurant building within the Stadium Promenade center.

### **RECOMMENDED ACTION – RECOMMENDATION TO PC**

Staff is requesting that the DRC make a recommendation to the Planning Commission regarding the aesthetics.

### **BACKGROUND INFORMATION**

Applicant/Owner: OC Restaurant Group, The Tilted Kilt  
Property Location: 1625 West Katella Avenue, Stadium Promenade  
General Plan Designation: Urban Mixed Use (UMIX)  
Zoning Classification: Commercial Recreation (C-R)  
Existing Development: 6,892 SF freestanding restaurant  
Property Size: 24.5 acres  
Associated Applications: CUP 2929-14 to serve alcohol in the new patio

### **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 a patio expansion and art work on an existing restaurant. There is no environmental public review required for a Categorical Exemption.

## **PROJECT DESCRIPTION**

The applicant is requesting a new outdoor patio area of 1160 SF and making exterior changes for the outdoor patio at a restaurant building within the Stadium Promenade center. The existing freestanding restaurant building would not change in size. The building is covered with stone, stucco, and wood. These elements would not change on the building. The proposed changes to the elevations only pertain to the new patio are described in detail below:

- Pilaster with Stacked Stone
- Plaster Wall to Match Existing
- Clear Glazing
- Exterior Light Sconces
- Prefabricated Stone Cap
- 24” Round Concrete Bollards

## **EXISTING SITE**

The Stadium Promenade consists of an eclectic mix of building materials, colors, and architecture. Uses within 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 is constructed with stucco and stone in tan and natural colors with a red Spanish tile roof.

## **EXISTING AREA CONTEXT**

Surrounding property to the north, south, east, and west include a mix of industrial, commercial, and office tenants. This is because properties within the C-R zone are allowed to flip between commercial and 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.

### **ANALYSIS/STATEMENT OF THE ISSUES**

The Stadium Promenade center is an eclectic mix of building materials, colors, and architecture. The proposed new patio would be consistent with the existing restaurant in that it would have compatible materials and colors. In addition, the existing freestanding restaurant building would not change in size. The proposed patio wall will consist of a 42” plaster wall with 60” pilasters and clear glazing around the outdoor seating area. The applicant is also proposing 24” round concrete bollards along the perimeter of the wall as requested by staff for safety purposes.

As a result of the patio expansion a portion of the existing landscaping will be removed. The applicant proposes to incorporate additional landscaping in front of the proposed patio to offset the loss of landscaping. In addition, the applicant is trying to achieve a good balance between providing adequate screening and preserving visibility from the street right-of-way. The proposed landscaping will consist of similar type trees (Italian Cypress) and shrub/groundcover. The proposed landscape will also provide concealment for the bollards.

### **ADVISORY BOARD RECOMMENDATION**

The Staff Review Committee (SRC) reviewed the proposal on February 5, 2014 and provided comments to the applicant. On March 19, 2014 the SRC reviewed and recommend approval on the revised proposal.

### **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 new patio would be consistent with the existing restaurant in that it would have materials and colors.

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**

If the DRC recommends approval, it should be subject to the following conditions and any others the DRC adds:

1. All construction shall conform in substance and be maintained in general conformance with plans and exhibits date labeled April 16, 2014, including modifications required by the conditions of approval, and as recommended for approval by the DRC. Any change to the exterior of the building from the approved plans shall be subject to review and approval by the DRC.
2. 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
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. 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. Existing Photographs
3. Plans

cc: Pacific Strategies  
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