

# DESIGN REVIEW COMMITTEE AGENDA ITEM

AGENDA DATE: JUNE 5, 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. 4667-13 – STARBUCKS COFFEE DRIVE THRU

#### **SUMMARY**

The applicant, Starbucks, is requesting review of the landscaping and site improvements which were bifurcated by the by the Design Review Committee (DRC), in order to allow additional studying and possible improvements.

# RECOMMENDED ACTION - RECOMMENDATION TO THE PLANNING COMMISSION

Staff is requesting that the DRC recommend approval to the Planning Commission (PC).

### BACKGROUND INFORMATION

Applicant/Owner: Starbucks Coffee Company

Property Location: 1630 E. Chapman Avenue

General Plan Designation: General Commercial (GC)

Zoning Classification: Limited Business (C-1)

Existing Development: Vacant

Property Size: 13,000 SF lot

Associated Applications: CUP 2894-13; VAR 2224-13, & MNSP 721-13

Previous Review: April 17, 2013

# Public Notice

No Public Notice was required for this project.

# ENVIRONMENTAL REVIEW

**Categorical Exemption:** The proposal is Categorically Exempt from the California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15303 (Class 3, New Construction or Conversion of Small Structures) because the project consists of a new building, less than 10,000 square feet of floor area.

#### PROJECT DESCRIPTION

At the DRC meeting of April 17, 2013, the DRC reviewed a proposal to construct a new 24-hour Starbucks coffee shop consisting of a drive-thru, walk-up service window. At the DRC meeting, the Committee recommended approval of the building layout and design, but requested that the landscaping and elements of the site improvements return to the DRC for further review and a recommendation.

# **EXISTING SITE**

The existing site is currently vacant, as a result, of the City's street widening efforts along the intersection of Chapman Avenue and Tustin Street the former existing service station was demolished.

# EXISTING AREA CONTEXT

Surrounding property to the north, west, south, and east include other commercial properties in the C-1 and O-P zones.

#### **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**.

- The architectural features shall reflect a similar design style or period.
- Creative building elements and identifying features should be used to create a high quality project with visual interest and an architectural style.

#### 2. 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.

#### 3. 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

At the DRC meeting of April 17, 2013, the Committee was concern with some of the site improvements as proposed, as well as the landscaping. The Committee requested that the applicant return with revised plans to address, if possible some site improvements that he Committee felt deserved further consideration by the applicant. These included the possible removal of a walkway for additional landscaping, clarifying a proposed wall on the Chapman Street side, and improving the landscape palate.

#### <u>Issue 1: Site Improvements</u>

The applicant along with staff have looked into the possibility of removing the curbing and ramp to the east of the parking spaces located at the south end of the parcel for additional landscaping including an additional tree. Based on the Building Official's determination the removal of the curb and ramp would create an unsafe condition. The removal would force pedestrians to walk along the required 25-foot wide two-way drive aisle.

The screen wall on the Chapman Street side is not a retaining wall. The elevation at this location is relatively flat, the grade differences are at the south side. The screen wall is a low screen wall providing a visual break to help protect the headlights when in the drive thru shining out to Chapman. The screen wall also serves to protect the landscape and to get people to circulate to the appropriate entrances. Further, the Police Department does not want a higher wall.

#### Issue 2: Landscape

The applicant has made some of the changes to the landscape palate as requested by the Committee. The changes include the multi-branched specimen shade tree and the type of flowering shade tree. The applicant has also included a cascading flowering perennial shrub to the existing retaining wall below the greenscreen panels. The applicant has not added any additional trees and is requesting to be allowed to only include 13 trees, which is partly mitigated by the tree size of the proposed trees.

# ADVISORY BOARD RECOMMENDATION

The Staff Review Committee (SRC) reviewed the proposal on March 6, 2013 and provided comments to the applicant on the submittal prior to making a recommendation. On April 3, 2013 the SRC reviewed the revised submittal and made a recommendation to approval with conditions.

# 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 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).
  - Although the project is located within the Orange Amended Tustin Redevelopment Area; there are no design standards for this area. The State has closed all the Redevelopment Districts; however, the City Council has not rescinded the designation.

The landscaping and site improvements are used to create a visual interest and a cohesive architectural style for the site in question. The theme of the proposed plan will help to uphold and improve the aesthetics of the community at the intersection of Chapman Avenue and Tustin Street. 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).

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 in addition to those previously recommended at the April 17, 2013 DRC meeting:

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 5, 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, the applicant shall prepare a final landscaping and irrigation plan consistent with the grading plans, site plans, and the conceptual landscaping plan as proposed for the project for the review and approval of the Director of Community Development and Community Services Directors or their designees.
- 4. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. 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. Design Review Committee Staff Report dated April 17, 2013
- 3. Design Review Committee Final Minutes dated April 17, 2013
- 4. Existing Site Photos
- 5. Landscape Plan, Site Plan, Floor Plan, Color Elevations date labeled June 5, 2013

cc: Matz Properties C/o Terry Matz 600 N. Tustin Avenue #150 Santa Ana, CA 92705