



# Agenda Item

## Design Review Committee

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**Item #:** 4.2.

8/3/2022

**File #:** 22-0443

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**TO:** Chair and Members of the Design Review Committee

**FROM:** Anna Pehoushek, Assistant Community Development Director

### 1. SUBJECT

Design Review No.5011-20, Old Towne Gateway, 401 W. Chapman Avenue

### 2. SUMMARY

Recommendation to the Planning Commission

The applicant proposes to rehabilitate two historic buildings for restaurant uses, demolish non-historic sheds, construct two new restaurant buildings, and establish a pedestrian connection linking N. Cypress and N. Lemon Streets.

### 3. BACKGROUND INFORMATION

Applicant/Owner: Old Towne Gateway, LLC

Property Location: 401 W. Chapman Avenue

General Plan Designation: Old Towne Mixed Use 6-15 du/ac, max. 0.6 FAR

Zoning Classification: Old Towne Mixed Use-15S (Santa Fe Depot Specific Plan)

Existing Development: Two historic buildings with a variety of non-historic additions and detached sheds on a 30,300 square foot site

Associated Applications: Major Site Plan Review No. 1013-20 and Tentative Parcel Map No. 0017-20

Previous DRC Project Review: the proposed project came before the Design Review Committee (DRC) on May 20, 2015 for preliminary review (MJSP No. 0788-14 and DRC No. 4765-14). At that time the project consisted of adaptive re-use of the two historic buildings as restaurants, 10 multi-family residential units, and subsurface parking. Since that time, the project description has changed significantly.

The project returned to the DRC for preliminary review on October 21, 2020 with a revised concept that included the adaptive re-use of the two historic buildings as restaurants and the construction of a new 2-story commercial building (without residential units).

### 4. PROJECT DESCRIPTION

Since the October 2020 preliminary project review, the project has been revised to consist of:

- Rehabilitation of the one-story brick historic building at the corner of W. Chapman Avenue and N. Cypress Street (401 W. Chapman Avenue) for use as a restaurant. Non-historic additions to the north and west of the building will be removed. A small addition will be constructed on the

west side of the building (total 6,690 sq. ft. building area). The addition will be substantially shorter than the historic building, set back from the front elevation, and finished in smooth plaster to contrast with the historic brick. The main restaurant entrance will be located at an existing door on N. Cypress Street. The rehabilitation includes use of the large outdoor area for restaurant dining. The outdoor area includes a bar with a conical sheet metal roof and a plaster and natural steel wall/fence at the street edge.

A large open “flex space” is incorporated west of the building addition to accommodate employee parking, deliveries and guest dining for special events. A steel frame open air canopy with a polycarbonate sheeting exterior cover and bamboo ceiling is proposed over this flex space, as well as an accessory storage building at the northwest corner of the space.

- Rehabilitation of the one-story Mission Revival building on N. Atchison Street (135 N. Atchison Street) for use as a fast-casual restaurant. Non-historic additions will be removed and exterior finishes will be repaired or replaced to match the original condition.
- Construction of a new one-story 3,470 sq. ft. commercial building on N. Cypress Street intended for restaurant use. The restaurant building would open onto an outdoor dining area north of the building. The 22 foot building height would be 4 feet lower than the maximum parapet height of the adjacent historic building at 401 W. Chapman Avenue. Walls would be finished with a buff colored brick. The east elevation features a large glass storefront, pre-cast trim to match detailing at 401 W. Chapman Avenue, and projecting steel channel fascia (awning) that wraps the building to also cover the outdoor dining area. A recessed smooth plaster finish bulkhead anchors the storefront window on the Cypress Street elevation.

The north elevation features clear glass skylights in aluminum frames above the steel awning, with a band of operable aluminum frame doors set into a smooth plaster finish wall below the awning.

- Construction of a new one-story 4,140 sq. ft. commercial building on N. Cypress Street intended for restaurant use. The building would be the same height as the new building to the south and would open onto an outdoor dining area south of the building in a similar manner to the adjacent new building, creating the appearance of an integrated courtyard dining space that frames the small historic building on Atchison Street. The building would be clad in red brick on the south, east, and west elevations, with the north elevation proposed as painted CMU to match the brick. Similar to the new building to the south, the east elevation features a large glass storefront anchored by smooth plaster finish bulkhead, and exposed steel fascia awning that wraps to the south elevation to cover the outdoor dining area.

The south elevation features clear glass skylights in aluminum frames above the steel awning,

with a band of operable aluminum frame doors set into a smooth plaster finish wall below the awning

- Creation of a sidewalk plaza space with a water feature as a transitional element between Cypress Street and the the outdoor dining areas.
- Creation of a pedestrian connection through the the site, linking N. Atchison and N. Cypress Streets, immediately north of the primary historic building. This connection was contemplated in the City's 2008 Depot-Plaza Pedestrian Connection Study.
- Creation of a small surface parking lot at the northwest corner of the site with two accesible parking spaces. In the Santa Fe Depot Specific Plan, the required parking for commercial uses is four spaces per 1,000 square feet of gross floor area. The existing and proposed commercial uses on site have a similar parking demand. However, the new restaurant area requires additional parking. The City acknowledges that off-site parking will be required to serve the development program, but recognizes that some of the parking demand may also be offset by pedestrian improvements completed with the project. In order to realize the long-desired paseo linkage between the alley between Lemon Street and Cypress Street through the project site to Atchison Street, the applicant will enter into a Development Agreement with the City to dedicate and maintain the paseo.
- Construction of a trash enclosure on N. Atchison Street behind the northernmost new building.
- Introduction of new landscaping on the site including 26 olive trees distributed through the site and assorted shrubs and groundcover in the outdoor dining, plaza, parking and service areas. Street trees are also proposed along the North Cypress Street and North Atchison Street frontages consistent with the Santa Fe Depot Specific Plan, with the precise number and placement to be coordinated with utilities and infrastructure.

## 5. EXISTING SITE

The site is developed with two historic buildings and a number of non-historic sheds and additions that were added to the historic buildings over time. The one-story brick building at the corner of W. Chapman Avenue and N. Cypress Street (401 W. Chapman Avenue) was constructed circa 1924 as an automobile dealership and is listed as a contributor to the National Register of Historic Places Old Towne Historic District (Historic District). The building has wood frame additions on the north and west sides that were constructed after 1940 and do not contribute to the Historic District.

The building in the northwest corner of the site (135 N. Atchison Street) was constructed between 1909 and 1922 as an electrical transformer building. The Mission Revival style building is covered on two sides by a later wood frame and sheet metal addition, which obscures the majority of the building from the street. Despite the large addition, the building appears to be largely intact and is identified

as a potential contributor to the Historic District in the City's historic resources survey.

One additional freestanding building is present on the property at 107 N. Atchison Street. This building was constructed after 1940 and is not a contributor to the Historic District.

A historic resource assessment of the property was prepared as part of the project application. This document is provided as Attachment 11.

## **6. EXISTING AREA CONTEXT**

The property is located on W. Chapman Avenue between N. Cypress and N. Atchison Streets. The site is within the historic railroad corridor in close proximity to the Santa Fe Depot Metrolink station. Surrounding properties include a mix of commercial, industrial, institutional, and residential uses.

The site is within a mixed use pedestrian-oriented area as identified in the Santa Fe Depot Specific Plan. See Attachment 5 from the Santa Fe Depot Specific Plan, which identifies Chapman Avenue as an "Active Retail Frontage" and Chapman Avenue and Cypress Street as "Primary Pedestrian Paths." The property is also identified in the 2008 Depot-Plaza Pedestrian Connection Study as an important mid-block pedestrian link between the Metrolink station and the Plaza. See Attachment 9.

## **7. ANALYSIS AND STATEMENT OF THE ISSUES**

### Issue 1: Response to DRC Feedback

The two previous iterations of the project received extensive comments from the DRC related to scale and massing of the new construction in relation to the historic structures. The earlier versions of the project also introduced contemporary forms and elements in a manner that competed with the historic structures. A summary of the October 2020 DRC feedback on the previous design program is provided in Attachment 6. The site plan and building elevations associated with that review are provided in Attachment 7.

Staff believes that the modifications made to the development program and new infill restaurant buildings addresses the scale, massing, and material issues raised by the DRC. The simplicity of the new structures, and choice of exterior finish materials complement the historic buildings on the site, and are compatible with the development context of the block. The arrangement of new buildings on the site serve to draw attention to the historic buildings.

The design of the street and courtyard facing elevations of the infill buildings enliven the N. Cypress Street streetscape, while the plain treatment of the remaining building elevations references a more traditional historic building interface condition. Landscaping along the western building elevations will provide an appropriate interface with the abutting plaza space and parking/trash enclosure area.

### Issue 2: Plan Implementation

The proposed site plan and landscape program responds to the urban design and pedestrian linkage objectives of the Santa Fe Depot Specific Plan through the introduction of street trees, plaza spaces, and perimeter site treatments that enhance the streetscape and function to integrate the street frontage of the site with the character of the Plaza to the east (Attachment 8). The project site is located in one of the Santa Fe Depot Specific Plan's Retail Street Frontage areas. The Specific Plan specifies that those areas should be designed to accommodate retail and restaurant uses, references the City's desire for the creation of paseo and public courtyard areas, and requires substantial open storefront windows and façade transparency. The Retail Street Frontage guidance also encourages

the use of open-wall storefronts such as retractable or folding walls. The proposed project responds directly to these Specific Plan standards.

The proposed paseo and related Development Agreement also fulfills the City's desire to provide mid-block connections to Depot Park and the Orange Transportation Center as an alternative to the constrained sidewalk condition along Chapman Avenue.

## 8. ADVISORY BOARD RECOMMENDATION

The City's interdepartmental Staff Review Committee reviewed the project on June 3, 2020, September 16, 2020, January 13, 2021, May 5, 2021, January 19, 2022, and April 20, 2022 at which time it made a recommendation of approval to the Planning Commission subject to conditions.

## 9. PUBLIC NOTICE

On July 21, 2022, the City sent a Public Notice to 120 property owners and occupants within a 400-foot radius of the project site. The project site has been posted with the notice in two locations on that same date.

## 10. ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15331 (Class 31 - Historical Resource Rehabilitation/Restoration) and 15332 (Class 32 - Infill Development Projects).

## 11. STAFF RECOMMENDATION AND REQUIRED FINDINGS

Findings for DRC applications come from four sources:

- The Orange Municipal Code
- The Infill Residential Design Guidelines
- The Historic Preservation Design Standards for Old Towne (commonly referred to the Old Towne Design Standards or OTDS)
- Orange Eichler Design Standards (or OEDS)

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.

- 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.G.1).

The proposed project is in conformance with the Old Towne Design Standards and Santa Fe Depot Specific Plan design standards. As discussed in the Analysis section of this staff report, the proposed project meets the *Secretary of the Interior's Standards for Rehabilitation*. The existing conditions and character defining features of the site and buildings will be retained and revealed, and changes to the site associated with the new buildings, plaza space, and outdoor dining areas will be made in a manner consistent with retaining the historic integrity as a contributing historic resource to the Old Towne Historic District. Features of the site proposed to be demolished are not historically significant and date outside of the period

significance for the historic structures. The adaptive reuse, in particular, of 135 N. Atchison Street will make the building publicly accessible and put it into active use.

The proposed new construction also complies with the Standards, as the addition to 401 W. Chapman is setback significantly from the south façade and both the Chapman Avenue and Atchison Street frontages making the historic building more readily visible than current conditions. The removal of non-historic sheds and rehabilitation of the 135 N. Atchison Street building will re-introduce this historic structure to street visibility from both the Atchison and Lemon Street frontages. The form, mass, and scale of the infill buildings have been designed to differentiate old from new, and complement the historic structures on the site. Their simple forms and contemporary application of historically referenced materials respect the integrity of the site and surrounding historic industrial and rail corridor context.

- In any National Register Historic District, the proposed work complies with the Secretary of the Interior's Standards and Guidelines (OMC 17.10.07.G.2).

The proposed project respects the integrity of the historic structures on the site by removing non-historic sheds, accessory structures, and fence material that hides the N. Atchison Street Mission Revival structure from view, and includes an adaptive re-use that enables that building to also be used by the public. The site plan and infill buildings elevate the appearance of the historic buildings, with the planned outdoor spaces providing a higher quality visual setting for viewing historic building materials and architectural features. The historic physical relationship between 401 W. Chapman Avenue and 135 N. Atchison Street will be revealed with removal of the non-historic building additions and accessory structures added to the site over time.

- 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.G.3).

The proposed project represents an integrated design theme that is internally consistent through the use of historically referenced building materials on the new building elevations. Infill building forms and materials also reflect the traditional historic industrial character of the Santa Fe Depot Specific Plan area. The use of brick and steel, along with the shape of the storefront openings facing N. Cypress Street respond to the surrounding context. The design of the new buildings make them subordinate to the primary historic structure at 401 W. Chapman Avenue, and their placement functions to provide a clear view of the 135 N. Atchison building from N. Cypress Street.

## 12. 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 Attachment 5 in the staff report dated August 3, 2022, including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee.

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 administratively.
3. Subsequent modifications to the approved architecture and color scheme shall be submitted for review and approval to the Community Development Director or designee. Should the modifications be considered substantial, the modifications shall be reviewed by the DRC.
4. 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. The City shall promptly notify the applicant of any such claim, action, or proceedings and shall cooperate fully in the defense.
5. The applicant 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.
6. Building permits shall be obtained for all future construction work, as required by the City of Orange, Public Works Department's Building Division. Failure to obtain the required building permits will be cause for revocation of this permit.
7. All signage shall comply with Chapter 17.36 Sign Regulations of the Orange Municipal Code.
8. If not utilized, project approval expires twenty-four months from the approval date. Extensions of time may be granted, if requested in writing in accordance with OMC Section 17.08.060. The Planning entitlements expire unless Building Permits are pulled within two years of the original approval.
9. In conjunction with construction, all activity will be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Saturday. No construction activity will be permitted on Sundays and Federal holidays.
10. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
11. Any graffiti shall be removed within 72 hours from the time the City of Orange Notice of Violation is received by the applicant/property owner.

12. Any new lighting on the premise shall be installed in such a way to direct, control, and screen the lighting to prevent off site light spillage onto adjoining properties and shall not be a nuisance to any point beyond the exterior boundaries of the property.
13. Prior to issuance of Certificate of Occupancy, the applicant shall schedule a light reading inspection with the Crime Prevention Bureau. The lighting shall be tested and confirmed to determine if the lighting meets or exceeds the exterior boundary standards. The applicant shall use shielding so as to ensure that the light standards meet the requirements of OMC Section 17.12.030 for areas beyond the property's exterior boundaries; light spillage or pollution to surrounding residential areas shall not exceed a maintained minimum of 0.5 foot-candle.
14. Prior to building permit issuance, the applicant shall demonstrate to the satisfaction of the Community Development Director that all mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building and painted to match the walls of the building.
15. Plans submitted for Building 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.
16. 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. The project landscape architect shall submit documentation certifying compliance with this requirement for review and approval by the Community Development Director or designee in coordination with the Public Works Director or designee.
17. 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 Community Development Director or designee in coordination with the Public Works Director or designee.
18. Landscape maintenance shall be performed in such a manner as to allow all trees to retain their full canopy height for screening and full canopy breadth for shade at point of maturity, except as required for public safety purposes.
19. Prior to building permit issuance, City required irrigation and landscape inspection notes, in accordance with the City of Orange Landscape Standards and Specifications, shall be placed on the final landscape plan, to the satisfaction of the Public Works Director or designee in coordination with the Community Services Director or designee.
20. Prior to certificate of occupancy, all landscaping improvements shall be completed according to the approved plans, the City of Orange Water Efficient Landscape Guidelines, and City of Orange Landscape Standards and Specifications. The project landscape architect shall submit documentation certifying compliance with this requirement (Appendices B and E of City of Orange Landscape Standards and Specifications) for review and approval by the Community

Development Director or designee, in coordination with the Public Works Director or designee.

21. The final landscape plan shall include a note that a fully automated irrigation system will be provided.
22. Prior to building permit issuance, landscape plans shall include landscape area calculations needed for State landscape water use reporting.
23. Prior to building permit issuance, the applicant shall work with the Public Works Department to confirm street tree quantity, size, spacing, species, and placement.

### **13. ATTACHMENTS**

- Attachment 1 Vicinity Map
- Attachment 2 Site Photographs
- Attachment 3 Applicant Letter of Explanation
- Attachment 4 Historic Resource Survey Forms
- Attachment 5 Project Plans
- Attachment 6 DRC Minutes October 2020
- Attachment 7 Project Plans October 2020
- Attachment 8 Santa Fe Depot Specific Plan Urban Design Framework
- Attachment 9 Depot-Plaza Pedestrian Connection Study
- Attachment 10 Old Towne Mixed Use Development Standards
- Attachment 11 Historic Resources Assessment