



# City of Orange

## Legislation Details (With Text)

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**Type:** PC/DRC Old Business **Status:** Agenda Ready  
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**On agenda:** 2/3/2021 **Final action:**  
**Title:** DRC No. 4933-17, Northern Gateway Commercial Center, 887 N. Glassell Street

A proposal to construct a new 1,872 square foot commercial building and relocate a 122 square foot historic gas station to the vacant property at the corner of N. Glassell Street and E. Collins Avenue.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 1 - Vicinity Map, 3. Attachment 2 - LP3 Response to DRC Comments, 4. Attachment 3 - Architectural, Civil, and Landscape Plans date stamped 11/16/2020, 5. Attachment 4 - Color and Material Board (on display at Civic Center), 6. Attachment 5 - Site Photographs, 7. Attachment 6 - DPR Form for 305 S. Main Street, 8. Attachment 7 - Preliminary Interpretive Signage, 9. Attachment 8 - LSA Response to Comments, 10. Attachment 9 - Cultural Resources Assessment dated November 2020, 11. Attachment 10 - Draft Mitigated Negative Declaration No. 1864-17 dated August 2020, 12. Attachment 11 - DRC Staff Report and Minutes from September 2, 2020 Meeting

Date	Ver.	Action By	Action	Result
2/3/2021	1	Design Review Committee	Continued	Pass

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

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

**FROM:** Kelly Ribuffo, Associate Planner

### 1. SUBJECT

DRC No. 4933-17, Northern Gateway Commercial Center, 887 N. Glassell Street

### 2. SUMMARY

Recommendation of approval to the Planning Commission

The applicant proposes to construct a new 1,872 square foot commercial building and relocate a 122 square foot historic gas station to the vacant property at the corner of N. Glassell Street and E. Collins Avenue.

### 3. BACKGROUND INFORMATION

Applicant/Owner: Leason Pomeroy III

Property Location: 887 N. Glassell Street

General Plan Designation: General Commercial (GC)

Zoning Classification: Limited Business (C-1)

Existing Development: Vacant Lot

Associated Application: Minor Site Plan Review No. 0929-17, Mitigated Negative Declaration No. 1864-17, Administrative Adjustment No. 0278-20

Previous DRC Project Review: September 2, 2020

#### **4. PROJECT DESCRIPTION**

The applicant proposes to construct a new 1,872 square foot commercial building and relocate a 122 square foot historic gas station to the vacant property located at 887 N. Glassell Street. Design features of the new commercial building include a flat parapet roof, stucco siding with minimal scoring details, and steel frame glass storefronts. The historic gas station would be oriented at the northwest corner of the property facing the intersection of N. Glassell Street and E. Collins Avenue, similar to its site position at its current location at 305 S. Main Street. Along with the gas station building, an associated light standard and pole sign would be relocated to the new site. A new monument sign and wall signs for the commercial building are also proposed as part of the plan. New landscaping is proposed throughout the site featuring London Plane trees.

The Committee previously reviewed this project at its September 2, 2020 regular meeting. The applicant has provided a response to comments, included as Attachment 2. Proposed plans, including construction details, are included as Attachment 3 of this report.

The proposed work meets the development standards for the C-1 zoning district, including setbacks, Floor Area Ratio (FAR), and building height. An Administrative Adjustment of 10% is proposed for required number of parking spaces.

#### **5. EXISTING SITE**

The project property is a vacant lot, with no paving or vegetation. It is currently used intermittently as a temporary construction staging site for Public Works road projects.

Current photographs of the property and vicinity are included in Attachment 4 of this report.

The Public Works Department has required a 10-foot wide property dedication along N. Glassell Street and E. Collins Avenue property lines for future road widening. This reduces the overall property size available for development from approximately 12,000 square feet to 9,880 square feet and has influenced what is being presented as the proposed site plan.

#### **6. EXISTING AREA CONTEXT**

The subject property is located at the southeast corner of N. Glassell Street and E. Collins Avenue. The intersection is located in an area of transition between residential uses to the south and east and commercial and industrial uses to the north towards Katella Avenue and to the west towards Main Street. The site is bordered to the north and west by commercial retail and restaurants (C-1), to the east by single-family residential development (R-1-6), and to the south by multifamily residential development (R-3).

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

At the September 2, 2020 meeting, the DRC provided comments on the proposed project regarding both the proposed new development and the relocation of the historic gas station building at 305 S. Main Street. The applicant's response to these comments is summarized in the following topic categories.

#### Issue 1 Site Plan and Gas Station Rehabilitation:

The applicant has revised the plan package and provided a response to DRC comments, included as Attachments 2 and 3 of this report.

It is the opinion of staff that the applicant has adequately addressed DRC feedback on the site plan, landscaping, and gas station relocation/rehabilitation. The applicant has made modification to the landscape plan to increase the hardscape area around the relocated gas station to create a more functional and historically appropriate setting for the building. Additional clarification on the location of signage on the property has also been added to the site plan.

In addition, updates have been made to features of the rehabilitation of the gas station to comply with the *Secretary of the Interior's Standards for Rehabilitation*. The design of the roof support posts and fascia boards now more closely replicate the original design while still accommodating current building code requirements and reconstruction of the building on its new site.

#### Issue 2 Resource Eligibility Status of Gas Station Building:

In order to evaluate the impact of the project on the historic gas station, the DRC requested additional information and clarification in the Cultural Resources Assessment (CRA) that accompanies the draft Mitigated Negative Declaration (MND). LSA, the cultural resources consultant for the applicant, has provided a response to DRC comments and updated CRA included as Attachments 8 and 9 of this report. Specifically, the DRC has questions about the eligibility of the gas station as a historic resource, and why LSA concluded that the building was not eligible for the National Register of Historic Places as stated by previous historic survey records.

Since the September DRC review, staff reached out to the California Office of Historic Preservation (OHP) Environmental Compliance section with a request for feedback on the CSA and the proposed relocation of the gas station. According to OHP, they have a policy of not providing feedback on projects not within their regulatory purview. According to the CRA, OHP's Built Environment Resource Directory (BERD) lists the property with a CHR status code of 5S2 (eligible for individual designation under the local ordinance). It does not provided a date for when this status code was assigned.

It is the opinion of staff that the revised CRA adequately addresses questions concerning the eligibility status of the building. Sufficient additional research has been done in historic records and through site analysis to justify the building's eligibility for the California Register and explain why the building in its current state would not qualify for the National Register due to modifications and loss of historic integrity. Mitigation measures have also been proposed to address impacts to the historic integrity of the building due to the proposed relation to the N. Glassell Street site. Though the orientation of the building will be different, the change will not prevent the structure from being eligible for the California Register at the local level.

Staff has updated Condition #3 to reflect updated language for recommended mitigation measures from the CRA. The response to comments and updated CRA will be included with the draft MND for Planning Commission review.

#### Issue 3 Administrative Adjustment for Required Parking Spaces:

In response to feedback from the DRC, the applicant has made modifications to the site plan to remove a parking space to the south of the relocated gas station to allow for access to a pedestrian door and to create a seating area. In order to allow the reduction in parking spaces for the development a 10% Administrative Adjustment has been requested. Staff is in support of the request as it allowed for additional accessibility to the gas station and more functional reuse of the building as

a retail space, both of which promote preservation of the building long-term on its new site.

## **8. ADVISORY BOARD RECOMMENDATION**

The City's inter-departmental staff review committee reviewed the application on February 14, 2018, July 18, 2018, January 16, 2019, August 7, 2019, April 29, 2020, and July 1, 2020 and recommended approval of the project to the Design Review Committee and Planning Commission on July 1, 2020.

## **9. PUBLIC NOTICE**

On August 28, 2020, 77 notices were mailed to adjacent property owners and tenants for Mitigated Negative Declaration No. 1864-17. The September 2, 2020 Design Review Committee Meeting was noticed as part of the publication and mailing. No additional notice was required for this meeting.

## **10. ENVIRONMENTAL REVIEW**

Mitigated Negative Declaration No. 1864-17 was prepared to evaluate the potential environmental impacts of the proposed project in accordance with the provisions of the California Environmental Quality Act.

## **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 as the Old Towne Design Standards or OTDS)
- Orange Richler 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 recommend approval of the project with recommended conditions.

- 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 upholds community aesthetics through implementation of a compatible design theme with surrounding development and compliance with the *Secretary of the Interior's Standards for Rehabilitation*. The development is similar in style compared to the other developments around it, and the mass, scale, materials and layout is consistent with existing development in the area. The new commercial building is a simple low-rise retail building, with a flat roof, stucco siding, and metal and glass storefront. Relocation of the building to a new site will not impact the building's eligibility for the California Register of Historic Places as a building of local significance. The orientation of the relocated historic gas station and associated light standard and pole sign have been chosen to mimic its placement on its current site and to retain historic integrity of setting, feeling, and association of the building as a gas station and a street intersection. Addition of interpretive signage addresses the historic use of the building as an early 20<sup>th</sup> century gas station.

## **12. CONDITIONS**

The approval of this project is subject to the following conditions:

1. This project is approved as a precise plan. All work shall conform in substance and be maintained in general conformance with the plans included as Attachment 3 (date stamped November 16, 2020) of this report, including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Any changes from the approved plans shall be subject to subsequent review and approval by the Design Review Committee.
2. 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 plan, the Community Development Director may approve the changed plan without requiring a new public meeting.
3. Final approval of Mitigated Negative Declaration No. 1864-17 shall include the following mitigation measures as recommended in the Cultural Resources Assessment prepared by LSA dated November 2020:
  - Prior to issuance of a permit to relocation the building or the related pole signs, documentation of the existing condition shall be completed in a manner similar to the Historic American Building Survey (HABS) Level II standards. Documentation shall include digital photographs (site overviews and detail shots of the building and signs in their current and proposed locations), a written historic narrative similar to this report, and a measured site plan. Copies of this information shall be provided to the City, the History center at the main branch of the local library, and the Orange County Archives.
  - A historic architect and/or qualified architectural historian shall review the final relocation/reconstruction plans to ensure retention of the character-defining features and integrity of the building and pole signs.
  - A historic architect or qualified architectural historian is required to monitor the relocation and reassembly of the former gas station building and pole signs.
  - Monitoring by a qualified archaeologist is required during the removal/relocation of the gas station building since the potential for subsurface cultural deposits is moderately high in the area surrounding the building. No monitoring is recommended for the 887 N. Glassell Street site.
  - Prior to the issuance of a certificate of occupancy, the owner shall install a historical display in a visually prominent location, such as the exterior of the building. The display must include a map that clearly shows the building's original location. It should detail the history of the building, including photographs of the building at its original location and photographs or video of the dismantling and relocation process, and identify all modern features such as the windows, doors, and pump islands. The design and proposed location of the display shall be submitted to the appropriate city staff and/or reviewing body for review and approval prior to installation. It is suggested that the

owner consider designing the display in a manner that incorporates or reference a historic-period gas pump, sign, or other gas station feature.

- In order to more closely replicate the existing spatial relationships, the light standard/mast-arm sign shall be moved to the north property line in the on-site planter adjacent to Collins Avenue. The final locations shall be subject to review and approval by City historic preservation staff prior to issuance of a certificate of occupancy.
4. Prior to building permit final, the applicant shall update the DPR form for 305 S. Main Street to reflect the Cultural Resource Assessment research, the eligibility status of the building for the California Register of Historic Places, and the relocation and rehabilitation of the building to the new site at 887 N. Glassell Street.
  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 Division for the plan check process.
  7. Construction permits shall be obtained for all future construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits will be cause for revocation of this permit.
  8. The project approval includes certain fees and/or other exactions. Pursuant to Government Code Section 66020, these conditions constitute written notice of the fees and/or exactions. The applicant is hereby notified that the ninety (90) day protest period commencing from the date of approval of the project has begun. If the applicant fails to file a protest regarding these conditions or requirements, the applicant is legally barred from later challenging such exactions per Government Code Section 66020.
  9. If not utilized, project approval expires 24 months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060.

### **13. ATTACHMENTS**

- Attachment 1 - Vicinity Map
- Attachment 2 - LP3 Response to DRC Comments
- Attachment 3 - Architectural, Civil, and Landscape Plans date stamped 11/16/2020
- Attachment 4 - Color and Material Board and Model (on display at Civic Center)
- Attachment 5 - Site Photographs
- Attachment 6 - DPR Form for 305 S. Main Street
- Attachment 7 - Preliminary Interpretive Signage

- Attachment 8 - LSA Response to Comments
- Attachment 9 - Cultural Resources Assessment dated November 2020
- Attachment 10 - Draft Mitigated Negative Declaration No. 1864-17 dated August 2020  
(Available on City website or by request by calling 714-744-7220)
- Attachment 11 - DRC Staff Report and Minutes from the September 2, 2020 Meeting