



Planning Commission Agenda Item

November 5, 2012

TO: Chair Steiner and
Members of the Planning Commission

THRU: Leslie Aranda Roseberry
Planning Manager

FROM: Robert Garcia
Associate Planner

SUBJECT

APPEAL HEARING: Appeal No. 531-12, Colgan Residence located at 137 N. Shattuck Place.

SUMMARY

An appeal by the applicant, Robert Colgan, and Mayor Cavecche of Design Review Committee No. 4638-12. The appellants are seeking to overturn the Design Review Committee's (DRC) denial of a proposal to demolish an existing 1,375 square foot one-story single-family residence and construct a new 2,548 square foot two-story single-family residence. The two-story residence would resemble craftsman-style architecture.

RECOMMENDED ACTION

Motion on Appeal No. 531-12

AUTHORIZATION/GUIDELINES

Orange Municipal Code (OMC) Section 17.08.050.E authorizes the Planning Commission to hear appeals of actions taken by the DRC. The Commission shall consider the record and such additional evidence as may be offered and may affirm, reverse or modify, in whole or in part, the action that was appealed. The Commission may also make or substitute additional decisions or determinations as it finds warranted.

PUBLIC NOTICE

There is no public noticing required for this appeal. DRC applications do not required public notices, therefore the appeal of the DRC application is not subject to a public notice.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15303 (Class 3 – New Construction) because the project consists of a new single family residence. There is no public review required.

PROJECT BACKGROUND

<i>Applicant:</i>	Robert Colgan
<i>Property Owner:</i>	Robert Colgan
<i>Property Location:</i>	137 N. Shattuck Place
<i>Existing General Plan Land Use Element designation:</i>	LDR (Low Density Residential)
<i>Existing Zoning Classification:</i>	R-1-6 (Residential Single Family)
<i>Old Towne:</i>	No
<i>Redevelopment Project Area:</i>	No
<i>Specific Plan/PC:</i>	No
<i>Site Size:</i>	9,810 square feet
<i>Circulation:</i>	The site is accessed from a driveway on Shattuck Place, which is considered a local street.
<i>Existing conditions:</i>	The property is a 9,810 square foot lot with a one-story single-family residence of 1,375 square feet, and a detached 2,150 square foot garage/workshop. The existing residence has a front yard setback of 32 feet.
<i>Surrounding land uses and Zoning:</i>	The subject site is surrounded by one-story residential single-family dwellings (R-1-6), just north of Chapman Avenue.
<i>Previous Applications/Entitlements:</i>	None

PROJECT DESCRIPTION

The property is a 9,810 square foot lot with an existing one-story single-family residence of 1,375 square feet, and a detached 2,150 square foot garage/workshop. The existing residence has a front yard setback of 32 feet. The applicant is proposing to demolish an existing 1,375 square foot one-story single-family residence and construct a new 2,592 square foot two-story single-family residence. The detached 2,150 square foot garage/workshop would remain. The two-story residence would resemble craftsman-style architecture. The home would consist of 4 bedrooms and 3½ bathrooms with a front porch. The proposed two-story residence would be the first on this block. Elements to the proposal would include:

- Craftsman Style Architecture
- The exterior finish walls would consist of plaster, fiber lap siding, and fiber cedar shake siding
- The roof finish would consist of wood fascia, metal flashing, metal dormer vents and roof tiles
- Architectural elements such as wood beams, wood posts, stone veneer, and fiber trim.

The subject site is surrounded by one-story residential single-family dwellings. The subject dwelling and dwellings in the vicinity exhibit a post World War II ranch style architecture with different exterior finishes. There are no two-story dwellings on the block. The average size of the existing dwellings on the block is 1,400 square feet. The homes on Shattuck Place with the exception of two residences on the 200 block have a front yard setback of 30 to 35 feet. The proposed Floor Area Ratio (FAR) for the property would be 48%. The maximum FAR for the property is 60%

Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	32 Feet/2-story	26 Feet/2-story	17.14.070
<i>Distance between structures</i>	6 feet	+24 Feet	17.14.120
<i>Floor Area Ratio (FAR)</i>	60%	48%	17.14.070
<i>Lot size (residential)</i>	Existing	Existing	
<i>Lot frontage</i>	Existing	Existing	
<i>Lot depth</i>	Existing	Existing	
<i>Open space, common (residential)</i>	Existing	Existing	
<i>Open space, private (residential)</i>	Existing	Existing	
<i>Open space, useable (residential)</i>	Existing	Existing	
<i>Parking (residential)</i>	Existing	Existing	
<i>Setback, Front</i>	20 Feet	25 Feet	17.14.070
<i>Setback, Rear</i>	20 Feet for a 2-story	+20 Feet	17.14.070
<i>Setback, Side (Left)</i>	5 Feet	9 Feet	17.14.070
<i>Setback, Side (Right)</i>	5 Feet	20 Feet	17.14.070

REQUIRED FINDINGS ADOPTED BY THE OMC

Design Review Committee: The applicant is requesting approval of a Design Review Committee application to demolish an existing 1,375 square foot one-story single-family residence and construct a new 2,592 square foot two-story single-family residence. The two-story residence would resemble craftsman-style architecture. The home would consist of 4 bedrooms and 3½ bathrooms with a front porch.

The Findings are applied as appropriate to each project. Based on the following Findings staff is not able to support the request.

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).*

The project is not located in the Old Towne Historic District; therefore, this Finding does not apply to the application at hand.

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).*

The project is not located in the National Register Historic District; therefore, this Finding does not apply to the application at hand.

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 massing elements that are proposed are not consistent with the existing neighborhood. The two-story front yard massing would establish a new theme for the neighborhood that is not sensitive to the existing neighborhood. The proposed exterior finish of a craftsman interpretation does not fit within the established style of the neighborhood, which is a collection of late mid-century California Ranch homes.

This Finding cannot be made.

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).*

The Infill Guidelines state that the perceived scale of new infill residences should be minimized. To achieve this, two-story buildings should be broken up into smaller architectural components, or include a substantial single-story element. In this case, the applicant is proposing a two-story "box" with architectural elements. The dormers on the roof of the second story give the appearance of a ½ floor making the proposed residence look like a 2½-story home.

This Finding cannot be made.

DISCUSSION and BACKGROUND

Design Review Committee

At the DRC meeting of September 5, 2012, the Committee members were asked to review the proposal and provide comments to the applicant in order for the proposal to comply with the Infill

Guidelines. The Committee members requested that the applicant modify the proposal, which addressed several issues such as:

- Address the bulk and mass of the two-story proposal in relationship to the existing neighborhood.
- Address the Craftsman style of the house, which did not fit with the collection of late mid-century California Ranch homes.
- New two-story homes in a single-story neighborhood should start as a one-story element at the front façade and move into a two-story structure to the rear.
- The boxy nature of the submittal was an issue and it was not a true Craftsman style home.
- Committee members indicated that their concern with such a large two-story home that close to the front would be difficult to approve in this neighborhood.
- The proposal read as a 2½-story structure due to the use of the dormers.

Additionally, the DRC asked for a complete site plan; density details of the proposal, FAR calculations, square footage, correct dimensions, and finished floor elevations, with respect to other site elements.

At the DRC meeting of September 19, 2012, the DRC was informed that the applicant continued to believe that the proposal is sensitive to the existing style and patterns of the neighborhood. They indicated that the horizontal and vertical massing is downplayed with increased side yards and through the use of minimal floor plates. The applicant was asking for a determination on the proposal as submitted. The DRC denied the proposal on a vote of 5-0.

APPELLANT’S STATEMENTS

Property Owner, Robert Colgan

In this proposal, we are not asking for any variances or special considerations. This project implements innovative green building technology. This method of construction is the main reason why this project is feasible. The DRC has rejected the proposal citing mass and bulk, however, any changes to the layout & design may affect structural, electrical, mechanical, and fire systems that are integral to the proposed energy-efficient home desired. The design was, infact, modified as much as possible to adhere to the guidelines. The proposed design will be an enhancement to the neighborhood and has support of the surrounding neighbors.

Mayor Cavecche

The construction technique is so unique and the original applicant is unable to make the changes that the DRC felt was needed to meet our infill guidelines. Because this is such an unusual build, I felt the PC should have an opportunity to weigh in. Attached is petition signed by Shattuck neighbors (Attachment No. 6).

ATTACHMENTS/EXHIBITS

Attachments to Report:

1. Vicinity Map
2. Neighborhood Photographs
3. DRC Staff Report and Minutes dated September 5, 2012
4. DRC Staff Report and Minutes dated September 19, 2012
5. Appellants Statements
6. Petition in support of proposal
7. Photosimulations

Exhibits provided to the Planning Commission:

- A. Submitted Plans Reviewed by DRC on September 19, 2012

cc: Robert Colgan
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