DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE:	FEBRUARY 6, 2013
TO:	Joe Woollett and Members of the Design Review Committee
THRU:	Leslie Aranda Roseberry, Planning Manager
FROM:	Daniel Ryan, Historic Preservation Planner
SUBJECT:	DRC NO. 4658-12 – YAGHI – IN-FILL SECOND UNIT & GARAGE RELOCATION

SUMMARY

The applicant proposes to construct a 1,383 sq. ft. 2-story detached second unit (including an enclosed one-car garage), a new 198 sq. ft. addition to the rear of a contributing 1920 Bungalow, and relocate a one-car contributing garage to the rear of a 7,212 sq. ft. lot located within the Old Towne Orange Historic District. Project requires a Conditional Use Permit for two-story construction and expansion of over 20% of existing floor area of the existing Bungalow residence.

RECOMMENDED TO PLANNING COMMISSION

Staff recommends the DRC recommend approval of the project as conditioned to the Planning Commission.

BACKGROUND INFORMATION

Applicant/Owner:	Chuck Yaghi
Property Location:	437 S. Olive Street, Old Towne Orange Historic District
General Plan Designation:	Medium Density Residential (15 to 24 Du/Ac)
Zoning Classification:	R-4 (Multi-Family Residential District)
Existing Development:	Contributing 1920 Bungalow and one-car detached garage
Property Size:	.17 Acre (7,212 sq. ft.)
Associated Applications:	Conditional Use Permit 2884-12
Previous DRC Review:	None

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines per the following Sections:

1. Section - 15303 (Class 3 - Construction of a second dwelling unit in a residential zone).

2. Section 15331 – (Class 31 - Historical Resource Restoration and Rehabilitation) consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.
3. Section 15332 In-Fill Development Projects (Class 32 in-fill development meeting all applicable general plan policies and applicable zoning regulations).

PROJECT DESCRIPTION

The applicant proposes to construct a 1,383 sq. ft. 2-story detached second unit, a new 198 sq. ft. addition to the rear of a contributing 1920 Bungalow, and relocate a one-car contributing garage to the rear of a 7,212 sq. ft. lot located within the Old Towne Orange Historic District. The property is currently zoned for multi-family development. The goal of the project is to rehabilitate the existing Bungalow, relocate the original one-car detached garage to the rear of the lot, and design a complementary detached second-unit that fits within the neighborhood context.

The subject block has a mix of both historic and non-historic development. The one-story Bungalow is surrounded with contemporary styled two-story multi-family or duplex apartment units constructed in the 1950's, 70's, 90's. More recently a new three-unit apartment was constructed to the southeast of the subject property. The floor area ratio (FAR) for the subject property with the existing one-car detached garage is .13 FAR. The floor area for the block ranges from .12 to .58 FAR, with an average .28 FAR.

The 198 square foot addition to the rear of the 720 square foot Bungalow will provide a new second bathroom, walk-in closet, breakfast room and laundry. The new addition has a lower gable roof which is tucked under the existing gable roof, and the sides are set in approximately one foot to provide a line of demarcation. The addition is finished in matching wood lap siding, wood gable vents, corner trims, and matching wood double-hung wood windows and trim. As the original floor area will increase more than 20% and the project proposed two-story construction within the Historic District, the project will require final review and approval by the City's Planning Commission.

The new detached two-story second unit will have a rectangular building form with matching front and side (north facing) gable roofs and a small gable roof centered on the north elevation that covers the recessed porch and main entrance.

In order to break up the two-story massing, the applicant has set back the new infill unit 80 feet back from the front setback and has additionally setback the second floor four feet. The applicant has also created a double gable roof on both the front and north projecting gables with two-foot wide eaves that wrap around the east and west elevations to provide a horizontal break to the vertical wall planes. This, combined with a reduced second floor area minimizes the massing of the proposal. The overall height of the existing residence is 16'-5' and the in-fill proposal height is 20'-9".

The total area of the new infill counting the garage is 1,383 square feet. Of this the first floor has 656 square feet of habitable area consisting of a living, kitchen, laundry and bathroom, with an

enclosed one-car garage having 248 square feet in area. The second floor will have an area of 727 square feet consisting of a master bedroom and bath and second bedroom and bath.

The existing layout provides for two open parking spaces one between the relocated garage and north side of the second-unit and one open space along the west side of the new second unit and adjacent to the existing residence. An enclosed one-car garage is incorporated on the west elevation of the second-unit. It appears as part of the residence with lap siding and two wood windows which would be visible to Olive Street.

The existing nine-foot wide driveway has 12 feet of clearance and is adequate to serve the property. The applicant has submitted a landscape plan that offers the installation of vine pockets to soften the existing masonry wall located on the north property line, as well as planting of trees and foundation shrubs. Wood fencing is recommended at the front building line on the south side of the residence to enclose proposed recreational open space and screen the open parking space.

EXISTING SITE

The City's Historic Building Survey lists the property as a 1920 contributing one-story, 720 square foot Bungalow residence. The residence is located 21 feet back from the front property line and has a 12 foot setback on the north (which serves the existing driveway), and an 18'-7" setback on the south side. The existing one story residence has a roof height of 16'-5" to grade. The property has an existing contributing one-car detached garage which is located one-foot from the north property line and within 3'-6" of the rear of the existing Bungalow residence.

EXISTING AREA CONTEXT

The property is located on the east side of Olive Street that contains ten (10) residential parcels. There is a mix of one, one and one-half and two-story residences including apartment buildings. Four residences are non-contributing and five are contributing historic residences including the subject property. The architectural styles are Contemporary, Bungalow, Craftsman Bungalow and Craftsman styles, ranging in construction dates of 1919 to 1990. The lot sizes range from 6,050 to 14,010 square feet in area with the subject property having 7,212 square feet. The floor area ratio (FAR) for the subject property with the existing one-car detached garage is .13 FAR. The floor area for the block ranges from .12 to .58 FAR, with an average .28 FAR. The existing site is surrounded with contemporary two-story apartment buildings and duplexes. The adjoining side yard of the property to the north has two-story (approximately 25 feet in height) with a row of windows overlooking the subject property. To the south is a two-story, three unit apartment that is approximately 22 feet in height.

EVALUATION CRITERIA

Orange Municipal Code (OMC) Section 17.10.070 establishes the general criteria the Design Review Committee 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.

3. **Signage**. All signage shall be compatible with the building(s) design, scale, colors, materials and lighting.

4. **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

Issue 1: Architectural

The proposed design of the new in-fill project is derived from the 1920 printed addition of "Beautiful Orange Homes" that highlighted low-profile period two-story Craftsman residences within Old Towne. The proposal incorporates details of the period and balances the design elements found on the existing Bungalow including matching wood lap siding, wood gable vents, corner trims, and matching wood double-hung wood windows and trim. The leading barge boards, and exposed rafters, supporting brackets, siding and trim on the second unit add to design features of the new infill unit which reflect similar Craftsman residences in the historic district. The new construction of the second-unit can be recognized as new construction due in part to its slab on grade design, built-in one-car garage, its orientation to the north, and Staff's request that the applicant's use of siding having a wider exposure, than that of the existing Bungalow residence.

The 198 square foot addition to the rear of the existing residence will provide an improved floor plan and amenities including a second bathroom, walk-in closet, breakfast room and laundry that will have a limited floor area totaling 918 square feet. The design and placement of the new addition at the rear of the residence will respect the original roof form by having a lower gable roof that is tucked under the existing gable roof, this combined with the north and south wall planes set in approximately one foot will provide a line of demarcation. The design of the new work is compatible with the architectural character of the historic setting in terms of size, scale, design, material, color, and texture.

Issue 2: Visibility, Privacy and Open Space:

As with in-fill development, the context and massing are primary issues in having a project that fits within the neighborhood and is visibly compatible with the existing streetscape. The front of the new second-story addition will be visible to the public view, however, it is located approximately 80' back from the front property line and its placement will not impact the streetscape.

The proposals privacy is impacted more by existing development of an eight unit two-story apartment building that overlooks the subject property from the north. The new rear yard area at the east rear and south side yards will provide open space and some privacy for the future tenants of the project. The project provides for recreational open space as follows: rear yard 547 sq. ft. and south side yard area of 1,291 sq. ft. for a total area of 1,838 square feet in area. Staff recommends a landscape treatment that would provide additional privacy for the project.

Issue 3: Massing and Floor Area Ratio:

The positioning of the new two-story infill project 80 feet back from the front property line combined with the existing neighborhood context of two-story development, has more latitude in balancing the need to preserve a contributing Bungalow while permitting development of a two-story project at the rear of the property. A review of the neighborhood Floor Area Ratio (FAR) indicates that the project's proposed .38 FAR is under the established.42 FAR for the Grand Street Study. For comparative purposes, the adjoining properties to the north and south have FAR of .55 and .58 FAR. The Grand Street Study quantified that massing was directly attributed to the relationship of the floor area by story rather than the project's total FAR. In this project, the total FAR is .38 FAR of which the second story floor area is .10 FAR, which is 50% less that most existing two-story development within Old Towne and substantially under the given range of massing in the immediate context of the project.

The proposed building height of the new two-story in-fill project is 20'-9" and the existing roof height of the one-story Bungalow is 16'-5", a difference of less than five feet. In examining the differential range between various roof heights of adjoining properties, it was found that if the difference did not exceed five feet, such development would have little or minimal impact to the streetscape context.

Given these factors and the overall architectural design, massing is compatible with the site and surrounding neighborhood. The project is consistent with the Old Towne Design Standards in that the project addresses the massing, location, placement height, wall articulations, varying roof forms, architectural design and materials that are compatible with the neighborhood.

Issue 4: Garage relocation:

The applicant proposes to move the existing one-car garage 32 feet back from its existing location to provide access and circulation for additional parking areas at the rear of the lot. The orientation will remain the same with the original garage facing Olive Street. In this case, the relocation of the garage to the rear of the property will not impact the established setting or relationship between existing buildings. The garage will retain its historic features, materials, workmanship, feeling and association. Special cautions are noted for relocating historic structures within Old Towne to ensure that the building can be moved safely and without danger

of collapse. A qualified engineer and house mover shall review the structure, the method of bracing and moving plan as part of the approval process.

ADVISORY BOARD RECOMMENDATION

None

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.

Old Towne Historic District – National Register Historic District -- additional finding applies to sites within the National Register Historic District.

Old Towne Historic District – Applies to all projects within the district.

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 and OTDS).*

    a. Massing and Context

    The placement of the new second-story addition to the rear of the lot, approximately 80' back from the front property line will not impact the existing streetscape and neighborhood context. The low second-story Floor Area Ratio of .10 FAR, and the varied wall planes of the second floor reduce the massing of the proposal. The proposal's overall floor area ratio of .38 FAR is well within the lower limits of the block and less than the established .42 FAR threshold of the Grand Street Study.

    b. Architectural Style

    The design and placement of the new rear addition on the Bungalow will respect the original roof form by having a lower gable roof that is tucked under the existing gable roof, this combined with the north and south wall planes set in approximately one foot will provide a line of demarcation.

    The project is consistent with the Old Towne Design Standards in that the project addresses the massing, location, placement height, wall articulations, varying roof forms, architectural design and materials that are compatible with the neighborhood.

The proposal incorporates details of the period and balances the design elements found on the existing Bungalow including matching wood lap siding, wood gable vents, corner trims, and matching wood double-hung wood windows and trim.

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).*

    a. The front of the new second-story infill project will be visible to the public view, however, it is located approximately 80' back from the front property line and this combined with the surrounding two-story development will not impact the site, streetscape or historic district. In this project, the total FAR is .38 FAR of which the second story floor area is .10 FAR, which is 50% less that most existing two-story development within Old Towne and substantially under the given range of massing in the immediate context of the project. Therefore, the proposed work of the new addition and second-story in-fill construction will not adversely affect the character of the architectural or aesthetic interest or valve of the primary building, the site or the surrounding historic district.

    b. The proposal incorporates details of the period and balances the design elements found on the existing Bungalow including matching wood lap siding, wood gable vents, corner trims, and matching wood double-hung wood windows and trim. Therefore, the design of the new work is compatible with the architectural character of the setting in terms of size, scale, design, material, color and texture.

    c. The relocation of the one-car garage to the end of the driveway, and the new rear addition to the existing Bungalow with its secondary roof height and line of demarcation maintains the character of the site and existing historic building patterns. Therefore the new addition is compatible with the character of the site and preserves the relationship between the building or buildings and landscape features.

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).*

    As the project is located within the Old Towne Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the Design Review Committee. The matching design elements, height, and placement of the new-detached two-story second-unit are compatible with the existing one-story Bungalow residence and the surrounding neighborhood context. The proposal is based upon sound principles of land use, in that it complies with the Old Towne Design Standards and the Secretary of the Interior's Standards for Rehabilitation.

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).*

As the *City of Orange Infill Residential Design Guidelines* do not apply to projects located within the Old Towne Orange Historic District, this finding does not apply.

CONDITIONS

Staff recommends the Design Review Committee recommend approval of DRC 4658-12 to the Planning Commission subject to the conditions listed below and any conditions that the Design Review Committee deems appropriate to support the required findings and ensure the preservation of community aesthetics.

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

All construction shall conform in substance, and be maintained in general conformance, with plans labeled Attachment 3 (dated October 15, 2012) and as recommended for approval by the Design Review Committee for approval to the Planning Commission.

1. Prior to building permit issuance, the applicant shall pay all of the applicable Development Impact Fees in accordance with the most current fee schedule. Building permits shall be obtained for all 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 design review permit.
2. Prior to building permit issuance, construction plans shall show that all structures shall comply with the requirements of Municipal Code (Chapter 15.52 Building Security Standards), which relates to the use of specific hardware, doors, windows, lighting, etc (Ord. No. 7-79). Architect drawings shall include sections of the Ordinance that apply under "Security Notes". An "Approved Products List 1/08" of hardware, windows, etc is available upon request.
3. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
4. 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 City's Design Review Committee.
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 permits, 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.
6. 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.
7. Design Review Committee No. 4658-12 shall become void if not vested within two years from the date of approval. Time extensions may be granted for up to one year, pursuant to OMC Section 17.08.060.

8. 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 plan, the Community Development Director may approve the changed plan without requiring a new public hearing.

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. Prior to Building Permit issuance, the applicant shall pay any outstanding monies due to the City of Orange for Planning Division entitlement activities related to this project.

11. The term "applicant" shall refer to the entity that requests approval of this action or any successor in interest to this approval.

12. 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 a Building Permit.

13. The following code provisions are applicable to this project and are included for information only. This is not a complete list of requirements and other code provisions may apply to the project.

ATTACHMENTS

1. Vicinity Map
2. Site and Elevation Photographs
3. Small scale black-line Site, Elevation, Floor and Landscape plans, dated 10/15/2012

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