DESIGN REVIEW COMMITTEE
AGENDA ITEM

AGENDA DATE:	SEPTEMBER 18, 2013
TO:	Chair Fox and Members of the Design Review Committee
THRU:	Leslie Aranda Roseberry, Planning Manager
FROM:	Marissa Moshier, Historic Preservation Planner
SUBJECT:	DRC NO. 4699-13 – STREETER FOURPLEX

SUMMARY

The applicant proposes to reconstruct an existing rear addition to a contributing building to the National Register of Historic Places Old Towne historic district, to rehabilitate the wood lap siding on the contributing building, and to remove an unpermitted bedroom in a detached accessory housing unit. The contributing building was damaged by a fire in December 2012, and rehabilitation of the fire damaged areas is on-going.

RECOMMENDED ACTION

Staff recommends that DRC approve the proposed project.

BACKGROUND INFORMATION

Applicant:	Jack Streeter
Property Owner:	Jack Streeter
Property Location:	137-139 E. River Avenue; alternate address 544 S. Orange Street
Existing General Plan Land Use Element designation:	Medium Density Residential (15-24 DU/AC)
Existing Zoning Classification:	R-3
Old Towne:	Yes, contributing building
Specific Plan/PC:	N/A
Site Size:	6,300 sq. ft.
Circulation	E. River Avenue and S. Orange Street are local streets
Surrounding land uses and Zoning:	R-3 to the west and south; R-2-6 to the north and east
Previous Applications/Entitlements:	None

Associated applications	None
Previous DRC Review	None
Mills Act Contract	No
Associated Code Enforcement Case	None

PUBLIC NOTICE

No Public Notice was required for this project.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Sections 15302 (Class 2 – Replacement or Reconstruction) and 15331 (Class 31 – Historical Resource Restoration/Rehabilitation), because it consists of reconstruction of an existing addition and rehabilitation of the contributing building in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards)*. There is no public review required.

PROJECT DESCRIPTION

The applicant proposes to demolish an existing non-historic addition at the rear of the contributing building and to construct a new addition within the existing footprint. Interior areas of the housing units in the contributing building will be reconfigured to provide code compliant egress from bedrooms. The handrail and landing guardrail of the exterior stair on the east elevation will be modified to meet required code. The applicant proposes to retain limited areas of the original wood siding in place. In other areas of the east and west elevations, the siding will be carefully removed, retained, and reinstalled to allow exposed piping to be relocated inside wall cavities and a vapor barrier and waterproofing to be installed. An unpermitted bedroom in the accessory housing unit, encroaching on the garage, will be removed and the garage returned to use as parking.

EXISTING SITE

The 6,300 square foot property is developed with a 2,496 square foot, 1 ½ story, three unit residence. A detached 681 square foot accessory housing unit and garage is located at the rear of the property. The accessory housing unit has an unpermitted bedroom encroaching on the garage. The 1 ½ story residence is a contributor to the National Register-listed Old Towne historic district and is currently being rehabilitated in conformance with the *Secretary Standards* and with the Old Towne Design Standards to correct fire damage to the southwest quadrant of the building. When the property was listed as a contributor to the National Register-listed historic district, it had asbestos-containing shingle siding covering the original wood lap siding. As part of the rehabilitation of fire damaged areas, the asbestos-containing shingles have been removed and abated, revealing the original siding which appears to be in good condition.

EXISTING AREA CONTEXT

The property is located on a corner lot at the northwest side of the intersection between E. River Avenue and S. Orange Street in the National Register-listed Old Towne historic district. The property has two adjacent residential lots developed with two non-contributing buildings. The north side of the 100 block of E. River Avenue contains three contributing buildings in total of five buildings, and the south side of the 100 block contains two contributing buildings in a total of four buildings. The surrounding properties are a mix of one and two story, single- and multi-family residences.

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**.
    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 – Rehabilitation of Original Wood Siding:

As part of the fire damage rehabilitation work, the asbestos-containing shingle siding was removed, exposing original wood lap siding. As part of abatement procedures related to fire damage rehabilitation work, the original wood siding was tested and found to contain lead-based paint. Based on staff's reading of applicable federal and state codes and regulations, it appears

complete elimination of lead-based paint or reduction of lead-based paint to below the minimum exposure threshold may not be required. Instead, applicable codes, including California Code of Regulations Title 17, Division 1, Chapter 8, Section 35001 to 36100; California Civil Code Section 1941.1; and California Health and Safety Code Section 17961, 17980, 124130, 17920.10, and 105251 to105257, among others, require that the proposed project must not create "lead hazards," defined as "deteriorated lead-based paint, lead-contaminated dust, lead-contaminated soil, disturbing lead-based paint without containment, or presumed lead-based paint without containment, or any other nuisance which may result in persistent and quantifiable lead exposure" (California Code of Regulations Title 17, Division 1, Chapter 8, Section 35037). Appropriate containment procedures, including lead safe construction practices and hazardous materials disposal, and all applicable codes and regulations, must be followed for all work related to the exterior wood siding and any other original painted building elements.

The applicant proposes to retain limited sections of the original wood siding in place on the contributing building. Additional siding on the east and west elevations will be removed and retained to allow exposed piping to be enclosed in the wall cavities and a vapor barrier and waterproofing to be installed. The retained siding will be stored on site in a protected location and reinstalled to the greatest extent feasible. In areas where the existing siding is too deteriorated to be reused, replacement siding will exactly match the existing in dimensions, profile and overlap. The existing mitered corners of the siding must be retained, and reused original wood siding should be concentrated on street-facing elevations, with new material concentrated on less visible interior lot elevations. A small portion of the fire damaged wood siding at the front porch is being replaced using this method as part of the fire damage rehabilitation project.

<u>Issue 2 – Compatibility of Addition:</u>

The applicant proposes to demolish the existing rear addition to the contributing building and construct a new addition within the existing addition footprint. The roofline of the existing addition tucks under the historic eave. The proposed new addition roofline will extend over the historic eave and roof edge, creating a combination shed and gable roof on the addition. Although the proposed new roofline covers the historic eave and rafter, this occurs at the rear, secondary elevation of the contributing building. To mitigate this condition, staff recommends that the existing historic eave and rafters be retained in the addition attic space to the greatest extent feasible, so that the addition is generally reversible.

The proposed new addition is inset from the east elevation of the contributing building, allowing the northeast corner of the building to be retained as an exterior elevation with the existing historic eave and rafter. This treatment is appropriate for the street-facing elevation of the building, visible from the public right-of-way and differentiates the addition from the contributing building. The 4 ½:12 pitch of the proposed gable roof matches the pitch of the historic roof and is compatible with the contributing building.

The proposed materials of the addition are compatible with the contributing building. The proposed 6" wood siding with 4 ¾" exposure is differentiated from the historic lap siding with 7" exposure. The proposed wood double hung windows are also compatible with the materials and design of the contributing building.

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.

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 proposed rehabilitation of original wood siding and construction of a rear addition is in conformance with the Old Towne Design Standards. Careful removal and retention of areas of siding allows exposed piping to be enclosed and a vapor barrier and waterproofing to be installed. Securing a waterproof and weather-tight building is critical to its preservation, and reinstallation of the existing siding to the greatest extent feasible allows this work to be completed in conformance with the Design Standards. Where deteriorated boards are unable to be reused, replacement material must exactly match the existing in dimension, profile, and overlap. The mitered corners of the original material must also be matched exactly. Reused original wood siding should be concentrated on street-facing elevations, while new material should be concentrated on interior lot elevations.

   The proposed addition is also in conformance with the Design Standards. The new addition retains the existing footprint of the non-historic addition and is compatible with the contributing building in the use of materials. The proposed wood siding is appropriately differentiated from the historic wood siding, and the proposed roof pitch and slope and shed and gable configuration are generally compatible with the contributing building and with the Old Towne historic district.

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).*

   Projects found to be in conformance with the Old Towne Design Standards are considered to be in conformance with the *Secretary of the Interior's Standards for the*

Treatment of Historic Properties. As described above, the project appears to be in conformance with the Old Towne Design Standards. The new addition is appropriately differentiated from the historic building; the historic character of the property will be retained; and the existing historic materials will be retained to the greatest extent feasible and replaced in kind only where necessary due to deterioration.

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 must conform with the prescriptive standard and design criteria referenced and/or recommended by the Design Review Committee. As described above, the project conforms with the Old Towne Design Standards.

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 historic district, this finding does not apply.

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 labeled Attachment 2 (dated August 15, 2013) and as recommended for approval by the Design Review Committee including conditions of approval.
2. The original wood siding shall be retained and reused to the greatest extent feasible. All removed wood siding shall be stored and protected on site during construction and reinstalled following enclosure of exposed piping and installation of a vapor barrier and waterproofing. Deteriorated siding shall be replaced in kind, exactly matching the existing.
3. All work related to exterior wood siding and other original building elements containing lead-based paint shall conform to all applicable codes and regulations related to lead safe construction practices, including but not limited to California Code of Regulations Title 17, Division 1, Chapter 8, Section 35001 to 36100; California Civil Code Section 1941.1; and California Health and Safety Code Section 17961, 17980, 124130, 17920.10, and 105251 to105257.

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

- Prior to issuance of building permits, the applicant shall pay all applicable development fees, including but not limited to: City sewer connection, Orange County Sanitation District Connection Fee, Transportation System Improvement Program, Fire Facility, Park Acquisition, Sanitation District, and School District, as required.
- 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.
- All structures shall comply with the requirements of Municipal Code – Chapter 15.52 (Building Security Standards), which related to hardware, doors, windows, lighting, etc. (Ord. 7-79). Approved structural drawings shall include sections of the security code that apply. Specifications, details, or security notes may be used to convey the compliance.
- These conditions shall be reprinted on the first page of the construction documents when submitting to the Building Department for the plan check process.

ATTACHMENTS

1. Location Map
2. Drawings, dated August 15, 2013

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