



DESIGN REVIEW COMMITTEE

AGENDA ITEM

AGENDA DATE: APRIL 16, 2014
TO: Chair Imboden and Members of the Design Review Committee
THRU: Leslie Aranda Roseberry, Planning Manager
FROM: Marissa Moshier, Contract Historic Preservation Planner
SUBJECT: **DRC No. 4693-13 – Miles Staircase**

SUMMARY

The applicant proposes to replace a staircase on the rear of a contributing building in the local Old Towne historic district.

RECOMMENDED ACTION – FINAL DETERMINATION

Staff recommends that the DRC approve the proposed project subject to conditions of approval contained in the staff report and any conditions that the DRC determines appropriate to support the required findings.

BACKGROUND INFORMATION

Applicant/Owner: Everett Martinez, MKA Architects for Miles Family Estate
Property Location: 535 W. Chapman Avenue
General Plan Designation: Old Town Mixed Use (OTMU-15S)
Zoning Classification: Old Town Mixed Use (OTMU)
Existing Development: 2,776 SF Residence
Property Size: 4,920 SF Lot
Associated Applications: None
Previous DRC Review: January 15, 2014

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 15302 (Replacement or Reconstruction) and 15331 (Historical Resource Restoration/Rehabilitation) because the project includes the replacement of a damaged staircase in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. There is no environmental public review required for a Categorical Exemption.

PROJECT DESCRIPTION

The applicant proposes to replace a staircase on the rear (north) elevation of the contributing building. The applicant demolished a previous straight staircase in this location due to its poor condition and began construction of a replacement staircase without a permit. Following the DRC meeting on January 15, 2014, the applicant revised the proposed replacement staircase to address DRC comments about the mass of the staircase and the usable open space of the rear yard. The applicant proposes to retain the existing configuration of upper and lower risers with an intermediate landing. The majority of the wood siding that was proposed to enclose the structure has been removed. The staircase will be supported by wood posts with a landscaped area under the landing. As with the previous proposal, the rear yard setback is 5' 6", and the rise of the staircase to the upper landing is 11' 9".

In the plans reviewed by DRC on January 15, 2014, the applicant proposed to add a door to the rear elevation to provide access to a storage room/tenant common space. According to the property owner, the storage room was accessed previously through a door on the east elevation under the straight staircase. The area under the previous staircase was also used as an enclosed supplemental storage space. The door in the east elevation and the supplemental storage space were removed when the replacement staircase was constructed. Rather than add a door to the rear elevation, the applicant now proposes to return the door to its previous location on the east elevation at the new lower landing to the staircase. The supplemental storage area under the staircase will also be returned to use. One window that was removed on the rear elevation will be restored to match the adjacent historic window.

The applicant also proposes to add 42" wood guardrails to the two front porches on the building.

EXISTING SITE

The existing building is a two-story multi-family residence constructed circa 1900. The property is located within the boundaries of the local Old Towne Historic District, outside the boundaries of the National Register of Historic Places-listed historic district. In the 2005 Historic Resources Survey Update, the property was given California Historical Resource Code 5D1, meaning "contributor to a district that is listed or designated locally."

EXISTING AREA CONTEXT

Surrounding properties are the Santa Fe Depot public parking lot to the east, one- and two-story non-contributing commercial buildings to the west and south, and contributing one-story residential properties to the north. The surrounding properties are zoned Old Towne Mixed Use. The property is located in the Santa Fe Depot Specific Plan Area.

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 – Replacement Staircase

At the DRC meeting on January 15, 2014, the DRC requested that the applicant revise the project to address the following issues:

- To have the stair redesigned so as to have more risers in the upper run of the stair, to minimize the required area of that mid landing. It would then reduce the number of risers in the lower run of the stair.
- To relocate the storage door to the existing location of the window that had been removed on the rear elevation and reduce the proposed stoop to a minimal code required stoop size for that door.

Following the DRC meeting, the applicant considered redesigning the upper and lower runs of the stair to reduce the size of the intermediate landing as requested by DRC. After studying this option with staff, the applicant chose to move forward with a proposal that retains the existing configuration of risers and removes the wood siding that was proposed for three sides of the stair structure. The stair landing will be supported by wood posts with a landscaped open area under the intermediate landing. The applicant prefers this option, because it reduces the massive appearance of the stair as requested by DRC without requiring a complete reconstruction of the existing staircase. The proposal reduces the size and scale of the new staircase in relation to the historic building and more clearly identifies the staircase as a later addition to the building. It also adds an area of landscaping under the intermediate landing of the new staircase.

As required by the Old Towne Design Standards, the exterior staircase is located on the rear 50% of the building and not on an exterior street elevation. The proposed design and materials of the new staircase are compatible with the historic building. The new staircase is minimally visible from the public right of way and does not negatively impact the integrity of the historic district.

The applicant previously proposed a new door to the storage room on the rear elevation. DRC recommended relocating this new door to the location of the removed window on the rear elevation. To better address the DRC's comments on the usable open space of the rear yard, the applicant chose instead to provide access to the storage room from its previous location on the east elevation at the lower landing of the stair. This proposal returns the space under the upper run of stairs to a storage area of approximately 4' by 12' and returns the door to the storage room/tenant common space to its previous location, prior to demolition of the staircase. Returning the door to its previous location removes the need for a stoop at the rear of the building and retains additional usable open space in the rear yard. The proposed location of the door accomplishes the DRC's recommendation to minimize the impact of the storage room entrance on the rear elevation and on the usable open space of the property. It also reduces the impact to the historic materials of the building. The proposed design and materials of the new door on the east elevation are compatible with the historic building. As previously proposed, the removed window on the rear elevation will be restored to match the existing window of similar dimensions on the rear elevation.

Issue 2: Front Porch Guardrails

The applicant is proposing wood guardrails with 2" x 2" wood pickets on the two front porches for safety of the tenants. The wood guardrails do not significant change or obscure character-defining features of the front porches, and the design and materials are compatible with the architectural style of the historic building and with the historic district.

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.

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.

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 project conforms with the Old Towne Design Standards. The exterior staircase replaces a previous exterior staircase, is located on the rear 50% of the building and is minimally visible from the public right of way. The design and materials of the staircase, guardrails and door are compatible with the historic building and with the character of the historic district. The proposed changes do not significantly change or obscure the building’s character-defining features and are appropriately differentiated from the historic building.

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).*

As this property is not within the National Register Historic District, this finding does not apply. However, the project is located within the Santa Fe Depot Specific Plan Area, which requires conformance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties (Secretary’s Standards)*. Projects found to be in conformance with the Old Towne Design Standards are generally considered to be in conformance with the *Secretary’s Standards*. The character of the historic property will be preserved. The exterior staircase does not destroy historic materials or features that characterize the property, and the new construction is differentiated from the historic building.

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 and the Santa Fe Depot Specific Plan Area, 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 and with the *Secretary's 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 and exhibits labeled Attachment 3 in the staff report (date stamped received March 25, 2014), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee.
2. 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.
3. The applicant, business owner, managers, successors, and all future assigns 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.
4. 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 without requiring a new public hearing.
5. Prior to the 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, Police Facility, Park Acquisition, Sanitation District, and School District, as required.
6. Construction permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building Division and Public Works Grading Division. Failure to obtain the required building permits will be cause for revocation of this permit.

7. All structures shall comply with the requirements of Municipal Code – Chapter 15.52 (Building Security Standards), which relates 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.
8. The final approved conditions of approval shall be reprinted on the first or second page of the construction documents when submitting to the Building Department for the plan check process.
9. If not utilized, project approval expires twenty-four months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060. The Planning entitlements expire unless Building Permits are pulled within 2 years of the original approval.

ATTACHMENTS

1. Vicinity Map
2. Site photos
3. Existing and Proposed Site Plans, Existing and Proposed Exterior Elevations (date stamped received March 25, 2014)
4. DPR Form 523 for 535 W. Chapman
5. Staff report for DRC meeting on January 15, 2014
6. Minutes of the DRC meeting on January 15, 2014

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