



DESIGN REVIEW COMMITTEE

AGENDA ITEM

AGENDA DATE: JULY 19. 2017
TO: Chair Imboden and Members of the Design Review Committee
THRU: Anna Pehoushek, Assistant Community Development Director
FROM: Kelly Christensen Ribuffo, Associate Planner
SUBJECT: DRC No. 4897-17 – McGuire/Moreno Residence

SUMMARY

The proposal to undertake exterior alterations to two existing single family residences. The property is a contributing historic resource within the Old Towne Historic District.

RECOMMENDED ACTION – FINAL DETERMINATION

Staff recommends that the Design Review Committee 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

Owners: Connie McGuire ad Eduardo Moreno
Designer: David Copete
Property Location: 539/541 E. Washington Avenue
General Plan Designation: Low Density Residential 2-6 du/acre
Zoning Classification: Single Family Residential R-1-6
Existing Development: 1,301 SF single family residence, 400 SF accessory residence, and an 800 SF detached garage
Property Size: 7,600 SF
Associated Applications: None
Previous DRC Review: N/A
Previous Entitlements: 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 Section 15331 (Historic Resource Restoration/Rehabilitation.) The proposed modifications to the property are in conformance with the Secretary of the Interior's Standards for Rehabilitation, and will not result in any negative impacts to the historic integrity of the property.

PROJECT DESCRIPTION

The applicant proposed to undertake exterior alterations to both residences (539 and 541 E. Washington Avenue) on the subject property. The scope of work for the project includes:

- 539 E. Washington Residence
 - Alter location and size of window openings on the west elevation
 - Alter location and size of window openings on the north elevation
 - Alterations to the front porch, including enlarging the front porch slab, removing existing metal railings, and adding additional posts to existing front porch columns
 - Replace tiled porch slab with new concrete on both front and rear porches

- 541 E. Washington Residence
 - Replace tiled porch slab with new concrete on the front porch

Proposed plans, including construction details, are included as Attachment 6 of this report. No work is proposed to be undertaken to the detached garage.

The applicant has proposed the above scope of work in order to accommodate changes to the floor plan of the residence to create a new bathroom and avoid making an addition to the building. Additional information is included in the justification statement provided as Attachment 3 of this report.

EXISTING SITE

The property is a contributing resource to the National Register-listed Old Towne Historic District. The property is developed as a duplex. The main residence (539 E. Washington Avenue) and smaller accessory residence (541 E. Washington Avenue) were both constructed c. 1904. The property also has a large detached garage constructed in 1956.

The main residence is Minimal Traditional in style modified from an earlier hip roof cottage. It has a hip roof with front gable porches on the front and rear, lap siding which is wider on the upper part of the building and narrower near the base, and a mix of 1/1 double hung and fixed picture windows with metal awnings. The accessory dwelling has similar finishes, but has more hip roof cottage features, with a steeper pitched roofline and different widths of lap siding on different walls of the building. It also has an attached single car garage. The detached garage has a hip roof and stucco siding, with garage doors facing the alley.

Current photographs of the property are included at Attachment 2 of this report. The applicant and staff were not able to locate any historic photographs related to the property.

The property also has an existing Mills Act Contract, approved by City Council in 2013 as MAC No. 225-13. The property is currently in good standing with the terms of the contract. A copy of the scope of work approved with the contract is included as Attachment 5 of this report.

DEVELOPMENT HISTORY

The property has undergone substantial alterations over time. A brief development history of the site is provided below.

- Both dwellings constructed between 1905-1909
 - Front house had inset front porch on west side of front elevation
- Between 1922-1950 – Small frame detached accessory structure built, roofing changed from wood shake to composition
- 1946/1947 – Remodel of main residence
 - Porch infilled, new front porch with gable roof added to front and rear
 - Siding modifications
 - Added metal awnings above windows
- 1956 – Construction of two car garage
 - Small accessory structure may have been demolished as part of this project
- Date Unknown
 - Modifications to accessory residence- Rear open porch infilled, front porch added, shed roof garage/lean to added
- 2013 – Approval of Mills Act Contract
- 2014 – Knob and tube electrical replaced (BP# 1408-141)
- 2015 – Master Bath Remodel (BP# 1507-263) EXPIRED

Information to create this timeline was derived from Sanborn Fire Insurance Maps from 1909, 1922, and 1955, as well as the City's Laserfiche digital building permit archives. The applicant has also summarized this information from their own research as Attachment 3.

HISTORIC SIGNIFICANCE AND INTEGRITY

Evaluating the historic integrity of the subject property is complicated by the fact that it has been substantially altered since its original construction, but is still listed as a contributing resource within the Old Towne Historic District and has a Mills Act contract.

The property went through a significant renovation in 1946 that altered the original hip roof cottage style of the home. The original inset front porch was filled in, the siding was modified, new projecting porches were added to the front and to the rear, and the interior was also renovated. The result was a home that reflects the Minimal Traditional architectural style.

Generally, properties that have undergone significant alteration outside of the period of significance are not considered to retain enough historic integrity to qualify as contributing historic resources within a historic district. The period of significance for the Old Towne Historic District also ends in 1940. However, the subject property is listed as a contributing resource within the Old Towne National Register Historic District and was granted a Mills Act contract in 2013. As such, the property in its current form, including all 1946 alterations, has been acknowledged as having historic value.

Given the historic status of the house, it is appropriate to consider the 1946 Minimal Traditional renovation of the house as the point of reference for review of proposed projects moving forward, not the c.1904 appearance of the house, which has long since disappeared.

Based on this analysis, the subject property appears to have moderate to high historic integrity. Few exterior alterations have been made to the primary residence and detached garage since the last major renovation in 1946. The accessory residence has been more altered, with additions to the front and rear having significantly altered the footprint of the building and obscured original design features.

EXISTING AREA CONTEXT

The subject property is located on the west side of the road mid-block on E. Washington Avenue, between S. Shaffer Street and S. Harwood Street. The property has access to the alley running east to west to the north of Washington Avenue. The site is bordered in all cardinal directions by other properties in the R-1-6 zoning district. These properties are primarily single family residences. The surrounding area is within the northeast residential quadrant of the Old Towne Historic District.

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

Staff has no issues with the proposed scope of work for this project and recommends the Design Review Committee accept the project as proposed. Analysis of the changes using the *Secretary of the Interior's Standards for Rehabilitation* is included below.

Issue 1: Compatibility of Exterior Alterations

The Old Towne Design Standards sets forth criteria for new construction within the residential quadrants of the historic district. Adopted as part of the Design Standards are the *Secretary of the Interior's Standards for Rehabilitation*, which constitute the best practice standard in historic preservation for evaluation of alterations, additions, and infill projects related to historic resources.

Standard #4 states that:

“Changes to a property that have acquired historic significance in their own right will be retained and preserved.”

As previously discussed, while the subject property has undergone significant modifications since its original construction, those modifications have been acknowledged as contributing to the

character of the historic district since the property has been included as a contributing historic resource in Old Towne, and the property has been granted a Mills Act contract. However, given the unique situation of the property, which has had a number of alterations over time, it is the opinion of staff that flexibility can be used in the review of the proposed project.

The proposed project will substantially alter the fenestration on the west and north sides of the main house, removing and relocating windows in order to accommodate alterations to the interior floor plan. The location of the existing windows is a result of the 1946 renovation. Pursuant to the requirements in the *Design Standards for Old Towne*, staff generally discourages significant modifications to the fenestration of any contributing building, as it may create an unbalanced rhythm of windows not characteristic of architectural styles common in the historic district. However, it is the opinion of staff that the fenestration is not a character defining feature of the property. Each elevation of the building has a different arrangement of windows, with no cohesive pattern or theme. This is likely do the fact that the building was renovated from one style to other, and one floor plan to another. Since the alterations are proposed to secondary (non-street facing) elevations, modifications to these two elevations will not significantly impact the historic integrity of the property and can be found on compliance with Standard #4.

Furthermore, Standard #5 states:

“Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.”

The applicant has also proposed to make modifications to the porches on both residences. The material of all porch slabs is proposed to be changed from red tile to concrete. This work item is also included as part of the scope of work approved with the Mills Act Contract in 2013. Staff has no concerns regarding this alteration, as it appears that all three porches (two on the main residence, one on the accessory residence) do not appear to be original to the buildings, and concrete is a customary porch slab material found throughout Old Towne.

More substantial modifications are proposed for the front porch on the main residence, where the applicant proposed to augment the existing porch columns with new posts and widen the porch slab to create additional usable space. Adding conjectural features or features that create a false sense of historic development on a property should not be undertaken per Standard #3:

“Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features of elements from other historic properties, will not be undertaken.”

While the proposed modifications to the porch are not justified based on historical precedent on this particular property, the porch style and column style are consistent with similar porches typical on other Minimal Traditional style houses of the era, and would not detract from the style of the house or create any significant visual impact on the building such that a false sense of development would be perceived. Because of its history of alterations the house is also not a typical example of

its style, being a blend of an older house with a newer style applied. Therefore, staff finds that the modifications can be justified as being consistent with the history of alterations for this particular property.

ADVISORY BOARD RECOMMENDATION

This project was not required to be reviewed by any advisory boards.

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. Below are the four findings that, as applicable, are used to determine whether a project meets the intent of the code related to design review and historic preservation guidelines:

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.G.1).*

The proposed project is in conformance with the Old Towne Design Standards. As discussed in the Analysis section of this staff report, the proposed design of the project is consistent with Standards # 3, 4 and 5 of the *Secretary of the Interior’s Standards for Rehabilitation*. The proposed alterations are of an appropriate design so as to be compatible with the property and will have no significant negative impact on the historic integrity of the property as a contributing historic resource, not to the overall streetscape along E. Washington Avenue.

2. *In any National Register Historic District, the proposed work complies with the Secretary of the Interior’s standards and guidelines (OMC 17.10.070.G.2).*

The project as proposed is consistent with the *Secretary of the Interior’s Standards for Rehabilitation*, specifically Standards #3, 4 and 5. The proposed alterations are of an appropriately simple design so as to be compatible with the property, and will not create a false sense of historic development or alter any distinctive historic features or finishes that make the property a contributing resource within the historic district.

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 17.10.070.G.3).*

The proposed work conforms to the prescriptive standards set forth in the Old Towne Design Standards and Orange Municipal Code. The proposed alterations are compatible with the Minimal Traditional style of the main residence and the style of the accessory residence, and will match aesthetically with the design of the property as a whole.

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 17.10.070.G.4).*

The Infill Design Guidelines are not applicable to properties within the Old Towne Historic District.

RECOMMENDED 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 plans and exhibits labeled as Attachment 6 (date stamped July 6, 2017), 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. 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. 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.
4. 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. Property Photographs
3. Applicant Justification Letter
4. DPR Form for 539/541 E. Washington Avenue
5. Mills Act Contract Scope of Work
6. Proposed Architectural Plans (date stamped 7/6/2017)

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