



DESIGN REVIEW COMMITTEE

AGENDA ITEM

AGENDA DATE: SEPTEMBER 2, 2015
TO: Chair McCormack and Members of the Design Review Committee
THRU: Leslie Aranda Roseberry, Planning Manager
FROM: Kelly Christensen Ribuffo, Associate Planner
SUBJECT: DRC No. 4808-15 – 578 N. Lemon Street Garage Reconstruction

SUMMARY

The applicant proposes to construct a 423 SF detached garage at the rear of a contributing residence in the Old Towne Historic District. The garage is proposed to replace a detached garage/carriage house building that was demolished without permits.

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

Applicant/Owner: Kris Olsen, Chapman University
Property Location: 578 N. Lemon Street
General Plan Designation: Low Density Residential 2-6 du/ac
Zoning Classification: R-2-6
Existing Development: 875 SF one-story single family residence
Property Size: 5,457 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 will be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Section 15303 (New Construction or Conversion of Small Structures.) The project is limited to the addition of a detached accessory structure to an existing developed single family residential property, with no impact to any significant environmental resources.

PROJECT DESCRIPTION

The applicant proposes to construct a 423 SF detached garage on the south side of the property, behind the residence. The garage is proposed to replace a detached garage/carriage house building that demolished without permits.

The building is to be reconstructed on the original site of the demolished building, with approximately the same footprint. The design and materials of the building draw influence from the design of the original garage, and are meant to replicate the original building as closely as possible, with alterations made to make the building more functional for storage. The building will still be too small to accommodate a modern automobile.

The proposed work meets the development standards for the R-2-6 zoning district, and no accommodations or variances are being requested as part of this project.

BACKGROUND

Chapman University purchased the property in December 2014 and began to renovate the property for continued residential use. However, in February 2015 during the renovation process the University's contractor demolished the detached building without permits. All of the original materials were cleared from the site, with no materials salvaged.

Orange Municipal Code (OMC) Section 17.10.090 states that demolition of any structure within an established historic district that is over one hundred twenty (120) square feet in area is subject to the review and approval of the Design Review Committee. Failure to comply with this section may result in penalties, either civil or related to building permit issuance.

On July 23, 2015 the Community Development Director sent a memorandum to Chapman University in regards to the demolition of the garage/carriage shed without permits. As a result of these actions, all building permit applications related to this project will be subject to double (2x) permitting fee penalty.

Because the demolition of the building has already taken place, and the Director has already acted to levy penalties for the action, no application for a demolition review is being sought retroactively by the applicant.

EXISTING SITE

The property is a contributor to the National Register-listed Old Towne Historic District. The site is developed with an 875 SF single family residence. The residence was constructed in 1923 and has a simple Vernacular style.

It is unclear whether the demolished garage/carriage shed was built at the same time as the house. The property was too far north to be covered by any of the Sanborn Fire Insurance Maps of Orange. However the 1947 aerial of Orange shows the garage in its existing location before it was demolished. Given the information available concerning the original building, Staff would have treated the building as a contributing historic resource for the purposes of permitting and design review.

EXISTING AREA CONTEXT

The subject property is surrounded to the north, south and west by other residences in the R-2-6 zoning district. Rancho Santiago Community College Adult Learning Center is across the street to the east. The property is directly adjacent to other contributing historic resources facing N. Lemon Street as shown in Attachment 1, Vicinity Map.

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 not identified any issue items related to the proposed project. The project as proposed is compatible with the design and development of the site, and complies with the Old Town Design Standards and the *Secretary of the Interior's Standards for Rehabilitation* for infill development on the site and reconstruction of a demolished feature.

The demolition of the original detached building is addressed in the Background section of this report.

ADVISORY BOARD RECOMMENDATION

This project was not 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 for the Residential Quadrants. The mass, scale, and orientation of the detached garage are appropriate for the size of the residence. Design cues for materials and features have been taken from the original garage in the design of the reconstruction. The Community Development Director has addressed the demolition without permits of the original garage through building permit fee penalties as describe in this report.

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 proposed project is consistent with the Secretary of the Interior's Standards, specifically Standard #9 related to the compatibility of new construction to historic properties. The new detached garage is of an appropriate scale and size compared to a historic detached garage of the period, and the materials and design chosen for the building are compatible with the Vernacular style of the residence. The applicant has also included design features to match as closely as possible the design of the garage that was demolished, so as to mitigate the loss of the demolished structure as much as possible given that no original materials could be salvaged.

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 and design criteria set forth in the Old Towne Design Standards and Orange Municipal Code. The design of the detached garage is compatible in design, scale and location with the historic residence.

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 this project, as the size of the addition is less than 50% of the existing square footage of the house.

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 2 (date stamped 8/6/2015), 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. Proposed Plans (date stamped August 6, 2015)
3. Additional Applicant Photographs
4. DPR Form for 578 N. Lemon Street

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