



# *DESIGN REVIEW COMMITTEE*

## AGENDA ITEM

AGENDA DATE: FEBRUARY 17, 2016  
TO: Chair Fox and Members of the Design Review Committee  
THRU: Leslie Aranda Roseberry, Planning Manager  
FROM: Marissa Moshier, Associate Planner - Historic Preservation  
SUBJECT: **DRC No. 4475-10 – Yaghi Rehabilitation and Accessory Second Unit**

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### **SUMMARY**

The applicant proposes to relocate a historic single family residence and garage, remove non-contributing additions and construct a new rear addition to the historic building. The building will be relocated forward on the lot by 8 feet to a 58 foot setback to the attached garage and 63 foot setback to the primary residence. The building will contain both the primary residence and an attached 638 square foot accessory second unit. The primary residence and accessory second unit will be accessed from two existing doors on the front elevation of the building.

### **RECOMMENDED ACTION – RECOMMENDATION TO PLANNING COMMISSION**

Staff recommends that the DRC recommend approval to the Planning Commission.

### **BACKGROUND INFORMATION**

Owner: Shucri Yaghi  
Applicant: Craig B. Wheeler, Architect  
Property Location: 812 E. Washington Avenue, Old Towne Historic District  
General Plan Designation: Low Density Residential 2-6 du/ac  
Zoning Classification: R-1-6  
Existing Development: 1,223 SF single family residence with attached one-car garage  
Property Size: 6,413 SF  
Associated Applications: VAR-2240  
Previous DRC Review: Preliminary review on August 5, 2015

A previously proposed project to construct an accessory second unit at the front of the property was reviewed by DRC on September 1, 2010; October 6, 2010; December 1, 2010; and June 20, 2012. The

DRC continued the project and requested additional information on the status of the existing building as a contributor to the Old Towne Historic District.

## **PUBLIC NOTICE**

No Public Notice was required for this project.

## **PROJECT DESCRIPTION**

The project involves relocation of the existing house and garage and construction of a new attached accessory second unit. The proposed new square footage on the lot is 2,049, divided between 1,191 for the primary residence, 638 for the accessory second unit, and 220 for the garage. Major project components include:

- **Building relocation.** The applicant proposes to relocate the existing building to a 63 foot front yard setback for the primary residence and a 58 foot setback for the attached garage. This is an 8 foot reduction in the existing front yard setback. The configuration of the front elevation, including the attached garage, will remain the same. The existing tree in the front yard will be retained.
- **Primary residence and new accessory second unit.** The primary residence will occupy floor area on the west side of the building and will be accessed from an existing door on the front elevation. A portion of a non-contributing rear addition, consisting of a bedroom and utility room, will be removed and reconstructed. A third bedroom for the primary residence will be added to the rear of the building. The new accessory second unit will occupy the existing floor area on the east side of the building and will be accessed from an existing door on the front elevation. An addition containing a living room for the accessory unit will be constructed at the rear of the building.
- **Garage.** The existing attached garage will be retained in its current configuration, attached to and slightly in front of the residence. The rear wall of the garage will be extended into the building to allow sufficient space to park a car. The existing carriage doors will be used at the garage opening.
- **Parking Space for Accessory Second Unit.** Under the Orange Municipal Code, one additional uncovered parking space is required for construction of a new accessory second unit. This parking space may not be a tandem parking space. A Variance is necessary to allow elimination of the code-required parking space for the accessory second unit. Staff recommends that the long driveway provides adequate space for off-street parking and that parking in the driveway area is less of an impact to the character of the Historic District than a separate parking pad in the front yard. The Variance will be reviewed by the Planning Commission.

## **EXISTING SITE**

The existing site is developed with a 1,223 square foot single family dwelling and attached one car garage, set back from the front property line by approximately 66 feet to the garage and 71 feet to the house itself. The building is a small vernacular house with several different styles of wood siding and wood windows. The roof at the street-facing elevation consists primarily of a simple side gable with exposed rafters. The garage with a front gable roof on the east side of the property is connected to the house through a small hyphen with a shed roof that contains the kitchen.

The building was identified as a contributor to the Old Towne Orange Historic District (Historic District) in the 1997 nomination of the district to the National Register of Historic Places (National Register). In the City's 2005 Historic Resources Survey Update, the building was re-evaluated and the status code "1D" was confirmed, identifying the building as a contributor to the National Register-listed Historic District.

Based on the analysis included in the DRC staff report from August 5, 2015, staff recommends to the DRC that the existing building was constructed within the Old Towne Historic District's period of significance (1888-1940) and retains sufficient integrity to be considered a contributor to the Historic District. However, the rear portion of the building appears to have been constructed after 1940, and staff recommends that the DRC consider these elements to be non-contributing features of the property. The non-contributing rear portion of the house consists of the utility room, a portion of bedroom one, and bedroom two as shown on Sheet A-2: Existing Floor Plan (Attachment 7).

## **EXISTING AREA CONTEXT**

Surrounding properties are primarily one-story single family residences. Of the 12 properties on the south side of the 800 block of E. Washington Avenue, nine contain contributing buildings to the Old Towne Historic District, constructed between 1917 and 1928. Of the 10 properties on the north side of the block, one contains a contributing building. On the south side of the block, front yard setbacks range from 15 feet 7 inches to 27 feet 7 inches, measured from the back of sidewalk to the face of the porch.

## **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: Relocation and Front Yard Setback**

At the DRC meeting for preliminary review on August 5, 2015, the Committee recommended that the large front yard setback is a character-defining feature of the property and encouraged the applicant to redesign the site plan to allow retention of a larger front yard area. The Committee recommended that the applicant consider revising the interior layout and expanding the building to the rear, rather than substantially changing the front yard. The DRC suggested exploring the option of an attached accessory second unit at the rear of the property and alternatives to parking that may allow greater flexibility in the site design.

In response, the applicant is proposing to retain the existing configuration of the front elevation of the historic building and to relocate it forward on the lot by 8 feet. The resulting front yard setbacks will be 58 feet to the garage and 63 feet to the residence, compared with the existing 66 feet and 71 feet respectively. The existing building has two doors on the front elevation. Taking advantage of this configuration, the applicant has chosen to develop the primary residence and accessory second unit side by side. The primary residence will be located on the west side of the building and the accessory second unit will be located on the east side. As a result, the front elevation of the building will be largely unchanged from its existing appearance.

Under the *Secretary's Standards*, relocation of a historic building may be found to be appropriate, if the relocation does not destroy the historic relationships between buildings and landscape within the Historic District. From evidence available in historic photographs, it appears that the structures on the property have always had a large setback with an open front yard. The applicant has reduced the impact to the front yard by proposing a large 58 foot setback, which is approximately 30 feet more than the next largest front yard setback on the block. The proposed new setback will retain the large front yard which is characteristic of this particular property in the Historic District. The mature tree in the front yard will remain, and the existing configuration of the walkway and driveway will be retained. Staff recommends that the DRC finds that this is a minor change to a character-defining feature of the historic property and is in conformance with the *Secretary's Standards*.

## Issue 2: Compatibility of Additions

The rear portion of the building consisting of several non-historic additions will be removed and reconstructed. The rear of the building will also be expanded with additional floor area for a bedroom for the primary residence and a living room for the accessory second unit. The reconstruction and addition to the rear portion of the building includes construction of a new gable roof with exposed rafter tails. The ridge of the new gable roof is approximately one foot taller than the ridge of the existing historic building. Staff recommends that the ridge height of the addition will be minimally visible from the street and will not impact the character of the historic streetscape.

The new sections of the building will be clad in wood lap siding with four inch exposure to contrast the existing siding with five inch exposure. New windows in the building will be wood double hung windows with trim to match the existing windows. The proposed materials and construction details are compatible with the historic building and in conformance with the *Secretary's Standards*.

## **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 recommend approval of the project to the Planning Commission.

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. The proposed site plan preserves the character-defining features of the property, including the large front yard setback. The relocation of the house and garage to preserve the large front yard setback is compatible with the street pattern of the 800 block of East Washington Avenue in the Historic District. The design of the rear addition to the

historic building is compatible with the mass, scale, materials and construction details of the existing building and with comparable single family residences in the Historic District. The proposed project retains the historic relationship between primary buildings, accessory structures, and open space on this property. The proposed project is compatible with the 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.G.2).*

Projects found to be in conformance with the Old Towne Design Standards are generally considered to be in conformance with the *Secretary's Standards*. In conformance with Standards 1 and 9, the proposed project is compatible with the site plan, size, scale and massing of the historic development on this property. In conformance with Standard 2, relocation of the house and garage retains the large front yard setback and historic pattern of development on this property. In conformance with Standard 10, the proposed changes will not negatively impact the form and integrity of the historic property. The proposed project preserves character-defining features of the historic building and provides area for compatible new development at the rear of the lot.

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.G.3).*

As described above, the proposed project conforms to the Old Towne Design Standards, which are the applicable standards and design criteria referenced and/or recommended by the Design Review Committee for projects in the Old Towne Historic District.

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.G.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 7 in the staff report (dated January 28, 2016), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee.
2. A qualified structural engineer or house mover shall provide a plan for bracing and relocation of the house to ensure that it can be relocated intact and with minimal loss of historic material. The plan shall be submitted to the Planning Division, along with detailed photographs of all building elevations, for review and approval prior to issuance of a building permit. If the house

cannot be relocated intact, the project shall return to the Design Review Committee for review and determination on potential alternatives.

3. 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.
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 Photographs
3. Survey Evaluations for 812 E. Washington Avenue
  - a. 1997 National Register nomination form
  - b. 2005 Chattel, Inc. survey update
  - c. DPR 523 Form
4. Historic Research

- a. 1920 Sanborn Fire Insurance Map
  - b. 1936 Orange County Assessor Building Description Form
  - c. 1938 Aerial Photograph
  - d. 1947 Aerial Photograph
  - e. 1950 Sanborn Map
  - f. 1960 OC Assessor Building Description Form
5. DRC Staff Report from August 5, 2015
  6. DRC Minutes from August 5, 2015
  7. Plans (dated January 28, 2016)

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