

DESIGN REVIEW COMMITTEE AGENDA ITEM

AGENDA DATE: MARCH 21, 2012

To: Chair Woollett and Members of the Design Review Committee

THRU: Leslie Aranda Roseberry, Planning Manager

FROM: Doris Nguyen, Associate Planner

SUBJECT: DRC No. 4586-11 – ROSSITER RANCH LOT 5 LARSON RESIDENCE

SUMMARY

The applicant proposes to construct a new 5,564 SF single family residence and a 1,779 SF attached garage on a vacant lot.

RECOMMENDED ACTION - FINAL DETERMINATION

Staff is requesting that the DRC approve the proposed project with modifications to the fencing.

BACKGROUND INFORMATION

Applicant/Owner: LSUND LLC for owners Raymond & Diane Larson

Property Location: 1450 Nicky Way

General Plan Designation: Estate Residential (ESTR)

Zoning Classification: Single-Family Residential (R-1-40)

Existing Development: Vacant Lot Property Size: 43,775 SF

Associated Applications: None Previous DRC Project Review: 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 15301 (Class 3 –

New Construction) because the project includes the construction of one single family residence in a residential zone. There is no public review required.

PROJECT DESCRIPTION

The applicant is proposing to construct the 5th residence within a six-lot subdivision called Rossiter Ranch Estates, located within the most northwestern portion of the Orange Park Acres Specific Plan area. The new single-family residential home is proposed to be 5,564 SF with a 1,779 SF attached garage totaling 7,343 SF for the main house. The house would have 5 bedrooms and 5 full and 1 half bathrooms. The applicant is also proposing a 224 SF detached shed to store garden tools and a 36 SF detached powder room with sink and toilet, underneath the 24' X 26'-9" solid hipped roof patio cover, near the swimming pool. There would be an additional 16' X 20'-9" wood lattice patio cover on the south side of the master bedroom.

The exterior of the house is described as a modern eclectic ranch style with a very dominant hipped roof form. The residence is proposed at a maximum height of 26'-6" feet, uses varied hipped roof configurations and has a 10:12 pitched tile roof. The finish materials are proposed to be painted stucco with wood trim, stone veneer, stone finished balustrades, and shutters on some of the windows. The project provides approximately 19,118 SF of landscape.

EXISTING SITE

The one-acre site is a vacant parcel within a newly created six-lot subdivision (Tract 16405). The subject site is located on Nicky Way, which is a public street that intersects with Santiago Canyon Road, approximately 650 feet to the north. The subject site is located within the boundaries of the Orange Park Acres Specific Plan.

EXISTING AREA CONTEXT

Surrounding properties to the south and east have been developed with single-family residences that are equestrian-oriented and on lots generally one-acre or greater in size. Properties to the north and west have been developed at higher densities with minimum lots sizes ranging between 8,000 and 20,000 square feet in size.

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 New Residence:

The applicant is proposing to construct 5,564 SF with a 1,779 SF attached garage totaling 7,343 SF for the main house. The applicant is also proposing a 224 SF detached shed to store garden tools and a 36 SF detached powder room with sink and toilet, underneath the 24' X 26'-9" solid hipped roof patio cover, near the swimming pool.

The residence would be 26'-6" feet tall, where a maximum height of 32' is permitted. The project will result in a 0.17 Floor Area Ratio (FAR), where the maximum is 0.40 FAR. The project provides approximately 19,118 SF of landscape, where a minimum of 2,000 square feet is required. The house would have 5 bedrooms and provides 6 enclosed parking spaces, where 3 enclosed parking spaces are required. The project provides approximately 19,118 SF of landscape, where a minimum of 2,000 square feet is required.

OMC Section 17.14.170 permits detached accessory structures that are less than 150 SF to have one toilet and one sink. The 36 SF powder room that is connected to the detached patio contains one toilet and one sink; therefore, it meets the requirement.

The tract is somewhat isolated from other portions of Orange Park Acres since it is not located along a main artery. The massing of the main house would not be visible when you turn onto Nicky Way from Santiago Canyon Road. The proposed scale of the residence, garage, and secondary accessory unit are appropriate to the size of the subject property, using stepped roof forms, and covered porch areas. The walls of the house are also varied in that some are setback and others pop out to give the building interest and to break up the massing. The home is a single-story, which is supported in the Orange Park Acres Specific Plan.

Issue 2 Fences/Walls:

The project is located within the Orange Park Acres Specific Plan area. The tract developer has installed open white fencing to delineate the equestrian trails, which line the west side of the subject property. The Specific Plan promotes the restriction of CMU, chain link, or opaque fencing; however, the applicant is proposing a 6' tall stucco covered CMU wall along the west, and east property lines. The 6' tall wall returns on the north would also be made of stucco covered CMU. The south facing rear yard contains a large slope and would have a 10' tall retaining wall to increase the size of the usable yard area. The applicant is requesting solid walls to create privacy in their rear and side yards. However, the other properties in the development that are adjacent to the equestrian trail have proposed open wrought iron or tubular steel fencing adjacent to the trail. Staff requests that the DRC consider requesting that this applicant do the same and modify the materials in Condition 4 as needed.

The applicant is proposing to construct two parallel fences/walls within 5' of each other, which is prohibited without review and approval from the Community Development Director, according to OMC Section 17.14.180.D. The location of the two fences/walls is on the west property line, between the subject residence and adjacent neighbor located at 6050 E. Jack Pine Lane. There is an existing split rail fence delineating the equestrian trail easement on 6050 E Jack Pine Lane. The applicant is requesting to place a 6' tall CMU wall on the property line, directly adjacent to the split rail fence. The Community Development Director has approved the fence and wall less than 5' from each other, provided that they are directly adjacent, with no gap between them, so there is no confusion regarding maintenance of the space in between, see Condition 4.

Recently, a representative from the Orange Park Acres Board (OPA) has expressed general concerns regarding new homes constructed within the Orange Park Acres area. Since this project requires only Design Review Committee review and approval, it is not required to be reviewed by the Orange Park Acres Board. OPA's general concerns are regarding maintaining the equestrian nature of the community and that new homes should be designed to allow for the future housing and maintenance of horses. The proposed home is set 7'from to the west property line and is set back 16'-8" to 37'-8" from the east property line. Larger objects such as hay could be brought in through the eastern side yard if the CMU wall is replaced with a larger gate. The applicant is proposing a large circular concrete walkway that could be removed or covered with a barn if a future homeowner wishes to do so and can meet the development requirements. The current owner is not proposing to keep horses at the property.

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).
 - This project site is not within the Old Towne Historic District; therefore, this finding does not apply.
- 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).
 - This project site is not within the National Register Historic District; therefore, this finding does not apply.
- 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).
 - The project is located within the Orange Park Acres (OPA) Specific Plan. The Specific Plan calls for ranch style homes, which is the style that the design is based. The Plan also calls for open fencing, restricting the use of CMU, solid, or opaque fencing. The applicant is requesting the use of CMU fencing around all sides of the property. On the south elevation, the CMU wall would be used as a retaining wall to create a more useable lot. This finding can not be met with the CMU walls as currently designed. As discussed in the analysis section, Staff is requesting that the DRC consider requesting that the applicant modify the materials along the east property line, to be wrought iron or tubular steel. The adjacent properties within the development have also minimized the amount of CMU facing the street.
- 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).
 - This project site is an infill residential development. The proposal demonstrates the incorporation of the objectives outlined in the Infill Residential Design Guidelines for massing and materials. The design of the single story custom home also supports the rural feel of the Orange Park Acres community.

CONDITIONS

The approval of this project is subject to the following conditions:

- 1. The only plumbing fixtures permitted inside the detached powder room located near the BBQ, underneath the patio cover, include a toilet and sink. An exterior rinse off shower is permitted. Any additional fixtures inside of the building require a Conditional Use Permit.
- 2. An approved precise grading permit shall be obtained through the Public Works Department prior to issuance of a building permit.
- 3. Prior to the issuance of a grading permit, a Non-Priority Water Quality Management Plan shall be reviewed and approved by the Public Works Department.
- 4. For the portion on the west parcel line, where the equestrian trail fencing abuts the CMU wall, the fence and wall shall be directly adjacent to each other so that there is no gap between the fence and wall.
- 5. All construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled Attachment 4 in the staff report (date stamped received March 7, 2012), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Further, exterior building color and materials shall conform to the plans and color and materials board approved by the Design Review Committee on March 21, 2012. Any change to the exterior of the building from the approved plans shall be subject to review and approval by the Design Review Committee.
- 6. 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.
- 7. The applicant 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.
- 8. Except as otherwise provided herein, this project is approved as a precise plan. After any application is 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 change complies with the provisions, spirit, and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plan, the Community Development Director may approve the changed plan without requiring a new public hearing.
- 9. 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.
- 10. 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.

- 11. 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.
- 12. Applicant/developer shall be aware that all work within the public right-of-way requires the issuance of an Encroachment Permit. Such work includes, but is not limited to, work on the sidewalk, driveway construction, and utility laterals.
- 13. The final conditions of approval shall be reprinted on the second page of the construction documents when submitting to the Building Department for the plan check process.
- 14. If not utilized, project approval expires twenty-four months from the approval date. Time extensions 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. Existing Site Photos
- 3. Photo of Color Board
- 4. Site Plan, Floor Plans, Elevations, Roof Plan, Landscape Plan (date stamped received March 7, 2012)

cc: LSUND LLC
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File

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