

# Planning Commission Agenda Item

**June 4, 2012** 

TO: **Chair Steiner and** 

**Members of the Planning Commission** 

THRU: Leslie Aranda Roseberry

**Planning Manager** 

FROM: **Daniel Ryan** 

**Historic Preservation Planner** 

#### **SUBJECT**

**PUBLIC HEARING:** Conditional Use Permit No. 2841-11 and Design Review Committee No. 4534-11 – Allen Residence, located at 202 N. Cambridge Street, within the Old Towne Orange Historic District.

#### **SUMMARY**

The applicant is proposing to demolish and reconstruct a non-contributing rear porch addition and basement. The proposal also includes converting an existing attic into a bedroom and bath with a walk-out deck on a one-story contributing 1895 Victorian residence.

#### RECOMMENDED ACTION

Adopt Planning Commission Resolution No. 05-12 entitled:

A RESOLUTION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2841-11 AND DESIGN REVIEW COMMITTEE NO. 4534-11 FOR DEMOLITION AND REPLACEMENT OF AN ADDITION AND BASEMENT INCLUDING A SECOND-STORY DECK FOR A CONTRIBUTING RESIDENCE LOCATED AT 202 NORTH **CAMBRIDGE STREET** 

#### AUTHORIZATION/GUIDELINES

The Planning Commission is authorized to review and take action on the following Orange Municipal Code (OMC) Sections:

§ 17.08.020 Establishes the reviewing bodies for various discretionary applications and final

project determination rests with the Planning Commission for combined

applications involving a Conditional Use Permit and Design Review, and

- § 17.10.080 Requires that the project be reviewed in accordance with California Environmental Quality Act (CEQA) provisions and the City's Local CEQA Guidelines, and
- § 17.14.250 Requires development within Old Towne to and conform to the Historic Preservation Design Standards for Old Towne Orange, and
- § 17.17.090 Design Standards for Old Towne Chapter 1, Section C, 2 (h): demolition of non-historic building over 120 sq. ft., and
- § 17.17.060 Expansion of existing floor area over 20% (attic conversion), and
- § 17.17.060 Installation of a second-story walk-out deck (two-story construction review in Old Towne Orange Historic District).

## **PUBLIC NOTICE**

On January 4, 2012, the City sent Public Hearing Notices to a total of 62 property owners/tenants within a 300-foot radius of the project site, and person's specifically requesting notice. The project site was also posted with the notification on that same date.

# ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines per the following Sections:

- 1. Section 15302 (Class 2 Replacement or Reconstruction) consists of replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose as the structure replaced.
- 2. Section 15331 (Class 31 Historical Resource Restoration and Rehabilitation) consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

#### **Local CEQA Guidelines**

The proposed work complies with the Secretary of the Interior's Standards for Rehabilitation and the City's Local CEQA Guidelines as to: use of in-kind materials, secondary roof height, massing, placement and orientation of the addition in relation to the site, block and surrounding Historic District.

#### PROJECT BACKGROUND

Applicant/ Property Owner:	Kevin Allen
Property Location:	202 N. Cambridge Street, Old Towne Historic District
Existing General Plan	Low Density Residential (2 to 6 Du/Ac)
Land Use Element designation:	

Existing Zoning	R 1-6 (Single-Family Residential District- 6,000 sq. ft.		
Classification:	lot)		
Old Towne:	Yes		
Redevelopment Project Area:	N/A		
Specific Plan/PC:	N/A		
Site Size:	.17 Acre (7,540 sq. ft.)		
Circulation:	Cambridge Street is a Local/Commuter Street		
	Classification with an ultimate ROW of 66 feet		
Existing conditions:	Contributing SFR, and detached two car garage		
Surrounding land uses	Single-Family Residences and R 1-6 (Single-Family		
and Zoning:	Residential District)		
Previous	None		
Applications/Entitlements:			

#### PROJECT DESCRIPTION

The applicant proposes to demolish 103 sq. ft. of existing basement and a 376 sq. ft. one story addition (that consist of the original rear porch and a later non-contributing shed roof addition). The reconstruction will consist of a new 376 sq. ft. one-story addition above a new 376 square feet basement. Excluding the later shed addition, the exterior walls on the north and south sides of the original rear porch will be maintained in place. The proposal also includes a walk out deck above the new rear one-story addition and conversion of the existing attic to 360 sq. ft. of living space with a new bedroom and full bath.

Not counting the basement, the floor area of the original construction (1,235 sq. ft.) plus the new habitable area of the attic increases the new floor area by 360 sq. ft. or an increase of 29%. As the project involves more than a 20% increase in existing floor area (attic expansion) and 2<sup>nd</sup>-story walk-out deck (triggers second story construction in Old Towne), the project requires final review and approval by the City's Planning Commission. All of the proposed materials and finishes will match the existing including windows, siding and trim (See Exhibit "A" – Half-scale site, elevation, and floor plans).

### **Development Standards**

	Required	Proposed	<b>Code Section</b>
Building Height	No Change	N/A	N/A
Distance between	No Change	N/A	N/A
structures			
Fence height	No Change	N/A	N/A
Floor Area Ratio	. <b>7</b> 0 FAR	.27 FAR	OMC 17.14.070
(FAR)	(0.22 FAR Existing)		
Lot size	No Change	N/A	N/A
(residential)			
Lot frontage	No Change	N/A	N/A

Lot depth	No Change	N/A	N/A
Open space, private	No Change	N/A	N/A
(residential)			
Demolition of Old	Requires Planning	Demolition &	OMC 17.17.060
Towne Structures	Commission Review	Reconstruction of	
over 120 Sq, ft.		non-contributing	
		addition	
East or Front	No Change	N/A	N/A
Setback			
West or Rear	No Change	N/A	N/A
Setback			
North or Side	No Change	N/A	N/A
Setback			
South or Side	No Change	N/A	N/A
Setback			
Parking	No Change	N/A	N/A
(residential)	2 Enclosed Parking Spaces		
Parking Back-up	No Change	N/A	N/A
Dimensions			
Increase of existing	Principle Structure 1,235 X	Attic expansion of	OMC 17.17.060
floor area over	20%  sq. ft. = 247  sq. ft.	360 sq. ft.	
20%			

# **REQUIRED FINDINGS**

<u>Conditional Use Permit:</u> The applicant is requesting a Conditional Use Permit to allow construction of a full bathroom in the existing detached recreation room.

#### Required Findings:

- 1. A Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community.
- 2. A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.
- 3. A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located.
- 4. A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant.

**<u>Design Review Committee:</u>** Is reviewing the design of the replacement garage as well as the compatibility, design and materials of the project to ensure that the proposal meets adopted criteria and standards.

#### Required Findings:

- 1. In the Old Town Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the Design Review Committee or other reviewing body for the project.
- 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 and OTDS).
- 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.
- 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.

#### ANALYSIS/STATEMENT OF THE ISSUES

#### Issue 1: Architectural

With the conversion of 360 square feet of attic space to a new bedroom and full bath, the applicant is proposing to construct a new second-story walk-out deck. The addition of a second-story walk-out deck triggers review for a second story construction in Old Towne which requires issuance of a Conditional Use Permit. The proposal includes expansion within the existing attic area, so there is no change to the building's massing. The design of the addition carries over a shallow extended rear gable roof and eliminates the former shed roof design at the rear of the residence. The lower gable roof extends up to screen the open deck and the top of the deck surround provides protection and a finished detail to the edge where the deck meets the roof. The applicant is proposing to keep the north and south exterior walls of the original porch construction and replace the aluminum windows with matching wood windows and trim. The design of the new work, as conditioned, is compatible with the architectural character of the historic setting in terms of size, scale, design, material, color, and texture. The proposed addition replaces the existing construction located at the rear of the residence and no impact to the site or neighborhood is anticipated.

#### <u>Issue 2: Privacy and Visibility:</u>

The construction of a walk-out deck on the rear of the second floor is cut-in or partially screened from view. The adjoining side yard of the property to the north will be visible from the second-story deck. As the deck area is partially enclosed and only accessible from the upstairs bedroom, privacy is not seen as an issue. (See Exhibit "A" – Site and Elevation Plans).

#### ADVISORY BOARD RECOMMENDATION

#### **Staff Review Committee:**

As there were no issues related to Police, Fire or Public Works, the project was not reviewed by the Staff Review Committee.

#### **Design Review Committee:**

On January 4, 2012, the Design Review Committee reviewed the proposal, concurred with the recommendations and conditions in the Staff Report, and recommended approval of the project to the Planning Commission subject to the following conditions:

- 1. The removal and replacement of the foundation be clearly described in the documentation, including the exterior surface of the foundation to be consistent with the surface of the original foundation.
- 2. The line of demarcation between the exterior wall, between new and existing construction, be clearly denoted.
- 3. The documentation clarifies the coping around the balcony railing in relationship to the roof.
- 4. That the front window be designated as casement.

The project plans as submitted to the Planning Commission include the above recommendations.

## ATTACHMENTS/EXHIBITS

#### **Attachments to Report:**

- 1. Planning Commission Resolution No. 05-12
- 2. Vicinity Map
- 3. Applicants Letter of Justification
- 4. Design Review Committee Staff Report, dated January 4, 2012
- 5. Design Review Committee Minutes, dated January 4, 2012

#### Exhibits provided to the Planning Commission:

A. Submitted Half-size Plans dated May 11, 2011

cc: Kevin Allen 202 N. Cambridge Street, Orange, CA 92866