# CITY OF ORANGE DESIGN REVIEW COMMITTEE MINUTES – FINAL

May 18, 2011

Committee Members Present: Bill Cathcart

Tim McCormack Craig Wheeler Joe Woollett

Committee Members Absent: None

Staff in Attendance: Leslie Aranda Roseberry, Planning Manager

Robert Garcia, Associate Planner Chad Ortlieb, Senior Planner

Dan Ryan, Historic Preservation Planner Sandi Dimick, Recording Secretary

## Administrative Session - 5:00 P.M.

Chair Cathcart opened the Administrative Session at 5:10 p.m.

Planning Manager, Leslie Aranda Roseberry, stated there were no changes to the Agenda. She stated that the City Council had reviewed the Ridgeline project on the previous Tuesday and they continued the item to the next meeting. All public testimony was taken and with any luck there would be a determination made on Tuesday. The item had been presented to the DRC approximately a year and a half ago. The meeting lasted until 11:45 p.m.

Committee Member McCormack asked what the Planning Commission's determination had been on the Ridgeline project?

Ms. Aranda Roseberry stated the Planning Commission's determination had been a 5-0 recommendation of approval after three meetings.

Chair Cathcart stated he had run into the Mayor and she was thrilled with the DRC's analysis and she was going to use that in her judgment.

Ms. Aranda Roseberry stated that was excellent and there were now 103 conditions.

Committee Member McCormack stated the last time he had counted it was 88 or 86.

Ms. Aranda Roseberry stated there were several conditions that had been added and the applicant had also requested that many of the conditions be changed or deleted. There were a ton of them that were all associated with fire conditions and the applicant had asked that those be deleted. Staff would replace the conditions with one "shall follow the fire code." There would be a matrix developed as to the reasons to keep a condition and there would be some deliberating that would be done.

Committee Member McCormack asked if the project would return to the DRC?

Ms. Aranda Roseberry stated she believed the final elevations and the landscape plan would come back to the DRC, if it was approved, and she could not state which way the project would go.

Committee Member Woollett stated he was pleased at what Ms. Aranda Roseberry was stating as he had heard voices from various polls.

Ms. Aranda Roseberry stated the item had gone before the Planning Commission a year ago. The applicant had delayed their presentation before the City Council.

The Committee Members reviewed the minutes from the DRC meeting of May 4, 2011. Changes and corrections were noted.

Committee Member McCormack made a motion to adjourn the Administrative Session of the Design Review Committee.

SECOND: Craig Wheeler

AYES: Bill Cathcart, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED.

Administrative Session adjourned at 5:15 p.m.

## Regular Session - 5:30 P.M.

## **ROLL CALL:**

All Committee Members were present and there was one open position on the DRC.

#### **PUBLIC PARTICIPATION:**

Opportunity for members of the public to address the Design Review Committee on matters not listed on the Agenda.

There was none.

All matters that are announced as Consent Items are considered to be routine by the Design Review Committee and will be enacted by one motion. There will be no separate discussion of said items unless members of the Design Review Committee, staff, or the public request specific items to be removed from the Consent Items for separate action.

#### **CONSENT ITEMS:**

## (1) APPROVAL OF MINUTES: May 4, 2011

Committee Member Woollett made a motion to approve the minutes from the May 4, 2011 Design Review Committee meeting with the changes and corrections noted during the Administrative Session.

SECOND: Craig Wheeler

AYES: Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None

ABSTAIN: Bill Cathcart

ABSENT: None

MOTION CARRIED.

#### (2) DRC No. 4536-11 – MARY CENTER-SIGN PROGRAM

- A proposal for a sign program at an existing commercial structure.
- 2922 E. Chapman Avenue
- Staff Contact: Robert Garcia, 714-744-7231, <a href="mailto:rgarcia@cityoforange.org">rgarcia@cityoforange.org</a>
- DRC Action: Final Determination

Committee Member Wheeler requested that the item be removed from the consent calendar and be opened for discussion. The reading of the Staff Report was waived.

Committee Member Wheeler stated he had a few comments. On page No. 5 there were two items listed as Roman Numeral 6. Page No. 8 on the detail that he had received, the call-outs were not legible. The proposal appeared to violate the rule that the sign copy could not exceed 2/3 of the height of the architectural band on which it was located. Also, the application had to provide dimensions of what the band was. He had not seen the dimensions listed in his packet.

Associate Planner, Robert Garcia, stated it was 45" and pointed out the area he spoke to on the plans.

Committee Member Woollett stated the sign was not really attractive in the position proposed and it could be improved considerably if it was 1/3 longer and 1/3 less high. If perhaps it was shifted a bit more to the left, and the right-hand side would not need to line up with the windows. The location of the sign appeared very arbitrary to him.

Applicant, Vince Healy, address on file, stated the location had been chosen arbitrarily. They could not place it on the front of the bridal store. The only area that was left facing Chapman Avenue was the area off of the parking lot. They had wanted to place the sign in an area to gain the most from the sign.

Committee Member Wheeler stated he agreed with Committee Member Woollett. He had done some sketches on some possible alternates. He reviewed his suggestions and the placement of the sign with the applicant.

Committee Member Woollett suggested moving the sign to be lined up with the first mullein to the left.

Committee Member Wheeler stated that would present a problem, as upon driving west on Chapman Avenue the sign would not be visible. He suggested lining up the right side of the sign with the right located window.

Mr. Garcia reviewed that suggestion with the applicant.

Committee Member McCormack asked how many signs were involved?

Mr. Healy stated there was a modest need for signage. There was only one tenant who needed a sign facing Chapman. The program was designed for future needs to have six leasable spaces.

Committee Member McCormack stated he was confused with the request that each tenant shall submit copies of the finished shop drawings for each proposed sign. He reviewed the plans with the applicant.

#### **Public Comment**

None.

Committee Member Wheeler made a motion to approve DRC No. 4536-11, Mary Center-Sign Program, subject to the conditions and findings contained in the Staff Report and with the following modifications and additional conditions:

- 1. The sign format be changed to an array of 3 panels wide by 2 panels high, so that it would fit within the 2/3 height sign requirement.
- 2. The right side of the new sign shall be located directly under the right side of the window grouping above.

SECOND: Tim McCormack

AYES: Bill Cathcart, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED.

### **AGENDA ITEMS:**

Continued Items: None

New Agenda Items:

### (3) DRC No. 4535-11 – 4000 METROPOLITAN PARKING STRUCTURE

- A proposal to construct a parking structure.
- 4000 Metropolitan Drive
- Staff Contact: Chad Ortlieb, 714-744-7237, <a href="mailto:cortlieb@cityoforange.org">cortlieb@cityoforange.org</a>
- DRC Action: Recommendation to the Planning Commission

Senior Planner, Chad Ortlieb, presented a project overview consistent with the Staff Report.

Chair Cathcart asked since the proposed project involved the tree count formula, had there been any changes made to the methodology in coming up with a number of trees needed?

Mr. Ortlieb stated no changes had been made. The situation was on the radar and there needed to be a code clean up; to either eliminate the current code or to incorporate changes into the recent Landscape Design Standards. There had not been an opportunity for those changes.

Applicant, Jim Camp, address on file, stated he wanted to thank Mr. Ortlieb and City Staff for the work that had been put into their proposed project. The building had been empty for a long time due to the lack of parking. The site would end up with a 5 per 1000 parking ratio after developing the parking structure and that was necessary to accommodate the site and tenant needs. He was accompanied by the rest of his team if there were any additional questions. He introduced his team.

Chair Cathcart opened the item to the Committee for discussion.

Committee Member Woollett stated his only concern with the proposal was the lighting. There were two issues. First, he had not seen any lighting plans and from what he read from the Negative Declaration document, the intent of the lighting would be in the floor levels. There was a history from the DRC regarding lighting of parking structures, which had come from their experience in observing the parking structures along the 22 freeway which were next to the medical complexes. In the evening the building had blinding light and had not seemed necessary. If fixtures were placed around the perimeter of the structure and directed inside the structure, people driving by would not view the lights, it was based on the placement of the fixtures and the angle at which they were directed. He hoped that there was attention to that detail when the lighting plan was completed. Lighting at night was an issue and it could become an unpleasant dominant issue if it was not thought out. If the perimeter fixtures that were really set back were brought to the outside edge and directed inwards, the fixtures would not be visible and it would make a huge difference. The other issue was the fixtures on top. There were 25-foot high fixtures; there was no reason for that height to light a parking lot. It was most efficient to do that because there were fewer fixtures and that was what drove the height, not the lighting

requirement from the City. It was the fact that 25-foot fixtures were cheaper. A parking lot could be lit with 15-foot poles very adequately and they were much less dominant at night when the building was viewed. The fixtures that were available in today's market could light a parking lot with a 1-foot candle very adequately and could be half as high.

Mr. Camp stated he would defer to the architect if that was a problem. The architect from the team acknowledged that would be adequate.

Committee Member Wheeler stated he was a little bit disappointed with the lack of information on the drawings. He could not find a mention of concrete on the drawings; it was included in the Negative Declaration but not on the drawings. He could not find anything on the drawings that gave details on the elevator tower; in the Negative Declaration it was described as concrete block with stucco to match, and that information should be included in the drawings. He could not find anything on the drawings that gave the overall height of the proposed project. There were floor-to-floor heights, ad nauseam, but nowhere was the overall height listed. The height was a critical component of the proposal. There was a line of maximum heights and the overall height was necessary. The canopy description was not listed either. He was curious to understand how the rainwater was removed from the structure, and he had finally found that on the drawings. There was a notation on the drawing for an inverter room and he was curious as to what that was used for?

Applicant, Don Marks, address on file, stated the inverter room was for the lighting system inside the garage. In the event of an emergency it acted as a battery back up system.

Committee Member Wheeler stated it appeared there was some sort of cable railing between the floor levels where the ramp was and he had not seen any detail for that component.

Mr. Marks stated on the interior of the garage, instead of using a solid barrier, there would be steel cable barriers to restrain vehicles and that was in order to keep the area as open as possible for security purposes.

Committee Member Wheeler stated the stair construction had not been listed; it was steel but there was no further information. There was a typo on page 13 of the Negative Declaration; in the last paragraph he read: of the 542 existing spaces, 2,751 would be replaced. He thought that was a typo.

Mr. Camp stated that was a typo.

Committee Member Wheeler stated the only aesthetic item he had, and he was not terribly concerned about it, as the ceiling height was highest on the first floor the ramp and ramp horizontal distance was the same on all levels, obviously the first floor ramp was at a steeper angle and it was visible on the west elevation. The trapezoidal openings between the ramps were slighting different due to the converging angles and he thought it was not a huge issue, but wonder if any thought had been given to "cheating" and raising the parapet on the lower level to have it even with the bottom of the ramp above to make all the openings the same.

Committee Member McCormack asked if there had been any thought given to the use of solar energy; parking structures were great solar collectors. He had seen parking structures change

hands and could there be a provision to plan for solar energy at a later date, but not necessarily have that installed.

Mr. Camp stated the use of solar energy had not been discussed at all. He asked where would solar panels be installed?

Committee Member McCormack stated he had worked on a project and the panels were installed along the edge. There were many parking structures at transit centers that used the top level as solar collectors. He would not want to condition that the applicant had to use solar, but wanted to make that suggestion. It would be very expensive to add it after the fact. He wanted to put that out there as they were speaking to the design and to think about that before the door closed.

Committee Member Woollett asked if the panels would be vertical?

Committee Member McCormack stated they would be angled to the sun, on the top level shading the vehicles. He had been seeing that as a wave of solar technology and a way to power the structure. It was just a thought.

Committee Member Wheeler stated the DRC had reviewed projects on parking structures where cell phone towers had been added to the light fixture stands and it had become a problem with the antennae blocking the light and they might want to consider that and spread the light fixtures out accordingly.

Committee Member McCormack stated he reviewed the plan and landscape plan and it was very well done. He felt the use of trees was appropriate and could they bring some of the trees that were being removed back in to solve the tree problem?

Applicant, Jim Ridge, address on file, stated what had happened was in order to get the parking stalls to work they were pushing 3-feet out and there was a berm located there. Horizontally it looked like a tree would work there, but it would not work by the time they laid it back. It was a reason the trees could not be kept.

Committee Member McCormack stated if they had to keep the trees would the design not work? He knew it was a parking structure, and normally they would want to screen it.

Mr. Ridge stated there was some discussion regarding their tabulation of trees and they had kicked about several ideas. What they were finding was that as they were losing the streetscape of Liquid Amber and Tristania that they could look at a way to get those trees back in to add back to the streetscape. There were fire issues around the building and it was a shame to have to lose some of those trees that had been well established.

Committee Member McCormack stated it would be a good place to start to re-establish the trees and even out the score.

Chair Cathcart stated he felt those changes could go back to Staff for review.

Committee Member McCormack stated he agreed that it could be a Staff review item. He asked where the spread footings were and if that was the reason why the trees were placed in that manner?

Mr. Ridge stated they had a solid line of trees, but after the Fire Department's review there was laddering requirements and they had to create a break in the trees.

Committee Member McCormack stated that he wondered if the spread footings were in an area that he pointed to on the plans, and they had two choices: to leave the spread footings the way they were or to push them down, which no one wanted to do. He suggested they use caution going all the way to the edge. They would need 12" of soil to grow the plants on the edge.

Mr. Ridge stated he had not believed the spread footings went out as far as 5 feet.

Committee Member McCormack stated they still needed a planting medium and 12" deep to plant. Another thing he looked at was to soften it up with green screens.

Committee Member Wheeler reviewed the plans with Committee Member McCormack and stated he believed the area he was referring to was completely open and screening could not go there.

The Committee Members reviewed the plans with the applicants.

Committee Member McCormack stated he felt the irrigation was well done; the calculations were there and the hydro-zones had been done correctly.

Chair Cathcart stated the applied water allowance was more than the estimated application of water and they were fine there.

Committee Member McCormack asked if all the outside landscape areas were included in the calculations?

Applicant, Warren Williams, address on file, stated yes.

Committee Member McCormack wondered why there had not been a condition for compliance with AB 1881?

Mr. Ortlieb stated Staff was attempting to get away from reiterating code provisions, whether they were State or Building Codes.

Committee Member Wheeler stated that Staff had requested in the Staff Report for comments from the DRC Members regarding State-mandated water reduction standards and asked if this was what Committee Member McCormack was talking about with the landscape?

Committee Member McCormack stated those were covered in the areas that would be using efficient landscape water delivery.

Chair Cathcart stated in the narrative and calculations those areas were addressed with the amount of water usage.

Committee Member Wheeler asked if the water quality issue had been addressed?

Chair Cathcart stated the applicants had their hands full.

Mr. Williams stated he could walk them through it.

Committee Member McCormack stated many times when swales were done; there was almost a "fountain" for the overflow with pipes.

Mr. Williams stated the City's Staff was well in front of the water quality issues and they had worked closely with them. The roof of the structure would be accommodated by an infiltration basin; the roof drains came down and out. The water would be pre-filtered with a flow guard and water would drop in. Currently there was a catch basin in the middle of where the new structure would go; that would be cut and the catch basin would be right on top of that. The balance of the sight would drain through a series of catch basins of storm drains that would be all pre-filtered through the basin. With the lay of the existing land and due to the fact that it was a remodeled site, the first flush would be treated via underground infiltration. Once the underground filtration filled up, the storm flow would bypass and come back to join the other drainage area (he pointed out all the areas that he spoke of on the drawings).

Chair Cathcart asked if the system was like a Filtera system?

Mr. Williams stated it was called Storm Tech, we joked as there were little Quonset huts; the little 16" deep systems that worked well in other areas.

Committee Member Wheeler asked if they had a sample of the security screen?

Mr. Marks stated what they were dealing with was a 6-foot box on the ground with perimeter angles to support it at the perimeter and then intermediate as needed. It was not completely designed yet. It could be mounted either vertically or diagonally; they had done it both ways. He reviewed the samples with the Committee Members.

#### **Public Comment**

None.

Chair Cathcart closed the public hearing and brought the item back to the Committee. He stated the City of Orange needed more parking structures.

Committee Member Woollett made a motion to recommend approval to the Planning Commission of DRC No. 4535-11, 4000 Metropolitan Parking Structure, subject to the conditions and findings contained in the Staff Report and with the following additional conditions:

- 1. Conditions No. 7 and No. 19 to be revised as necessary with the additional Staff information.
- 2. Lighting fixtures on the top level be reduced to 15 feet in height and that the ceiling-mounted lighting at the intermediate levels be designed so that the fixtures shall be located along the perimeter of the structure and directed inward.
- 3. The footing heights shall be recessed in relationship to landscape planting.
- 4. Prior to submission to the Planning Commission that the drawings shall be modified to include annotations for materials and overall building height.
- 5. Consideration be given to keeping as many trees as possible on the eastern boundary in order to mitigate the loss of trees on the site.

Committee Member Wheeler amended additional condition No. 2 to add: to make every effort possible to shield the lighting from visibility outside of the structure by moving the lighting to the outside perimeter shielded by a shielding device, subject to the requirements and in compliance with the Police Department.

SECOND: Tim McCormack

AYES: Bill Cathcart, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED.

# (4) DRC No. 4541-11 – NORRED-1<sup>st</sup> & 2<sup>nd</sup> STORY ADDITION

- A proposal to demolish 78 sq. ft. of an existing front duplex unit, construct 618 sq. ft. addition on the first floor of the rear unit, with a new 860 sq. ft. second-floor addition to the original one-story non-contributing duplex.
- 623-627 E. Almond Avenue, Old Towne Historic District
- Staff Contact: Daniel Ryan, 714-744-7224, <a href="mailto:dryan@cityoforange.org">dryan@cityoforange.org</a>
- DRC Action: Recommendation to the Planning Commission

Historic Preservation Planner, Dan Ryan, presented a project overview consistent with the Staff Report.

Applicant, Matt Norred, address on file, stated it was a modification to the back unit which would be his primary residence and his daughter would live up front.

#### **Public Comment**

Jeff Frankel, address on file, representing the OTPA, stated the positive thing he wanted to state was that the design was consistent with the original design of the structure. There were issues with the FAR in context to the block. The average FAR on the block was .29 and a .50 would be quite a bit larger than the average. The determinations needed to be consistent; other applicants had been held to .42; one was on S. Olive and that application had come back numerous times. The applicant was told to keep the structure at .42 or under. The Grand Street study was a lengthy study that went on for years and as a result of that the threshold discouraged development of the type that was before them. To compare the project to other inappropriate projects on the block was not appropriate. The Grand Street study had chosen the two blocks that were the densest blocks in the District. There had been numerous developments, one unit in front with a two-story unit in the back. To continue to do that in Old Towne was inconsistent based on the results of the study and he thought the FAR needed to be in line with the rest of the block. It should be at least .42 or below.

Chair Cathcart brought the item back to the Committee.

Committee Member Wheeler stated the biggest objection he had was the large foam trim that was being added to many of the windows. It struck him as being inconsistent with the period. He suggested using a minimal trim similar to what currently existed.

Applicant, Phil Bennett, address on file, stated the detail had been added from a design that they had seen in Cambridge that were homes of the same era. They also had the same shutters and it was something that they wanted to accommodate on the project to dress it up a bit. The 1950's box style was very bland.

Committee Member Wheeler stated he thought they should stay with that style, as once it was added to it was a false feeling. The heavy trim would not have been found in that period, it was more of the style of the late 1960's. The other thing that struck him as unusual would be the stucco on the porch columns and he had not seen that before on a 4" x 4" post of that period, a

plain post was used or multiple posts going around a corner that gave it a bit more animation. He was not certain they could use three as it might cut into the stairs, but two might work. There was a notation for boxed-in eaves, which he assumed were the soffit eaves that would carry straight back. The house currently had exposed rafters and what would they do for ventilation?

Mr. Bennett stated it was a maintenance issue and they would use screen vents.

Committee Member Wheeler stated on the shutters he suggested that they be accurate in dimension, that in theory when closed they would cover the window. He was not too worried about it.

Mr. Bennett stated sometimes when the shutters were made the appropriate size they looked out of place.

Committee Member Wheeler stated his last aesthetic comment was on the windows, and he asked if the applicant really wanted to do the divided light windows?

Mr. Bennett stated the current windows were single light windows and he would want to put single light windows back in. It was not something that they had added back into the plan.

Committee Member Wheeler stated on the windows in the rear he was not certain if those would need to be raised. They reviewed the plans.

Mr. Bennett stated he had no problem with that.

Committee Member Wheeler stated the last thing was the discussion regarding the FAR and was there anything the applicant could do to cut it down. The first floor was pretty darn big; there was a huge family room.

Mr. Bennett asked what the difference was between .42 and .50 in square footage?

The Committee Members and applicants reviewed the plans.

Committee Member Woollett stated what he had heard Mr. Ryan state was that the first floor was relatively small.

Mr. Ryan stated in the Grand Street study the homes that were found most objectionable were the homes that had substantial  $2^{nd}$  floors. From a streetscape point of view there was less of an issue with the community as far as density was concerned. Recently the issue was more of the height and what was visible from the street. The Grand Street study actually parsed out that the FAR could be larger if it was a single story building, and the issue was the  $2^{nd}$  floor massing. If the FAR was quite a bit lower on the second floor it had not presented such an issue with massing. On the Hill property the footprint was basically, on the back unit it was two floors straight up which added to the massing. The questions had come up as to if there were areas that could reduce the bottom footprint or to bring the  $2^{nd}$  story in, to create less of a plane on the edge.

Mr. Bennett asked wasn't the FAR 70%?

Mr. Ryan stated the Old Towne Design Standards overrode the Zoning Standards; zoning might allow that but it was based on the context.

Mr. Bennett asked what was the FAR in Old Towne?

Mr. Ryan stated it varied by block. On Lemon it was .68 and .60, other places it was .23 or .31, it averaged for the block.

Committee Member McCormack asked how that related to the In-Fill Guidelines?

Mr. Ryan stated the City's In-Fill Guidelines outside of Old Towne were a different animal. They would look at where each project was and the height and massing of each project to see if there were other two-story structures and what that was. There was another two-story structure in the 600 block and that had a historic building in the front and in the back there was a very modern structure.

Committee Member Woollett asked if it was the intent for the window frames to be removed or to insert the vinyl windows inside the existing frames? There was a way to add the windows leaving the aluminum frame in tact.

Mr. Bennett stated they would all be new windows.

Mr. Norred stated they would remove the windows completely and replace with new windows.

Committee Member Woollett stated the finishes on aluminum windows were very different now than in 1950 and 1960; the vinyl windows tended to have a wider profile to them. He had not known what the cost difference was between vinyl and aluminum. He would encourage replacing aluminum with aluminum.

Committee Member Wheeler stated it would not be as energy efficient.

Committee Member Woollett stated on the north side, with the north light, he had not seen a neighbor issue and thought the owner would be better off to have a full height window there.

Committee Member McCormack asked if he was asking about the rear elevation? He had a question about that too.

Mr. Norred stated there was a garage back there and the addition would be right on the property line.

Committee Member McCormack asked if it would be an issue at that location?

Mr. Norred stated no, not with the garage or whatever the building was used for on that property.

Committee Member Woollett stated that was a bit arbitrary to insist on a clear story. He agreed with the removal of the foam. There had been some good building. He had not objected to the

second floor and they needed to satisfy themselves on the FAR issue. They had to have a very good reason for it.

Committee Member Wheeler stated based on his calculations, with a quick estimate, if the size would go down to a .42 FAR, it would be a reduction of 529 square feet total. If they were to take it all off of the back and move everything back, there would be 35 feet downstairs and with taking all the area off the back it would be moving it back 10 feet. They could compromise, and taking 5 feet off of everything would take them half way there.

Mr. Bennett asked would taking off the square footage really make a difference in anything more than the numbers on a plan or would it affect the bulk or mass of the building?

Committee Member Wheeler stated it would not affect what was visible from the street; it would give the owner a bigger yard.

Mr. Bennett stated they had met the open space requirements already.

Committee Member Wheeler stated it would put them closer to meeting the recommended standard.

Committee Member McCormack stated it was precedent-setting.

Chair Cathcart stated what they were saying was that they had not wanted to set the precedent.

The Committee Members reviewed the floor plan with the applicant.

Mr. Bennett stated moving the building back created so many structural problems and additional beams as it was all stacked over the original beams.

Committee Member Woollett stated the building was low impact from the street based on the way the building sat on either side.

Mr. Ryan stated it was a question of whether the 64-foot setback mitigated the massing issue; he thought that was the issue.

Committee Member Woollett stated he felt it had mitigated the massing.

Mr. Norred stated typically the garage was counted in the lot coverage.

Mr. Ryan stated even if it was a detached garage it was counted in Old Towne. In looking at massing there could be an offset of the second floor.

Committee Member Woollett stated what they had was a very unusual condition due to the shape of the building; it was long and narrow and it was a duplex before and designed to be a duplex.

Mr. Ryan stated it was the first time that a duplex was turned into a single unit with an accessory unit.

Committee Member Woollett stated they were looking at a totally different situation than what they had ever dealt with before and an unusual application; because the buildings were connected it was difficult. If there had been a separate building sitting there it would be more objectionable.

Chair Cathcart stated they could make a case that it was a very unusual building.

Mr. Ryan stated it was a very unique architectural style that limited the design.

Committee Member Woollett stated they needed to be very clear.

Chair Cathcart stated in lowering the FAR they were doing away with the reason they were proposing the project.

Committee Member Wheeler stated if his calculations were correct and they took 3-feet off everything in the rear, family room, dining room, and master bedroom they would be down to about a FAR of .47. It was not .42, but it was a good compromise.

Chair Cathcart stated that with the setback, that might work.

Mr. Bennett stated he would rather take the 2-feet, 4-inches pop-out in the front out and eliminate the closet in bedroom 3 and it would become an office or a bedroom without a closet; they could take that square footage away and take about 1-foot or 18-inches off the bedroom. He would not be willing to take any square footage away from the living space below. The owner wanted a living room large enough to accommodate his family when they had family gatherings and to take 3-feet out of that was not something he would want to do. He would be willing to agree to a modification.

Committee Member Wheeler stated once the porch was added the pop-out was a nice feature that animated the front and he would hate to see that go.

Mr. Bennett stated it was not a lot, but they were giving up something.

Chair Cathcart asked what that would bring it down to?

Committee Member McCormack asked if the DRC should be considering a continuance, as attempting to come up with a solution was difficult.

Mr. Bennett stated it had taken them 4 ½ months to get to the DRC and he wanted a decision now. The owner had to get the place built and it would be another two months before he could get a building permit. In the rear master bedroom if they came in 4-feet straight across it would be taking off 70 square feet.

Mr. Norred liked the front as designed and he would want to keep that.

Committee Member Wheeler stated it would be .489.

Chair Cathcart stated Committee Member Woollett had a valid point that it was a different issue than what they had reviewed before, due to the narrowness and the fact that the property was set so far back.

Committee Member Woollett stated he could justify it.

Committee Member Wheeler stated it would also give the roof more animation; he could live with the applicant's suggestion.

Planning Manager, Leslie Aranda Roseberry, asked if it would affect the entire design of the building?

Mr. Bennett stated the east elevation would have a bit more relief with the setback.

Mr. Ryan asked if they wanted to make the change optional on the 1<sup>st</sup> story windows?

Ms. Aranda Roseberry stated whatever was moving onto the Planning Commission needed to be very clear cut; they would not want to review options.

Committee Member Woollett made a motion to recommend approval to the Planning Commission of DRC No. 4541-11, Norred-1<sup>st</sup> and 2<sup>nd</sup> Story Addition, subject to the conditions and findings contained in the Staff Report and with the additional conditions:

- 1. Master bedroom east wall shall be moved in 4-feet.
- 2. 2<sup>nd</sup> story window at the north wall not be required at the master bedroom.
- 3. Omit the foam window trim and to omit the stucco wrap on the wood posts of the front porch.
- 4. Remove the divided by windows and to use dual pane single light windows.

The additional facts to be added to the findings included in the Staff Report; although the FAR would be found to be somewhat high based on a comparison to the rest of the neighbor that it was mitigated based on the fact that the building was a long and narrow building and that the 2<sup>nd</sup> floor addition was setback to the rear of the building which mitigated the bulk and mass of the building. The relative low 2<sup>nd</sup> floor area also contributed to the reduction of the FAR along with the reduction of the master bedroom size.

SECOND: Craig Wheeler

AYES: Bill Cathcart, Tim McCormack, Craig Wheeler, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED.

#### (5) DRC No. 4542-11 - GABBI'S RESTAURANT-PATIO EXPANSION

- A proposal to expand the outdoor dining area with the installation of a new patio enclosure within a private sidewalk area for an existing Plaza restaurant.
- 141 S. Glassell Street, Plaza Historic District
- Staff Contact: Daniel Ryan, 714-744-7224, <a href="mailto:dryan@cityoforange.org">dryan@cityoforange.org</a>
- DRC Action: Recommendation to the Planning Commission

Committee Member Wheeler recused himself from this item due to the location of his office building.

Historic Preservation Planner, Dan Ryan, presented a project overview consistent with the Staff Report.

Applicant, Leason Pomeroy, address on file, stated he had looked at the blocks to see if the outdoor space was a consistent 5', and it was not. Some sites had 5' and some had less and north of the block there was none and the City owned it all. Another thing that was unique with the subject site was the fact that the curb was out further than other sites. He believed he owed the City a layout of how the planting and all of that would work with the access in front of the proposed fence. Regarding the design of the fence he believed the sample that he brought would be horribly expensive and if there was another design, such as the one at Haven, he would be happy to entertain looking at an alternate design. He had chosen the proposed design as it resembled the original gate on the site.

#### **Public Comment**

Jeff Frankel, address on file, representing the OTPA, stated the increase sales in Margaritas would pay for the fence. There was not a concern with the proposal, but the concern of the OTPA was on the cumulative impact on others to come. The City needed to study what impacts the sidewalk space would have and how many properties in Old Towne had the area which they could fence off, to study what type of cumulative impact it might have on the streetscape in the Plaza; it could be substantial. The big difference between the Haven GastroPub and the proposed project before them was that Haven had an overhang and the building came out in line with the outside dining area. Haven was an in-fill project. Any other property owner that would bring something similar forward would not be in line with the plane of the building and would have an impact on the streetscape, however, they owned the property.

Chair Cathcart opened the item to the Committee for discussion.

Committee Member Woollett stated it was a technical issue and their input would be if the proposal was in keeping within an appropriate design. He asked why the fence was at 42" instead of 36"?

Mr. Pomeroy stated he had understood that the ABC requirement was 42". To speak to their other point, the tables were already on the sidewalk and they had rented the space from the City,

whether it was fenced or not the space had already been occupied. The fence would enclose the space and the seating inside the building was not increased.

Committee Member McCormack stated on Haven he believed they had a return that lined up with the front door, and the point of the fence was to have it totally enclosed. ABC could enforce that. He wanted to understand if that would be an issue. On the gate opening if that was an issue it could cause a problem with that.

Mr. Pomeroy stated the gate would always be open and the gate would be opened back behind a table. It was just for security at night and the ABC thing was not enforced.

Committee Member McCormack stated he thought the proposal was a great idea and he had a question on the detail; there was a 4" bollard notation, but the space was only 4".

Mr. Pomeroy stated he had not believed it was required. Other fences had openings that were wider.

Committee Member McCormack stated he just wanted to ask the question, it was not as if it was a children's play space. On the welds on the post, he wondered if there was a way to cover the welded area to make it cleaner.

Mr. Pomeroy stated he would ensure that was cleaned up.

Committee Member McCormack asked if the post size would be changed at the corners, to make them larger at the turn?

Mr. Pomeroy stated that was a good idea.

Committee Member Woollett asked if the gate would pose an exiting issue, as it was a swing-in gate?

Mr. Ryan stated they had run that by the Building Official.

Mr. Pomeroy stated it would not be an issue and it would always be open during business hours.

Committee Member Woollett asked if there had been any consideration for two gates?

Mr. Pomeroy stated he had done that at Francolis and it worked out pretty great there and those gates swung out. They could do that.

Committee Member McCormack stated that was a good idea. He just had recommendations.

Mr. Pomeroy asked if they wanted 2" x 4" at the corners?

Committee Member McCormack stated no, not that big, it was metal and to go to 2" x 2" of the corners.

Committee Member McCormack made a motion to recommend approval to the Planning Commission of DRC No. 4542-11, Gabbi's Restaurant-Patio Expansion, subject to the conditions and findings contained in the Staff Report and with the following recommendations:

- 1. To explore the possibility of returns on two gates to lesson the impact on seating.
- 2. To up-size the posts to 2" x 2" at the corners.
- 3. To apply angles on the fencing where the mesh met the posts on the vertical and horizontal.

SECOND: Joe Woollett

AYES: Bill Cathcart, Tim McCormack, Joe Woollett

NOES: None ABSTAIN: None ABSENT: None

RECUSED: Craig Wheeler

MOTION CARRIED.

Mr. Leason Pomeroy stated he wanted to share another project with the DRC, informally, and he had hoped that Committee Member Wheeler had been present.

Planning Manager, Leslie Aranda Roseberry stated if the discussion was not on an Agenda item the DRC would not be able to discuss another project or to provide feedback to the applicant as they were all together.

## **ADJOURNMENT:**

Committee Member McCormack made a motion to adjourn to the next regular scheduled Design Review Committee meeting on Wednesday, June 1, 2011.

SECOND: Joe Woollett

AYES: Bill Cathcart, Tim McCormack, Joe Woollett

NOES: None ABSTAIN: None

ABSENT: Craig Wheeler

MOTION CARRIED.

Meeting adjourned at 7:26 p.m.