



Agenda Item

Design Review Committee

Item #: 5.1.

8/6/2025

File #: 25-0452

TO: Chair and Members of the Design Review Committee

THRU: Hayden Beckman, Planning Manager

FROM: Arlen Beck, Associate Planner

1. SUBJECT

A request to demolish an existing detached 400 square foot two-car garage in the Old Towne Historic District located at 442-444 S. Shaffer Street. (Design Review No. 25-0022).

2. SUMMARY

The applicant proposes to demolish an existing detached 400 square foot two-car garage in the Old Towne Historic District located at 442-444 S. Shaffer Street. The property is located in the Old Towne Historic District, and it is designated as a non-contributing property.

3. RECOMMENDED ACTION

Approval of Design Review No. 25-0022 by the Design Review Committee.

4. BACKGROUND INFORMATION

Applicant/Owner: Impetus Modular LLC, Harold Zapata

Property Location: 442-444 S. Shaffer Street

General Plan Designation: Low Medium Density Residential (LMDR)

Zoning Classification: Residential Duplex 6,000 sq. ft. (R-2-6)

Existing Development: The subject property consists of an existing two-unit structure and a detached garage.

Associated Application: None

Previous DRC Project Review: None

5. PROJECT DESCRIPTION

This project includes the demolition of a single-story, detached, two-car, 400-square-foot garage with a hipped roof and two-bay garage doors located at the rear of a two-story non-contributing duplex property. The demolition is requested to accommodate accessory dwelling units, which must be processed ministerially without DRC review.

6. EXISTING SITE

The existing site is developed with a two-story vernacular foursquare duplex building constructed in 1954. The building is clad in plaster and has a hipped roof with composition shingles and exposed

rafter tails. There is a one-story projection at the first bay of the front (east) elevation with a hipped roof and exposed rafter tails. The entrance to the first story unit is centrally located and fenestration consists of double hung windows with shutters. A wood staircase at the north elevation leads to the entrance to the second-story unit. There is a detached two-car 400 square-foot hipped-roof garage at the rear of the property. A 6-foot dog-eared gate is located outside of the frontyard setback and provides access to the rear yard. There is a chain link fence at the rear yard, similar to the chain link fences at of the postwar duplex units between East Culver Avenue and East La Veta Avenue.

7. EXISTING AREA CONTEXT

The subject property is located on the west side of the 400 block of S. Shaffer Street between E. Culver Avenue and E. La Veta Avenue. The zoning on the west side of S. Shaffer Street is R-2-6, and the zoning on the east side of the street is Single-Family Residential (R-1-6) and R-2-6. All but three properties at the east side of the block are non-contributing properties to the Historic District. The four southernmost buildings on the east side of S. Shaffer Street are also contributors to the Historic District. The duplex is part of a larger postwar duplex development between S. Center and S. Shaffer Streets. All duplexes in this development block are identical in a vernacular foursquare style, plaster cladding, and hipped roofs. The parking spaces for all units are accessed through a central alleyway that is accessed off E. Culver Avenue.

8. ANALYSIS OF THE PROJECT

The Design Review Committee (DRC) is requested to review the demolition of the garage only, though the applicant has submitted a concurrent application for the construction of two accessory dwelling units (ADUs) in the approximate location of the garage. The ADUs must be ministerially approved by staff, hence they are not included with the demolition review application.

Replacement parking is not required for the project pursuant to Government Code section 66322, subdivision (a), which states, “a local agency shall not impose parking standards on ADUs 1) located within one-half mile walking distance of public transit, and 2) ADUs located within an architecturally and historically significant historic district.”

The project has been conditioned such that the demolition may only occur concurrently with the approval of a building permit for ADUs at the approximate garage location.

Pursuant to Orange Municipal Code Section 17.10.090 “the demolition review process has been established to preserve the integrity of the City’s cultural and architectural history.” Pursuant to pages 9 and 10 of the Historic Preservation Design Standards, the DRC is the final deciding body because the project is categorically exempt from CEQA and is a non-contributing accessory structure.

Subsequent to discussion of the demolition with the City’s historic resource consultant, staff recommends that the DRC authorize the demolition because:

1. The existing detached 400 square foot garage is not a character-defining feature of the property because it was constructed outside the Historic District’s period of significance (1888-1940); and
2. The demolition of the garage does not have an impact on the streetscape of the historic district in that the garage is at the rear of the property and cannot be seen from the street.

9. ADVISORY BOARD RECOMMENDATION

None.

10. PUBLIC NOTICE

Notice was provided to owners and tenants within 300 feet of the project on or before July 24, 2025, and the site was posted with a notice on or before that date.

11. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15303 (Class 3 - New Construction or Conversion of Small Structures) because the project consists of the demolition of an existing non-contributing garage and the construction of two new detached ADUs. There is no environmental public review required for a Categorical Exemption.

12. STAFF RECOMMENDATION AND REQUIRED FINDINGS

Based on the following Findings and statements in support of such Findings, staff recommends the DRC make a final determination on the proposed project with recommended conditions (Orange Municipal Code 17.10.070.G).

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.

The existing detached 400 square foot garage is not a character-defining feature of the historic property because it was constructed outside the Historic District's period of significance (1888-1940). The demolition of the garage does not have an impact on the streetscape of the historic district in that the garage is at the rear of the property and cannot be seen from the street.

2. In any National Register Historic District, the proposed work complies with the Secretary of the Interior's standards and guidelines.

Since the property is not a contributor to the Historic District, the Secretary of Interior's Standards apply to how the proposed work will affect the Historic District as a whole, and not the individual building. Consistent with Standard 9, demolition will not destroy historic materials that characterize the property or the district and the garage demolition will not impact the streetscape of S. Shaffer Street beyond the existing conditions and will only be partially visible from S. Shaffer Street when looking northwest.

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).

The garage proposed to be demolished is located at the rear, minimally visible. It will not have a detrimental impact on the existing neighborhood character and will not result in a loss of integrity of the Historic District. The proposed demolition complies with all adopted specific plans, applicable design standards, and their required findings.

13. 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 the plans (date stamped approved July 22, 2025, and in the project case file), including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. After the 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 plan, the Community Development Director may approve the changed plan without requiring a new public meeting. If the Community Development Director determines that any proposed change is substantial, he may refer the plans to the Design Review Committee for subsequent review and determination.
2. The applicant agrees, as a condition of City's approval of Design Review No. 25-0022, to indemnify, defend, and hold harmless, at applicant's expense, the City, its officers, agents, and employees ("City") from and against any claim, action or proceeding brought against the City, including, but not limited to, any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the City's approval, to challenge the determination made by the City under the California Environmental Quality Act ("CEQA") or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify applicant of any such claim, action or proceeding to which the City receives notice and to cooperate fully with the applicant in the defense thereof. Applicant shall reimburse the City for any and all costs and expenses, including, but not limited to, court costs and attorney's fees that the City may be required to pay, including any expenses ordered by a court or expenses incurred through the Office of the City Attorney in connection with said claim, action or proceeding. City may, in its sole discretion, participate in the defense of any claim, action or proceeding but such participation shall not relieve applicant of the obligations of this condition. In the event the applicant is required to defend City in connection with such claim, action or proceeding, City shall have the right to approve counsel to so defend the City, approve all significant decisions concerning the manner in which the defense is conducted and approve any all settlements, which approval(s) shall not be unreasonably withheld. The obligations set forth herein remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgment rendered in the proceeding. Further, the applicant agrees to indemnify, defend and hold harmless the City for all costs and expenses incurred in enforcing this provision.
3. 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 may be cause for revocation of this permit.
4. The final approved conditions of approval shall be reprinted on the first or second page of the construction documents when submitting to the Building Division for the plan check process.
5. Construction permits shall be obtained for all future construction work, as required by the City

of Orange, Building Division. Failure to obtain the required building permits will be cause for revocation of this permit.

6. If not utilized, project approval expires 24 months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060.
7. A permit to demolish the garage shall only be issued concurrently with the issuance of a building permit for accessory dwelling units at the garage footprint.

14. ATTACHMENTS

- Attachment 1 Vicinity Map
- Attachment 2 DPR Form
- Attachment 3 Project Plans