

October 5, 2022

Design Review Committee Meeting

Public Comment

Public Comments

Item 4.1

Design Review No. 5077-22
529 S. Grand Street Duplex Unit



October 5, 2022

Re: 529 S Grand St; Orange CA Project - DRC Agenda Item #4.1 10/5/2022

Orange Design Review Committee (DRC)

Robert Imboden - Chair
Anne McDermott - Vice-Chair
Carol Fox - Committee Member
Mary Anne Skorpanich - Committee Member
Jerico Farfan - Committee Member

Dear DRC Committee:

OTPA, in evaluating the two projects at 515 S Grand St and 529 St Grand St in Old Towne Orange's Nutwood Tract, OTPA finds issues as follows:

- The City's Staff Reports for both projects indicate that they are categorically exempt from CEQA. OTPA is not in agreement with this assertion as there appear to be exceptions that have not been considered:

- **Substantial "cumulative impacts"** of having both projects side-by-side on a narrow, single-loaded parking street. These projects should be evaluated together, not separately. The proposed ADU for the 529 project, while allowable ministerially under State law, should also be considered as a contributor to the cumulative impacts as required by CEQA.

Looking at potential cumulative impacts of the projects, there have been numerous projects over the last several years in the historic district that have intensified development, particularly projects marketed for student housing. **OTPA suggests a study as to whether the intensified development**

has had a significant cumulative impact on the district as a whole before more "successive projects of the same type in the same place" are considered exempt under CEQA. Within the City's own CEQA documents, it currently states "In such periodic reports, the Community Development Director shall evaluate threats of loss or destruction of the qualities which caused original formation of the local historic district, listing in and/or determination of eligibility for listing in the National or California Register".

- **"Substantial adverse changes in the significance of a historical resource".**

The 500 block of the East side of Grand St is characterized by the presence of 4 excellent examples of both historic single family Craftsman and Victorian architecture homes. The introduction of multi-family housing into this environment constitutes an adverse impact on the three various historic districts - (1) the two contributing properties with proposed projects on the table, (2) Nutwood Place (also known as the Nutwood Tract), the first subdivision in Orange, (3) and the Historic District as a whole, all of which are considered the "historic resource". Per the City's own CEQA documents, Page 18, **"Substantial adverse changes in the significance of a historical resource means physical demolition, destruction, relocation or alteration of the resource, or its immediate surroundings such that the significance of an historical resource would be materially impaired."**

- Traffic impacts, also required to be considered by CEQA. With the likely impacts of multiple residents backing automobiles out of long, narrow driveways onto a narrow street, coupled with the additional opportunities for literal vehicle impacts as cars attempt to cross or make a left turn on La Veta (a very busy street with higher vehicle speeds), traffic concerns are very real. In addition, after 11PM, when Hart Park is closed, this block may be the only access for emergency vehicles – an illegally parked car could preclude emergency vehicles from entering or exiting the area.

To evaluate future projects, OTPA would also respectfully suggest, if not already in place, that the City develop and utilize a written, consistent, verifiable, transparent, and replicable process for determining if proposed projects are subject to CEQA, such that they can be easily examined by interested stakeholders. While critical for every proposed project, it is especially so for those within our National Register Historic Districts. It seems that within the largest National Register District within the State of California, that categorical exemptions would be rare, and not the rule. A transparent process, as noted above, would shed light on why that's so (or why it shouldn't be so); our unique historic district deserves that, at the very least. Included with this document is a generic document that could serve as a framework for this process.

Thank you for your consideration of this information – we look forward to many years of mutual collaboration towards preserving our National Register Historic Districts.

Sincerely,

OTPA 2022 Board of Directors:

DocuSigned by:


 Sandy Quinn
 DocuSigned by:

 Mignon Whitaker
 DocuSigned by:

 Ted Albert
 DocuSigned by:

 Dr. Luke Nichter
 DocuSigned by:

 Katie Mansfield

DocuSigned by:

 Tim McCormack


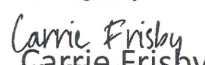
DocuSigned by:

 Lita Smith
 DocuSigned by:

 Victoria Laughlin
 DocuSigned by:

 Joe Peters
 DocuSigned by:

 Steve Bennett


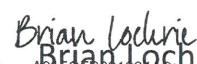
DocuSigned by:

 Jim Karras
 DocuSigned by:

 Carrie Frisby

DocuSigned by:

 Tony Trabucco
 DocuSigned by:

 Dan Slater
 DocuSigned by:

 Janet Clinkscales

DocuSigned by:

 Chris Glos
 DocuSigned by:

 Brian Lochrie

cc Deborah Rosenthal - FitzGerald, Kreditor, Bolduc, Risbrough LLP
 Attachment - CEQA Environmental Checklist

Schyler Moreno

From: denise weyhrich < >
Sent: Tuesday, October 4, 2022 4:45 PM
To: DRC Public Comment
Cc: Sue Vaur; Mike Weyhrich;
Subject: Fwd: NO on 529 S Grand - DRC Meeting 10/5/22
Attachments: 100522 DRC Agenda.pdf; Attachment 2 - Letter of Explanation.pdf; Attachment 3 - Project Plans with Site Photos.pdf

Diane thank you again for keeping us abreast on this.

Once again encroachment should not be made on historical houses impacting our neighborhood with commercial businesses that do not provide parking and our pricing out families who would love to live in orange that can't even provide a home for their kids.

Living next-door to a Chapman boarding house At , the city is allowing six individuals taking I live in a single-family dwelling by allowing Chapman students to live in a garage that provides outside showers that has no sewer plumbing.

This is the level of concern we have for landlords taking it vantage of the city of our neighborhood and basically pricing out those who really need a home in Orange. As soon as we bend the rules for one Real estate investor The worse it has become. These investors and renters are not building up the community but basically sponging off of all the neighborhood to provide for their profits. The neighbors are providing parking, having to tolerate loud parties, having to tolerate trash not being picked up street sweeping not happen and build up a sewage in the curbs because the students can't even take in their own trash or park on their own property

This type of housing Has to stop.

Our city is not responsible for Chapman housing, Chapman is

Thank you so much, Denise*and Mike Weyhrich at

*Former founding professor of the graphic design program at Chapman University

Sent from my iPhone

Begin forwarded message:

Schyler Moreno

From: Jonathan Toomey < >
Sent: Wednesday, October 5, 2022 11:43 AM
To: DRC Public Comment
Subject: Public Comment Item #4.1 529 S Grand Street Duplex

To whom it may concern,

More information is needed to support CEQA determination of a class 3 exemption. Per CEQA Guidelines Section 15300.2, "all exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant," and "a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

There are two similar projects being proposed (515 and 529 S Grand Street) by the same applicant at the same time. While the two sites are two different properties, they were brought forth at the same time by the same applicant, so potential impacts should be considered together. Additionally, both properties are proposing ADUs as part of the project. While ADUs are ministerial, they are still part of the project and impact the historic resource (the contributing properties, the Nutwood Tract, and the National Register Historic District), and significantly change the average FAR of the properties of the block.

Per the City's Local CEQA Guidelines, the following relevant projects may involve substantial adverse changes to historical resources and are not exempt from CEQA review:

- * Infill development within the boundaries of a local historic district, as designated in OMC Chapter 17.17, including the construction of new residential or non-residential structures that do not comply with the Secretary of the Interior's Standards for Rehabilitation and the applicable design standards.
- * Alteration to property of a historical resource including exterior alterations, additions, new buildings, hardscape, or landscape which does not clearly comply with the Secretary of Interior's Standards for Rehabilitation and the applicable design standards.
- * Alterations or additions to a structure that is a historical resource involving a variation in the height or width that results in an incompatible change in the resource's relationship to the predominant streetscape and building pattern on the block on which it is located. In addition to height and width, factors that shall be considered when determining incompatibility include bulk and mass, architectural articulation, and the placement and orientation of additions on the site.

The staff report does not include a detailed analysis of both project's consistency with the Old Towne Design Guidelines. Nutwood Tract is one of Orange's first subdivisions, and the scale of the two projects would change the character of the block, particularly since the east side of the block where the projects are located are all contributing properties.

Looking at potential cumulative impacts of the projects, there have been numerous projects over the last two years in the historic district that have intensified development, particularly projects marketed for student housing. There should be a study whether the intensified development has had a significant cumulative impact on the district as a whole before more "successive projects of the same type in the same place" are considered exempt under CEQA.

Additionally, more information is also needed on the safety and flow of traffic for these projects. The addition of two new units on both of these properties should be addressed, since S. Grand Street is much narrower than the City's standard for local roadways. While State law does require allowing ADUs, there is a finding whether the ADU would

restrict traffic flow. It is not clear whether there are potential traffic flow issues due to the increase of residential units on that side of the street from 4 to 8, and whether having that many more cars parking and backing out into the narrow street would cause traffic flow issues. Particularly since there is access to Hart Park for pedestrians, bicyclists and vehicles from S. Grand.

Thanks so much for your time.

-Jonathan Toomey

Sent from my iPhone

Schyler Moreno

From: Annalisa Goode < >
Sent: Tuesday, October 4, 2022 3:47 PM
To: DRC Public Comment
Subject: Public Comment Item #4.1

Hello

I am opposed to this project and also the 515 S. Grand project.

The cumulative impacts will have an adverse impact on historic resources.

Annalisa Goode

Schyler Moreno

From: Klasna, Tara C. < >
Sent: Tuesday, October 4, 2022 6:05 PM
To: DRC Public Comment
Subject: Public Comment (Oct. 5) Design Review #5077-22

Members of the DRC, along with other city leaders:

The DRC is once again convening to discuss the duplex proposal at 529 S Grand Street. Yet, the real issue extends beyond this one property – which just happens to be next door to my house at where I have lived for the past 15 years.

The significance of this project can be summarized by two words: **Cumulative Impact**. The most obvious evidence of this cumulative impact is based on two main points:

#1 – The same real estate developers have purchased two properties – side by side, and hired the same architects to build backyard rental units with the maximum square footage allowed under the R-2 zoning regulations. Obviously, the two projects **cannot be considered in isolation**; the cumulative effect to the neighborhood is literally doubled. The impact is also compounded by the fact that there are only four houses on this side of the street – so the percentage of expanded duplex properties has now caused a “substantial adverse change in the significance of a historical resource.” This is a clear violation of Section 15300.2 CEQA guideline stipulating that these projects should, in fact, not be granted CEQA exemption.

#2 – Most importantly, the cumulative impact goes beyond the small Nutwood neighborhood which, by the way, holds a uniquely significant historic value in Old Town as it is the oldest housing track in Orange. However, **the staff has failed to report or even consider the larger cumulative impact to our entire historic district**. Has there been a study to determine the percentage of rental properties, especially duplex housing, that now exist within the historic district? If so, I have not seen this report - nor have my neighbors.

For these reasons, along with all the other points that neighbors have raised over the past five months, I do not believe that this project should be just rubber-stamped as Approved without further review by staff. I believe this decision is precedent-setting and threatens the entire historic district.

Tara Klasna

Schyler Moreno

From: Linda Maxwell-Jordan < >
Sent: Monday, October 3, 2022 5:26 PM
To: DRC Public Comment
Subject: Public Comment Item #5077-22 529 So. Grand Street Duplex

I would like to voice my concerns on Design Review No. 5077-22, the proposal to construct a second unit at the address 529 S Grand Street.

The design of this project does not enhance the existing house; it does not fit with the historic character of the neighborhood. It is basically a hotel for Chapman University students.

Safety may not be part of the DRC purview, but the size of this project will make our neighborhood unsafe. Grand Street is the only ingress and egress for some of the people who live in the Nutwood Place neighborhood. The neighborhood does not have the capacity for that many more cars.

Part of the charm of the historic houses in Orange is the property that surrounds them. There is nothing charming about this project, it simply fills all the available land with rooms for rent.

Linda Maxwell-Jordan

Schyler Moreno

From: Dana Jordan < >
Sent: Monday, October 3, 2022 8:34 PM
To: DRC Public Comment
Subject: Design Review No. 5077-22 / S. Grand Ave. Duplex

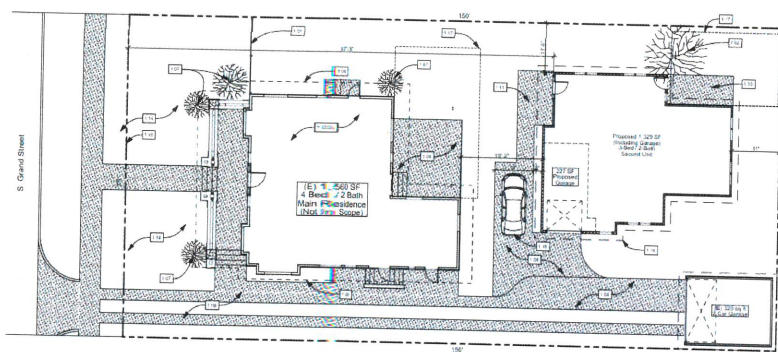
Greetings,

If the city is to allow this project to move forward, in spite of resident's concerns, then let us address trash cans. 8 residents will create quite a bit of garbage.

No where on the proposed site plan, (slide #22 Agenda packet) is there a designated area for trash cans. The current designation is the park strip. (please see attached photo)



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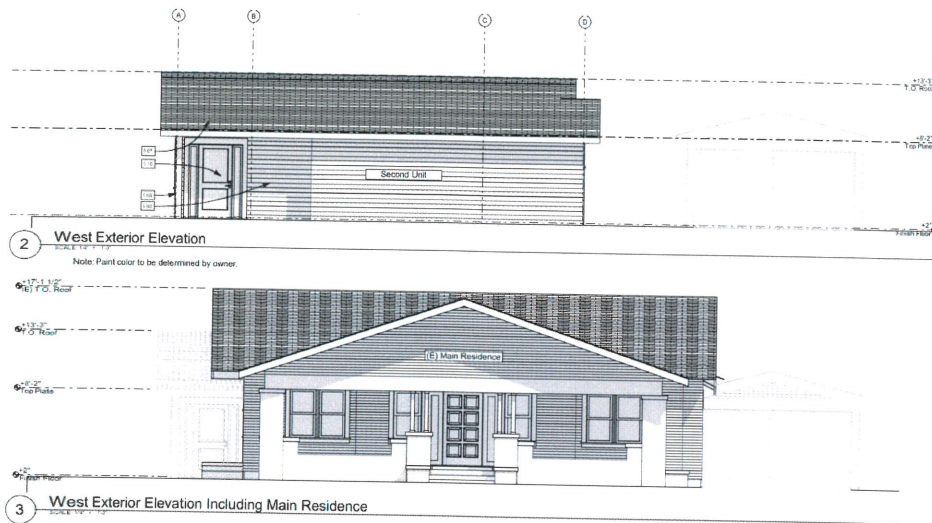


Site Plan Keynotes

- 1.01 (E) Fence to remain
- 1.02 (E) Plant tree to remain
- 1.03 (E) Main residence not in scope
- 1.04 Extent of proposed scope of work
- 1.05 (E) Property line
- 1.06 (E) Main residence roof overhang shown dashed
- 1.07 (E) Tiles to remain, protect in place
- 1.08 (E) Concrete to remain, correct in place
- 1.09 Proposed concrete driveway up to garage and exterior parking
- 1.10 Proposed concrete walkway providing access to second unit
- 1.11 (E) Landscaping to remain
- 1.12 Proposed concrete driveway
- 1.13 Proposed residence roof overhang shown dashed
- 1.14 Area represents 350 sq. ft. of required open space for each unit
- 1.15 (E) Property line
- 1.16 Current use represents uncovered parking space

2 Proposed Site Plan
SCALE 1" = 10'

In the spirit of civility, would the DRC please clarify elevation of project vs. proportion. (See slide 26 of Agenda packet) The slide shows 3 buildings: A Papa bear, a Mama bear, and a Baby bear rendering. However, from the street view, the ADU/Garage-conversion, will be much higher than the site plan; given that there is no account for the grade of the property from front to back. (Please see google map picture of street view) Although I do not have a measurement of the grade, the ADU will be deceptively higher than the proposal suggests, definitely not subordinate in height.



Proposed Exterior Elevations

529 South Grand Street

New Second Unit

529 S. Grand Street, Orange CA 92666



Lastly, please take a look at the house on the right hand side of this picture. Both properties share a common design for their era; the lot size and layout. My Dad grew up in the era of these houses and everyone had a garden, and family space. No doubt, the house on the right will be next for development. What a shame.

Although I am all for capital improvement of real estate, I am against this project. The inserting of a collegial subculture, for purely monetary reasons, is painful to witness.

Dana A. Jordan

Schyler Moreno

From: Rosemarie Williams < >
Sent: Friday, September 30, 2022 5:14 PM
To: DRC Public Comment
Subject: Public Comment Item #5077-22 529 So. Grand Street Duplex

The plan to add an ADU to this property (as well as 515 South Grand) doesn't seem as straightforward as the letter of justification suggests. Adding an additional structure to a lot with a 1916 historic home introduces quite a bit of stress to the existing structure. Tying into aging plumbing and sewer lines can be invasive. This particular home was featured in "Beautiful Orange Homes" by Orange Contracting & Milling Company, and hopefully can keep its historical character. If we have a historic district, let's have a historic district. Period.

I am concerned about the addition of more strain on the aging water and sewer system, and on the infrastructure in general. If this is used for student housing, the amount of occupants usually doubles, if not more. And that means more vehicles.

All of these issues—parking, infrastructure, and history—should be a part of the design review.

Rosemarie Williams

Schyler Moreno

From: Christine Richters < >
Sent: Saturday, October 1, 2022 10:23 AM
To: DRC Public Comment
Subject: NO on 529 S Grand - DRC Meeting 10/5/2022

Good morning,

To: Design Review Committee Members:
Chair Robert Imboden
Vice Chair Anne McDermott
DRC Member Carol Fox
DRC Member Mary Anne Skorpanich
DRC Member Jerico Farfan

Twenty years ago, neighbors in Old Towne Orange fought to stop this exact same type of construction on an historic lot. That was the Drenner project. The project was appealed all the way up to the City Council where it was unanimously denied. Why then, 20 years later, are we having the same argument on a different lot? Historic resources don't change, and historic design standards haven't changed to allow this type of bulk and mass. This build is totally inappropriate for our historic district, and I respectfully request that you deny moving this project forward.

With respect,
Christine Richters

Schyler Moreno

From: Diana Zdenek < >
Sent: Monday, October 3, 2022 4:14 PM
To: DRC Public Comment
Subject: Public Comment Item #5077-22 529 So. Grand Street Duplex

I strongly oppose the proposed project at 529 S. Grand Street. I feel that additional time is needed to do a thorough review of the impact this large proposed project will have on our historic district.

By increasing the living space on this property by almost 2.5x its current (original, historic) living space, the cumulative impact this, and the project directly next door at 515 S. Grand Street (owned by the same investors), will have on our community is ridiculous and harmful to our historic resources.

Diana Zdenek

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"Our task must be to free ourselves...by widening our circle of compassion to embrace all living creatures and the whole of nature and its beauty." -- **Albert Einstein**