



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: February 19, 2014

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**PLANNER:** John Ciampa, Associate Planner *jc*

**SUBJECT:** Cultural Heritage Permit 13-215, Casa Ammirato, a request to consider an expansion and remodel of a historic house located at 418 Cazador Lane. The subject property is adjacent to three other historic resources.

### REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution (Attachment 1) and analysis section of this report provide an assessment of the project's compliance with these findings.

#### ***Cultural Heritage Permit (CHP), Section 17.16.100***

- a. The architectural treatment of the project complies with the San Clemente General Plan.
- b. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color.
- c. The project's architectural treatment complies with the architectural guidelines in the City's Design Guidelines.
- d. The project's general appearance is in keeping with the character of the neighborhood.
- e. The project's is not detrimental to the orderly and harmonious development of the City.
- f. The proposed project/use preserves and strengthens San Clemente's historic identity as a Spanish village.
- g. The proposed project will not have negative visual or physical impacts upon the historic structure.
- h. For resources on the City's Landmarks List, the proposed rehabilitation, restoration, preservation, or reconstruction, including modifications, alterations, or additions, are found to be in conformance with the Secretary of the Interior Standards for the Treatment of Historic Properties and preserve to the extent feasible the character defining features.

### BACKGROUND

On December 4, 2013 the Planning Commission sent the project back to the DRSC for staff to determine if the enclosed balcony is an original part of the historic house. Staff determined

the enclosed balcony is historic based on photographs from the 20s-30s. As a result, the applicant has modified the project to retain the enclosed balcony.

The 1,596 square foot, two-story historic house was built, prior to City incorporation. In 1948, 540 square feet was added to the second story for a new kitchen and dining room area. The addition is not historic because it was constructed outside the City's historic period of significance (1925-1936) and has not obtained historic significance. In 1999, the City Council approved a Historic Property Preservation Agreement (HPPA) on the property. As part of the project the applicant will reconstruct the kitchen bay window to complete the last required HPPA improvement.

### ***Development Management Team Meeting***

The City's Development Management Team (DMT) reviewed the request and determined the project meets City standards and requirements. Recommended conditions of approval are included in the attached draft resolution (Attachment 1).

### ***Noticing***

Public notices were distributed and posted per City and State requirements. Public comment letters were received on the project and are provided as Attachment 8.

### **Historic Resource Information**

The house was constructed during the Ole Hanson/Spanish Village by the Sea period of development (1925-1936). There are no records that identify the original architect or owner of the house. The architectural quality and the property's location adjacent to other historic properties make it eligible for an individual and National Register district listing. Additional information about the property's historic significance is provided as Attachment 3.

### **PROJECT DESCRIPTION**

The project adds 303 square feet to the first floor for the expansion of the garage and guest quarters. The proposed 294 square foot addition to the second floor would expand the master bedroom and remodel the kitchen and family room. Both additions are located at the back of the house. The second floor remodel and addition is designed to improve the "flow" of the second floor. The project would expand the house to 2,670 square feet. Landscaping and hardscape is proposed along the street frontage. The project would also make exterior modifications for the following:

1. New Juliet balcony, door, and three windows (north elevation).
2. Convert the first floor window to french doors and enlarge the two windows within the enclosed balcony on the second floor (west elevation).
3. Replace four doors with two french doors and square off the non-original bay window (south elevation).

**Development Standards**

Table 1 outlines how the project meets the RM development standards:

**Table 1 - Development Standards**

<b>Development standard</b>	<b>Zoning requirement</b>	<b>Proposed project</b>
Building Height Maximum	25'	17'4"
Setbacks (Minimum):		
Front (corner)	15'	25'
Street Side Yard (West)	10'	15'
Street Side Yard (South)	10'	15'
Parking Spaces	2	1*

*\*Houses built before 1962 are considered conforming with one covered parking space.*

**Architecture**

The historic house has Spanish Colonial Revival architecture that is consistent with similar structures constructed during the 1920s and 30s in San Clemente. The character defining features of the property are: an asymmetrical house plan, tapered chimney, covered wood balcony (west elevation), and the terraced retaining walls along the street.

The project's proposed design and materials are to be consistent with the house's architecture and design requirements for the Architectural Overlay. The first floor addition is at the basement level and is not visible from the public Right-of-Way. The second floor addition is located at the back of the house. The proposed roofline does not exceed the height of the house to ensure they are not visible from the street.

**Code Compliance**

The historic house was illegally converted into three units by the previous property owner. In December 2012, the property was sold to the applicants with tenants occupying the units. The new owners are renting the illegal units, but plan to evict the tenants after the design changes are approved and construction begins on the project. The proposed plans in the current application identify the conversion of the property back to a single family residence. Condition 7 requires the demolition of the interior kitchens and additional units within six months of the approval of the project to ensure the property is restored to a single family residence. The condition also states that if the project is not approved the Code Enforcement Division will take action to ensure the property is converted back to a house. The Code Enforcement division believes this is a sufficient timeline for the applicant and would be similar for other property owners with illegal units.

**PROJECT ANALYSIS**

***Cultural Heritage Permit***

A Cultural Heritage Permit (CHP) is required to ensure projects do not have a negative impact on historic structures, comply with the Secretary of the Interior’s Standards for the Treatment of Historic Structures, and the design requirements of the Architectural Overlay.

The project complies with the required findings because:

- 1) The project’s Spanish Colonial Revival design ensures it is compatible with the historic house and meets the design requirements of the Architectural Overlay.
- 2) The additions are located at the back of the house and are not visible from the public Right-of-Way.
- 3) The family room and kitchen are part of a non-historic addition and have the flexibility to be remodeled with the reconstruction of walls and new French doors.
- 4) The modification of the kitchen projection to flat stucco walls improves the Spanish Colonial Revival design of the element. The elimination of the french doors and side windows to two French doors would be consistent with the architecture of the house and is not a dramatic change to the elevation.
- 5) The proposed Juliet balcony, door and windows on the north elevation are a consistent design with the historic house and are not located on the primary façade.
- 6) The enlarged windows to the enclosed balcony recreate the design of the original openings and do not change the proportions of the space or the character of the west elevation.
- 7) The additions and the exterior modifications are differentiated from the historic portions of the house because the new improvements will not match the aged materials, textures and colors of the historic house.

The project’s Spanish Colonial Revival design is compatible with the three adjacent historic structures. The massing and scale of the project would not adversely impact the historic properties or the historic house because the additions and the exterior modifications do not increase the height and maintain the character of the historic house.

***Cultural Heritage Subcommittee review***

The Cultural Heritage Subcommittee (CHSC) reviewed the project on the January 15, 2014. The DRSC supports the proposed project with the following recommended modifications identified in Table 2.

**Table 2 - CHSC concerns and project modifications**

<b><i>CHSC Concerns</i></b>	<b><i>Project modifications</i></b>
The Juliet balcony design is the preferred designed for the north elevation.	<i>Modified as Requested.</i> The Juliet balcony design is proposed with a bedroom and bathroom window.

**GENERAL PLAN CONSISTENCY**

Table 3 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

**Table 3 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<p><i>Policy 10.3.5: Utilize the Secretary of Interior's Standards for Historic Rehabilitation and standards and guidelines as prescribed by the State Office of Historic Preservation as the architectural and landscape design standards for rehabilitation, alteration, or additions to sites containing historic resources in order to preserve these structures in a manner consistent with the site's architectural and historic integrity (I 10.18).</i></p>	<p>The project complies with the Secretary of the Interior's Standards for the reasons stated in the staff report.</p>
<p><i>Policy 10.3.6: Through the design review process, encourage that new development is compatible with adjacent existing historic structures in terms of scale, massing, building materials and general architectural treatment (I 10.19).</i></p>	<p>The proposed expansion is compatible with both the historic house and the adjacent historic properties in terms of architecture, scale, and massing.</p>

**ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):**

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is categorically exempt per CEQA as a Class 1 exemption and a Class 32 exemption. This is recommended because the project is limited to an addition and exterior modification to a historic house that complies with the Secretary of the Interior's Standards and is in an urban area where public utilities and services are available. The requested expansion will comply with the development standards required in the General Plan and the Zoning Ordinance.

**ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

1. The Planning Commission can concur with staff and recommended approval of the proposed project to the City Council.

*This is the recommended action. This action would result in the adoption of Resolution No. PC 14-006, and recommending approval of the project to the City Council.*

2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

*This action would result in any modifications being incorporated into the project, such as architectural modifications to reduce the massing or size of the addition to make the project more compatible with the historic house.*

3. The Planning Commission can deny of the proposed project.

*This action would result in the Planning Commission denying of the project. This would require staff to draft a new resolution for recommending denial of the project. The Commission should cite reasons or findings for its denial.*

## **RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission approve CHP 13-215, Casa Ammirato, subject to the attached Resolution and Conditions of Approval.

### **Attachments:**

1. Resolution PC14-006
  2. Location Map
  3. DPR form
  4. January 15, 2014 CHSC Meeting Minutes
  5. Photographs
  6. Secretary of the Interior's Standards for Rehabilitation
  7. Letter and information from the Owner
  8. Public Comment Letters
- Plans

RESOLUTION NO. PC 14-006

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING CULTURAL HERITAGE PERMIT 13-215, CASA AMMIRATO, A REQUEST TO ALLOW AN EXPANSION AND REMODEL OF A HISTORIC HOUSE, LOCATED AT 418 CAZADOR LANE**

**WHEREAS**, on May 30, 2013, an application was submitted, and completed on October 30, 2013, by Tom and Jill Ammirato, 7001 East Seaside Walk, Long Beach, CA 90803, for a Cultural Heritage Permit to expand and remodel a historic house. The project is located within the Medium Density Residential zoning district of the Pier Bowl Specific Plan and Architectural Overlay (RM-A) at 418 Cazador Lane. The legal description being Lot 14, of Block 3, of Tract 785; and

**WHEREAS**, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project categorically exempt from CEQA a Class 1 exemption and Class 32 exemption. This is recommended because the project is limited to the addition to a historic house that complies with the Secretary of the Interior's Standards and is in an urban area where public utilities and services are available. The requested expansion will comply with the development standards required in the General Plan and the Zoning Ordinance; and

**WHEREAS**, on June 20, and October 3, 2013, the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

**WHEREAS**, on July 24, 2013, the City's Design Review Subcommittee considered the project and supports it as proposed; and

**WHEREAS**, on December 4, 2013, the Planning Commission held a duly noticed public hearing on the subject application, and recommended staff to evaluate the project to determine if the enclosed balcony was original. The Planning Commission stated that if the enclosed balcony was historic the project should be modified to retain the element; and

**WHEREAS**, on January 15, 2014, the City's Design Review Subcommittee considered the project and supports it as proposed; and

**WHEREAS**, on February 19, 2014, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

**NOW, THEREFORE**, the Planning Commission of the City of San Clemente hereby resolves as follows:

**Section 1:** The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301(e)(2) as a Class 1 exemption and 15332 as a Class 32 exemption. This is recommended because the project is limited to the addition to a historic house that complies with the Secretary of the Interior's Standards and is in an urban area where public utilities and services are available. The requested expansion will comply with the development standards required in the General Plan and the Zoning Ordinance; and

**Section 2:** With respect to Cultural Heritage Permit 13-215, the Planning Commission finds as follows:

A. The proposed use is permitted within the subject zone pursuant to the approval of a Cultural Heritage Permit and complies with all the applicable provisions of this Zoning Ordinance, the San Clemente General Plan and the purpose and intent of the zone in which the project is being proposed in that the project is in compliance with the Secretary of the Interior's Standards because the additions are located at the back of the house and the project does not modify any character defining features of the historic house.

B. The architectural treatment of the project complies with the Pier Bowl Specific Plan design requirements, height, setback, color; in that the addition and exterior improvements will be in character with the historic structure and will not increase the height of the house. The proposed landscaping and hardscape are also in character with the historic design of the house.

C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the additions and exterior modifications would be Spanish Colonial Revival in design and comply with the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties.

D. The general appearance of the proposal is in keeping with the character of the neighborhood in that the historic house would maintain its existing height and mass. The additions would be located at the back of the lot and would not be visible from the public right-of-way. The Spanish Colonial Revival design of the additions and exterior modifications would be architecturally compatible with the historic house.

E. The proposed use will not be detrimental to the harmonious development of the City in that the project will continue the original use of the site and the addition, landscaping, and hardscape would not impact the adjacent properties. The project site is surrounded by single and multi-family residences and the project will not result in additional units being added to the property. All improvements will be in conformance with the Secretary of the Interior Standards for the Rehabilitation of Historic Structures to avoid any potential impacts to the historic house or adjacent properties.

F. The proposed project preserves San Clemente's historic identity as a Spanish Village in that the project rehabilitates the historic house and the additions and



exterior modifications are architecturally compatible with the historic house and comply with the Secretary of the Interior's Standards.

G The City finds that the proposed rehabilitation including modifications, alterations, and additions, are found to be in conformance with the Secretary of the Interior Standards for the Treatment of Historic Properties and preserve to the extent feasible the character defining features. The Historic Preservation Officer and the Cultural Heritage Subcommittee have reviewed the project and found the project complies with the Secretary of the Interior Standards for Rehabilitation because it does not modify any character defining features and the additions are located at the back of the house.

H. The proposed project will not have negative visual or physical impacts upon the historic structures abutting the property in that the additions and the exterior modifications will not increase height of the historic structure and the project conforms to the Secretary of the Interior's Standards.

I. The project complies with the purpose and intent of the Architectural Overlay District, Section 17.56.020 of this title in that the exterior modifications and additions are Spanish Colonial Revival in design and is compatible with the historic house.

**Section 3:** The Planning Commission of the City of San Clemente hereby recommends the City Council approve CHP 13-215 and Casa Ammirato, to allow the addition and remodel of a historic house, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of San Clemente on February 19, 2014.

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on January 19, 2014, and carried by the following roll call vote:

**AYES:            COMMISSIONERS:**  
**NOES:           COMMISSIONERS:**  
**ABSTAIN:       COMMISSIONERS:**  
**ABSENT:        COMMISSIONERS:**

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Secretary of the Planning Commission

## EXHIBIT 1

**CONDITIONS OF APPROVAL  
CHP 13-215**

1. The owner or designee shall develop the approved project in conformance with the site plan, elevations, and any other applicable submittals approved by the Planning Commission on February 19, 2014, subject to these Conditions of Approval.

Any deviation from approved submittals shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Planning Commission, as appropriate. (PInG.)\_\_\_\_\_

2. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)\_\_\_\_\_

A use shall be deemed to have lapsed, and CHP 13-215 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.)\_\_\_\_\_

3. The owner or designee shall have the right to request an extension of CHP 13-215 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval in accordance with Section 17.16.160 of the Zoning Ordinance. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)\_\_\_\_\_

4. CHP 13-215 shall become null and void if the use is not commenced within three (3) year from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)\_\_\_\_\_

A use shall be deemed to have lapsed, and CHP 13-215 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.)\_\_\_\_\_

5. The owner or designee shall have the right to request an extension of CHP 13-215 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)\_\_\_\_\_

6. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following: (PIng.)\_\_\_\_\_

- A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. *[Citation – City of San Clemente Design Guidelines, November 1991]*

- B. Stucco walls with a 'steel, hand trowel' (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. *[Citation – City of San Clemente Design Guidelines, November 1991]*
7. Within six months of the approval of CHP 13-215 the Building Plans shall be approved for the project and identify the demolition of the interior kitchens and additional units to ensure the property is restored to a single family residence. If the project is not approved the Code Enforcement division will take action to ensure the property is converted back to a house. ■■ (Plng. Code Enf) \_\_\_\_\_
8. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. (Bldg.) \_\_\_\_\_  
*[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]*
9. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project.  
*[S.C.M.C – Title 15 Building Construction]* (Bldg.) \_\_\_\_\_
10. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. (Bldg.) \_\_\_\_\_  
*[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning]*
11. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc. (Bldg.) \_\_\_\_\_  
*[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]*
12. Prior to issuance of building permits, the owner or designee shall submit two copies of soils and geologic report, prepared by a registered geologist and/or soil

engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports. (Bldg.)\_\_\_\_\_

*[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]*

13. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building foundations conform to the front, side and rear setbacks are in conformance to the approved plans.

*[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)\_\_\_\_\_

14. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. (Bldg.)\_\_\_\_\_

*[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*

15. Fire sprinkler system required throughout the building. An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the alteration or combination of an Addition and Alteration, within any two year period, is 50% or more of area of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Building/Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

*[S.C.M.C – Title 15 – Chapter 15.08]* (Bldg.)\_\_\_\_\_

16. Project involves remodeling, alteration, or addition to the existing main building exceeding 50% of the existing building floor area. Under ground utilities are required. Overhead wiring shall not be installed outside on private property.

*[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]* (Bldg.)\_\_\_\_\_

17. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, plan check fees shall be submitted for the Engineering Department plan check of soils reports and grading plans. *[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]*

(Eng.)\_\_\_\_\_

18. Prior to the issuance of any permits, in the event that Grading Plans are required

due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations.

*[Citation – Section 15.36 of the SCMC]*

(Eng.)\_\_\_\_\_

19. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, treatment of cut and fill, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]*

(Eng.)\_\_\_\_\_

20. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner or designee shall submit for review, and obtain the approval of the City Engineer, a precise grading plan, prepared by a registered civil engineer, showing all applicable onsite improvements, including but not limited to, grading, building pad grades, storm drains, sewer system, retaining walls, water system, etc., as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]*

(Eng.)\_\_\_\_\_

21. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner shall demonstrate to the satisfaction of the City Engineer that the project meets all requirements of the Orange County National Pollutant Discharge Elimination System (NPDES) Storm Drain Program, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The owner shall submit for review, and shall obtain approval of the City Engineer for; plans for regulation and control of pollutant run-off by using Best Management Practices (BMP's). *[Citation – Section 13.40 of the SCMC]*

(Eng.)\_\_\_\_\_

22. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner shall provide surety, improvement bonds, or irrevocable letters of credit for performance, labor and materials as determined by the City Engineer for 100% of each estimated improvement cost plus a 10% contingency, as prepared by a registered civil engineer as required and approved by the City Attorney or the City Engineer, for each applicable item, but not limited to, the following: grading earthwork, grading plan improvements, retaining walls, frontage improvements; sidewalks; sewer lines; water lines; storm drains; and erosion control. *[Citation – Section 15.36 of the SCMC]*

(Eng.)\_\_\_\_\_

23. Prior to issuance of any permits, if applicable, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee for frontage improvement plans, including but not limited to the following provisions: *[Citation – Section 15.36, 12.08.010, and 12.24.050 of the SCMC]* ■ (Eng.)\_\_\_\_\_

A. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000 or the project is discretionary, the owner or designee shall construct sidewalk along the property frontage. This includes construction of compliant sidewalk up and around drive approach to meet current City standards when adequate right-of-way exists. If necessary, a sidewalk easement may be required to be granted to the City prior to final of permits for any portion of sidewalk within the property needed to go up and around the drive approach or other obstructions. Also associated with this Code is the requirement that all sidewalks containing vertical deviations greater than  $\frac{3}{4}$  inch be corrected per City Standards.

B. An Engineering Department Encroachment Permit shall be issued prior to the commencement of any work in the public right-of-way.

All Conditions of Approval are standard, unless indicated as follows:

- Denotes a modified standard Condition of Approval.
- ■ Denotes a project specific Condition of Approval

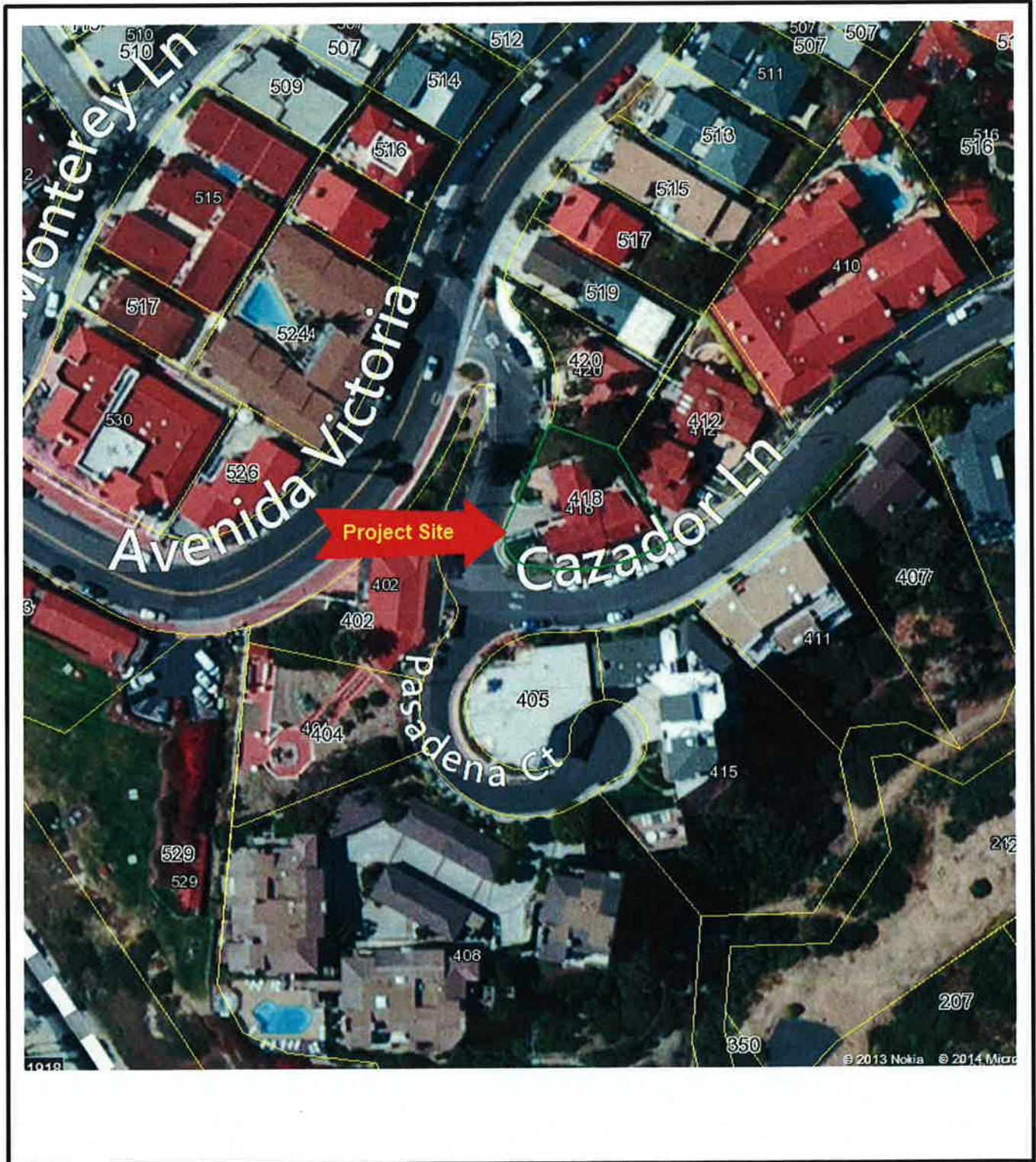




# ATTACHMENT 2

## LOCATION MAP

CHP 13-215, Casa Ammirato  
418 Cazador Lane



No scale

HISTORIC RESOURCES INVENTORY

IDENTIFICATION AND LOCATION

Ser. No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
National Register Status 3B  
Local Designation \_\_\_\_\_

- 1. Historic name None
- \*2. Common or current name None
- \*3. Number & street 418 Cazador Lane Cross-corridor \_\_\_\_\_  
City San Clemente Vicinity only \_\_\_\_\_ Zip 92672 County Orange
- 4. UTM zone 11 A \_\_\_\_\_ B \_\_\_\_\_ C \_\_\_\_\_ D \_\_\_\_\_
- 5. Quad map No. \_\_\_\_\_ Parcel No. 692-032-01 Other \_\_\_\_\_

DESCRIPTION

- 6. Property category Building If district, number of documented resources \_\_\_\_\_
- \*7. Briefly describe the present physical appearance of the property, including condition, boundaries, related features, surroundings, and (if appropriate) architectural style.

Located on a large, corner parcel overlooking the Pacific Ocean, this is a generously sized, one and two story residence in the Spanish Colonial Revival style. Walls are sheathed with white stucco and clay tiles cover a gabled roof. Eaves are punctuated with rafter tails. Due to the slope of the site, the building appears to be one story on the south elevation and two stories on the west. It is asymmetrically organized, incorporating patios on the south and a wood balcony on the west. Notable features include clusters of multi-paned casement windows, some topped with rustic wooden headers; at least two chimneys, one of which has an unusual tapered upper half; an iron balcony adorning an ocean view window; and a corbeled second story. The principal entry is located on the south within a flat-headed recess and is approached by a staircase with tiled risers which cuts through the curbside retaining wall. Alterations are minor in nature, and include a pergola-like patio shelter. The property is in good condition and contributes to a cluster of three impressive, Spanish village residences at the west end of Cazador Lane.



- 8. Planning agency City of San Clemente
- 9. Owner & address Frank L. Thompson, Tr.  
412 Cazador Lane  
San Clemente, CA 92672
- 10. Type of ownership Private
- 11. Present use Residential
- 12. Zoning R-3 A, D
- 13. Threats Zoning

Send a copy of this form to: State Office of Historic Preservation, P.O. Box 942896, Sacramento, CA 94296-0001

\*Complete these items for historic preservation compliance projects under Section 106 (36 CFR 800). All items must be completed for historical resources survey information.

**HISTORICAL INFORMATION**

- \*14. Construction date(s) 1926 F Original location Same Date moved \_\_\_\_\_
- 15. Alterations & date Patio shelter (1948); retaining wall (1980).
- 16. Architect Unknown Builder \_\_\_\_\_
- 17. Historic attributes (with number from list) 02--Single Family Residence

**SIGNIFICANCE AND EVALUATION**

- 18. Context for evaluation: Theme The Spanish Village Area San Clemente  
 Period 1926-1936 Property type Houses Context formally developed? Yes

\*19. Briefly discuss the property's importance within the context. Use historical and architectural analysis as appropriate. Compare with similar properties.

Distinguished by its location, proximity to comparable homes, and architectural quality, this house epitomizes Ole Hanson's vision of San Clemente as a community of "white walled homes bonneted with red tile" built on streets allowed to rise and meander naturally up from the sea. According to the tax assessor, this house was constructed in 1926, a date supported by a photograph of the house published in 1927. Since the house predates incorporation, no building records have survived to indicate the names of the original owner or architect. Their collaboration produced a house which is extensively detailed in the manner of the Spanish revival and which is typically adapted to its site. One historic photograph of a wooden balcony on a house belonging to Trafford Huteson, a prominent early citizen, is suggestive of this house, although Huteson has been associated with 320 Avenida Gaviota by long time residents.

For its contribution to the "Spanish Village," its individual architectural quality, and its notable location, 418 Cazador Lane appears be eligible for individual and district listing in the National Register and is recommended for retention on the Historical Structures List.

- 20. Sources  
San Clemente Building Permits  
Orange County Tax Assessment Records  
M. Moon, Inventory of San Clemente Historic Places

- 21. Applicable National Register criteria A, C
- 22. Other recognition San Clemente Historical Site  
 State Landmark No. (if applicable) \_\_\_\_\_
- 23. Evaluator Leslie Heumann  
 Date of evaluation 1995
- 24. Survey type Comprehensive
- 25. Survey name Historic Resources Survey
- \*26. Year form prepared 1995  
 By (name) Leslie Heumann & Associates  
 Organization City of San Clemente  
 Address 100 Calle Negocio, Suite 100  
 City & Zip San Clemente 92672  
 Phone (714) 498 2533



# CONTINUATION SHEET

Page 1 of 2      Resource Name or #: 418 CAZADOR LANE

Recorded by: Historic Resources Group      Date: 9/18/2006       Continuation  Update

<b>PROPERTY NAME</b>	Unknown
<b>HISTORIC NAME</b>	Unknown
<b>PROPERTY ADDRESS</b>	418 Cazador Lane
<b>ASSESSOR PARCEL NUMBER</b>	692-032-01
<b>PROPERTY TYPE</b>	Single-family residential
<b>OTHER DESCRIPTION</b>	
<b>DATE OF CONSTRUCTION</b>	1926 (E) Tax Assessor
<hr/>	
<b>INTEGRITY</b>	No substantial changes post-1995 Historic Resources Survey prepared by Leslie Heumann & Associates.
<b>SIGNIFICANCE</b>	This one- and two-story single family residence was built in 1926 and is an outstanding example of the Spanish Colonial Revival style in San Clemente. It appears eligible for the National Register as a contributor to a potential historic district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period (1925-1936), and under Criterion C for its exemplary interpretation of the Spanish Colonial Revival style.
<b>STATUS CODE</b>	3D
<b>STATUS</b>	Appears eligible for the National Register as a contributor to a National Register eligible district through survey evaluation. The property also appears eligible at the local level as a contributor to a potential historic district. It is recommended for retention on the Historic Structures List.
<hr/>	
<b>Project</b>	City of San Clemente Historic Resources Survey Update
<b>Prepared for</b>	City of San Clemente 910 Calle Negicio, Suite 100 San Clemente, CA 92673
<b>Prepared by</b>	Historic Resources Group 1728 Whitley Avenue Hollywood, CA 90028

# CONTINUATION SHEET

Page 2 of 2

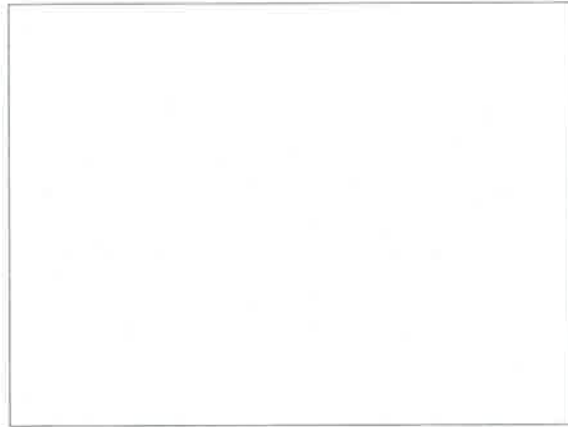
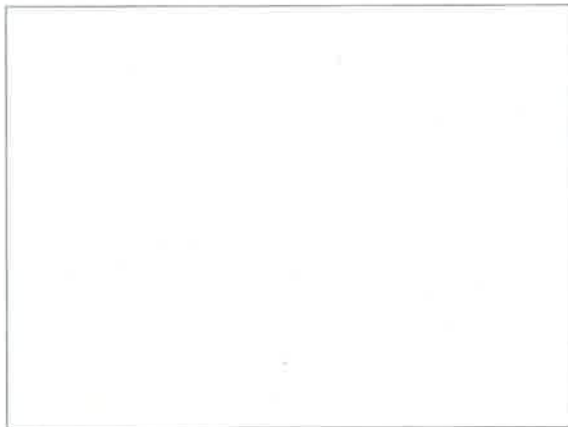
Resource Name or #: 418 CAZADOR LANE

Recorded by: Historic Resources Group

Date: 9/18/2006

Continuation  Update

### Photographs of the Subject Property:



iconic surfing image and that most cities that have public art in private development requirements allow depictions of the services provided on-site as long as there is no branding.

Ms. Evans stated that the tree carving is meant to be art and not specifically an advertisement for the business. She passed out some artistic renderings of how the carving will look when finished. She stated that the applicant decided to leave the base uncarved to help maintain the structural rigidity of the piece. Additionally, the applicant intends to seal the carving with a clear sealant, to maintain the unstained look of the piece.

The Subcommittee suggested the project move forward for Zoning Administrator for review.

**B. Cultural Heritage Permit 13-215, Casa Ammirato (Ciampa)**

A request to consider an addition to a historic house and hardscape improvements to the property. The project is located at 418 Cazador Lane in the Medium Density Residential zoning district and Architectural Overlay of the Pier Bowl Specific Plan (PBSP/RM-A).

Associate Planner John Ciampa summarized the report.

Subcommittee Member Darden asked staff to clarify the background in the report because there seemed to be some discrepancy with the direction provided by the Planning Commission on the December 4, 2013 meeting.

Mr. Ciampa explained that staff researched the historic photos of the property and the applicant's inspection and photos of the enclosed balcony and it was determined that the enclosed balcony was either original to the construction of the house or added shortly after the house was constructed. Either way the enclosed balcony would be considered historic and should remain.

The applicant, James Glover, discussed the changes to the project throughout the process and how the applicants met with the City and the San Clemente Historic Society and all presumed the enclosed balcony was not original and were in favor of its removal. He stated that the revised design is to increase the size of the original windows for the enclosed balcony from 12 to 20 inches in width to improve the ocean view and still be in proportion with the elevation. He stated that the new property owners have had issues with a fire in their home and are requesting the exterior stairs for an alternative exit. The applicants have a concern with moving the north facing window away from the decorative post because it would impact the spacing to allow for a bed in the master

bedroom. The applicant and owners requested to get clear direction and resolution on the project because they have been in the process for almost a year and would like to move forward and get their project approved.

Subcommittee Members Kaupp and Darden stated that it may be appropriate to have the enclosed balcony analyzed by a historic preservation architect to determine if the element is historic and should remain or if the enclosed portion of the balcony could be eliminated and still comply with the Secretary of the Interior's Standards.

Subcommittee Member Crandell stated that in his opinion the enclosed balcony is a detriment to the building. He believed it was likely a later addition and is still in favor of eliminating the enclosed balcony. He was not in favor of the exterior stairs because they are attached to the house and because they would not look like they were originally intended for the house.

President of the Historic Society, Larry Culbertson, stated that a historic preservation historian or architect should review all projects that have a potential to impact a historic resource. He stated the importance of the review for this project because it is a Historic Landmark and the area has the potential to be a historic district. He stated the City should not approve any projects that have the potential to have a negative impact on a historic resource. He also expressed his concern of how much a historic structure can be altered and still qualify for the Mills Act.

Neighbor to the project, Kim Miles and her husband Michael Schmit, stated that they do not dispute that the enclosed balcony does not look original but it is shown in photographs from 1927. They stated that the property is a Historic Landmark and the project should comply with the Secretary of the Interior's Standards. His concern for the project was when changes are made to a historic property it will never be able to be put back. He noted that the Sea Cliff property has a similar balcony as the subject property.

The applicant stated that they want the project to move forward and want the path of least resistance.

Neighbor of the property, Dorothy Prohaska, stated that the property is operating as three units and it is creating a serious parking issue in the neighborhood.

The applicant and owner stated that when the property was purchased it was three separate units and they are planning on converting the property back to a single family residence as part of the project.

Subcommittee Member Crandell explained to the members of the public that the DRSC does not design the project they only give recommendations for the applicants consideration.

The Subcommittee stated that if the applicants wanted to hire a historic preservation architect or historian to determine if the balcony is a critical and character defining feature of the historic house, they would support eliminating the enclosed portion of the balcony.

The Subcommittee supported enlarging the enclosed balcony windows, modifying the first floor window to French doors, preferred the Juliet balcony design over the exterior stairs for the north elevation, and felt the new window on the north elevation should be pulled away from the wood post to be consistent with Spanish Colonial Revival design.

Subcommittee Member Darden stated that the City should take an internal look at the overall process for these types of projects and also the roll of the San Clemente Historic Society in giving applicants advice early on in developing a project. The City should try and take steps to make the process easier to navigate.

The Subcommittee suggested the project move forward for Planning Commission review.

**C. Surfer's Row Preliminary Review (Gregg)**

A request to consider ten duplexes to be built on ten separate, but contiguous, lots for a total of 20 units. A minor exception permit is requested to consider reduced side yard setbacks on the corner lot, and for walls exceeding 42 inches in the front yard setback up to five feet. The project is proposed from 2721-2739 South El Camino Real and is within the Mixed Use (MU5) zoning district.

Associate Planner, Amber Gregg summarized the staff report and noted that this was a preliminary review of the project.

Michael Luna, architect, gave a recap of the project and some background of the project site. He noted that there will be no HOA's or subdivisions as part of this project. The MEP requested is not unique to the area and there are five nearby duplexes that needed MEP's because of the small and narrow lots; only 4,000 square feet each.

Staff went over the architecture and noted that there were some questions regarding the covered stairways to the roof, or "dog houses", and whether they were considered three-stories or not. Staff went over the definition of three-stories. Subcommittee Member Darden stated she believes that the

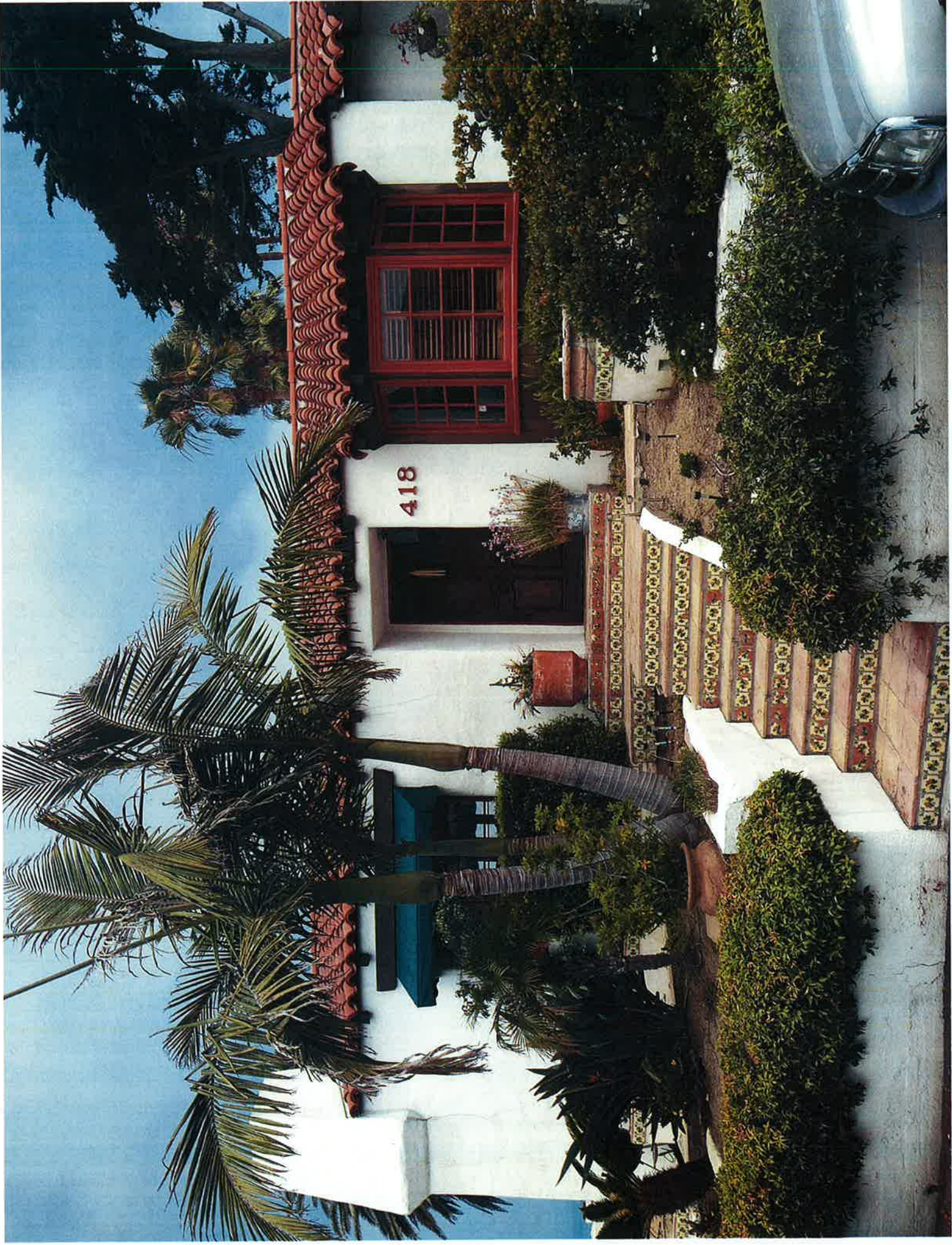




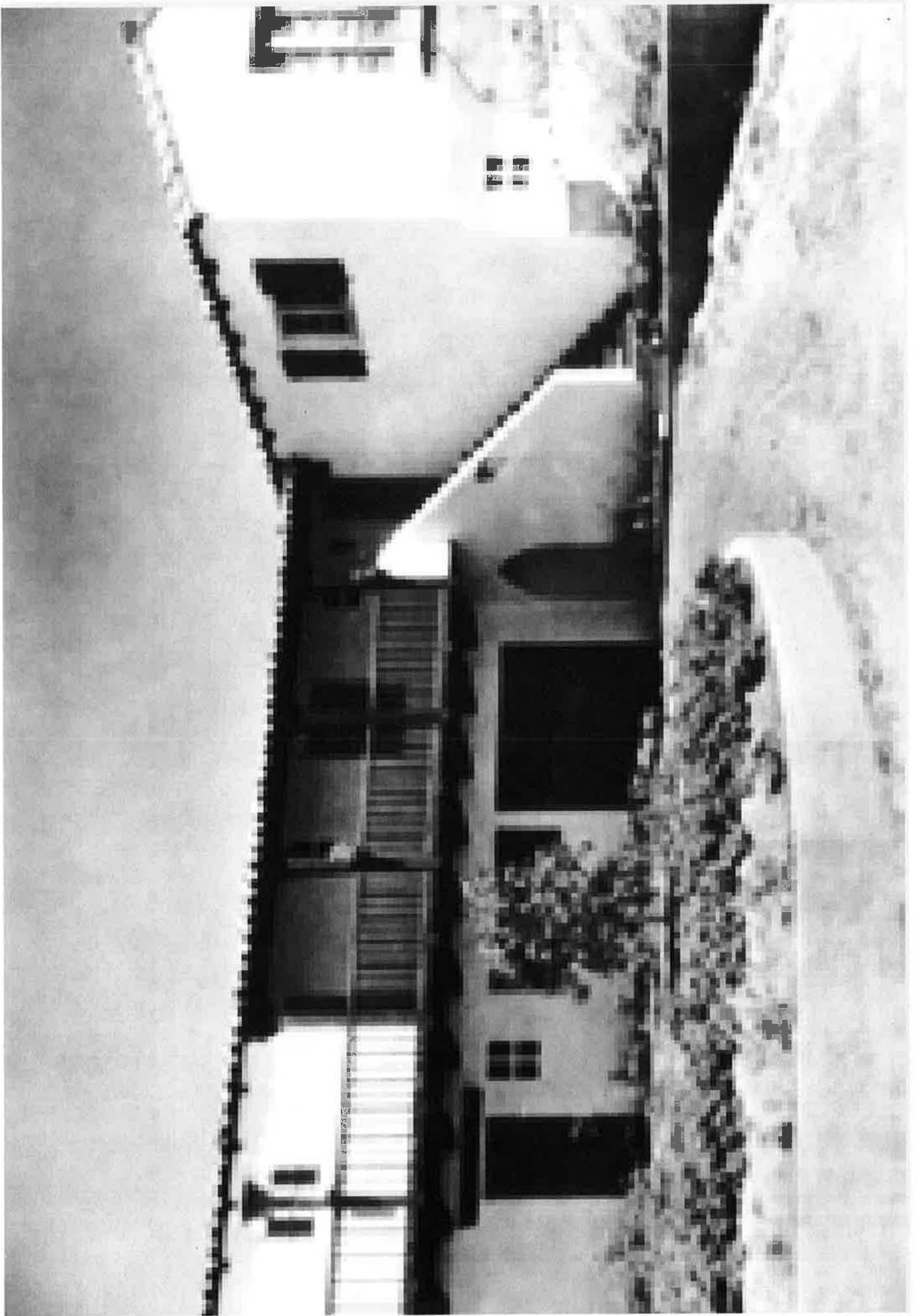


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SPORT







**SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT  
OF HISTORIC PROPERTIES**

***Rehabilitation (making possible a compatible use for a property through repair, alterations and additions while preserving portions/features that convey its historical, cultural or architectural values)***

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

To: City of San Clemente Planning Department  
From: Tom and Jill Ammirato  
Re: Tenant Occupancy History- @ 418 Cazador Lane, San Clemente, Calif

August 2012 - Local realtor Sharon Custer had 418 Cazador listed for sale representing the then owner Judith Anderson. Feel free to verify any and all information contained in this statement with Sharon Custer contact information listed below.

Sharon Custer – listing broker for Judith Anderson  
Star Real Estate  
209 Avenida Del Mar  
San Clemente  
Lic # BRE # 01300834  
949-230-5746

When this property was on the market it was presented as a Historical Property, non-owner occupied due to the illness of the owner. It was also listed as having a separate studio apartment. On the MLS listing it also states that “the home is set up with 3 different units”. PLEASE SEE ATTACHED MLS LISTING TO VERIFY THIS INFORMATION. The owner, Judith Anderson rented the main house to a Rich and Angie Johnson, according to Sharon Custer for at least 5 years. The Johnson’s still currently occupy the house. According to the Johnson’s the agreement with the owner Judith Anderson was that they pay the mortgage as Ms. Anderson, the owner was ill and in danger of losing the property. The Johnson’s then, with the approval of the owner Judith Anderson closed off the dining room door to the large den with a book shelf in front of the door and sub- rented that part of the house to a Mr. Filipini who had his mother Cynthia suffering with cancer in that den. The den does not contain a kitchen it only has a bar with a sink and a small refrigerator. At the time we purchased this property a Kevin Moody was in the unit down stairs and he still is. Kevin was in the “studio apartment” 10 months prior to us purchasing this property. The downstairs is a guest room or maid quarters with a bath room but was listed as a studio apartment on the MLS by Sharon Custer the realtor and I may add by a Mike Cotter, realtor current member of the historical society You can verify current set up of units on the preliminary as-is plans James Glover (designer of this project) already submitted. Kevin has his own small microwave on a desk in the bathroom along with his own small refrigerator, also in the bathroom.

Cynthia became more ill and moved July 1, 2013. When Cynthia moved out in July a local resident suggested that we list the unit on VRBO. We had never heard of VRBO before this however seemed logical because we had no idea when we would have to move the tenants out as we were in the process of city approvals. We need the revenue to pay the mortgage as we are awaiting this long process of APPROVALS. None-the- less, VRBO was uneventful. Most who visit this site wanted a larger space than a den. We are aware that a neighbor is making an issue out of VRBO but I can assure you it really is a non-issue. The property was listed in Sept. 2013 on VRBO for a few months but was removed in December 2013. We had no

idea VRBO was a violation as San Clemente has hundreds of VRBO listings. Most the people who have stayed there were my sister who stayed a week from Palm Springs, and a Coach from Oklahoma University, my friend who stayed there for a week and us from time to time. They of course did not pay. These guests were not VBRO renters.

In the mean time, the Johnson's ( the house tenants) have a friend from Spain, his name is Edgar Rios. He is staying in the den and pays for the space. He has no car so the neighbors parking impact should not be an issue. Rich and Angie park in the long drive way and I don't know if Kevin has a car. We never see the guy. The current tenants are getting very anxious and stressed over tensions initiated by "a" neighbor. The only information we can give them is that if and when we get our permits we will give them "Notice to Vacate" If we didn't have these tenants and with the way this process has gone so far we would have lost approximately \$54,000 in mortgage payments thus far and have put almost \$50,000 into the process, permits, reports etc, etc with out one single improvement to the house.

We, the Ammirato's, the new owners had a vision of a beautiful home we could enjoy in our retirement.. We conducted "extensive" due diligence as this was to be our retirement home. We envisioned this property, perched on a hillside with beautiful landscaped grounds and a much need face-lift. We actually thought San Clemente was excited to have someone come in and improve a much need rundown property and had a family who loved the area become part of the community. Even though it was listed with a separate studio apartment and "3 separate units" (see attached MLS listing), our plan was to enlarge the lower unit creating an office area and much needed extra bedroom and storage space and make it our own single family home. The separate units were a value at the time because we knew we would be in the process of approvals and permits and the rental income generated would get us financially through the city permit processes. Little did we know what we were about to face over the last year +.

We are moving from a large home in Long Beach , hopefully(one of these days) and need the bedrooms and office downstairs. This home, as it stands does not have enough space for our family and lifestyle.

In addition, Judith Anderson had previously listed the property with a local realtor, Mike Cotter, coincidentally a member of the Historical Society of San Clemente. We haven't spoken to Mike Cotter but he could probably verify this information. When Mike Cotter had this house listed in 2010 the current tenants where in place at that time. Mike Cotters own "award Winning " listing brochure lists some of the property details including but not limited to....."two romantic balconies and a "separate studio apartment." So the Historical Society should be well aware that we were innocent in the fact that this property was listed as an R3 and had no idea the tenant situation would ever become an issue. We have no idea why the Historical Society has been so antagonistic to us now. In the beginning, in October 2012 we met with the Historical Society and they lead us to believe we could follow Historic guidelines and make changes. We got a list of those guidelines but are disappointed we have not been able to refer to them. Some of the Historical Society member even had design ideas, like removing that "box" Not sure why they changed their tune.



You are welcome to enter the home to verify the kitchen and living situations. We just need to give the tenants a 24 hour notice.

It would create a financial set back for us if you require us to loose our tenants before we are ready to start this project. We have to move them out anyway to start this project , and we want to start ASAP, so we don't understand the problem.

Sincerely,

Tom and Jill Ammirato

# ALBERT MORELL KELLER WILLIAMS BEVERLY HILLS



[Add'l Photos](#)



[Larger Map](#)
[Aerial Map](#)
[Plat Map](#)

**Sold**

**Residential Single Family**

**MLS#:** S700323SC  
**APN:** 692-032-01  
**Origin MLS:** MRMLS

**ADDRESS:** 418 CAZADOR Lane , San Clemente ,CA 92672  
**County:** Orange  
**Country:** UNITED STATES OF AMERICA

SP: \$1,550,000

[Community Data](#)

[Walk Score](#)

[Report a Violation](#)

### MAIN FEATURES

<b>Add'l Parcel #</b>		<b># Baths Full</b>	2	<b>Furnished Y/N</b>	
<b>Apx Acres</b>	0.14	<b># Baths 1/4</b>	0	<b>Horse Prop Y/N</b>	
<b>Apx Lot Dim.</b>	75x81	<b># Baths 1/2</b>	1	<b>Pool Y/N</b>	No
<b>Apx Lot Size</b>	6,075/Public Records	<b># Baths 3/4</b>	0	<b># Stories</b>	
<b>Apx Sq Ft</b>	2,500 /Estimated	<b># Bedrooms</b>	3	<b>View Y/N</b>	Yes
<b># Baths</b>	3.00	<b># Fireplaces</b>		<b>Year Built</b>	1926
<b>Cross Streets</b>	Victoria/Elena			<b>Area (1669)</b>	San Clemente Central
<b>School District</b>	Capistrano Unified			<b>Style</b>	Spanish

**Remarks**  
 LEGENDARY HISTORICAL PIER BOWL CITY LANDMARK with OCEAN & PIER VIEWS. Finest Representation of a Classic 'Ole Hanson' and lived in by 'Gloria Swanson' Residence. You will be touched the minute you step upon this rare peaceful & romantic home. If walls could talk 'WOW' would we hear stories of a bygone era? The likes of Gloria Swanson, Joseph Kennedy, Clark Gable, Marilyn Monroe, Charlton Heston, Doris Day, President Richard Nixon to name a few have enjoyed this residence. Appointments include Ocean, San Clemente pier to the headlands of Dana Point Views, cathedral wood beam ceilings, Spanish tiles, 2 fireplaces, original Dutch doors, outdoor shower, waterfall & pond. French doors to lush side patio, two romantic balconies, and separate studio apt. Property taxes are protected by the Mills Act saving thousands in property taxes. Great location - short walk to world famous beach & surf spots, shops, restaurants. This is True Southern California Living at its Finest. Come Fall in Love Call or Text Sharon Custer for showing instructions & to set appointments 949-230-5746. Monday- Friday 9 to 5 very easy to show. Please give me as much notice as possible for the weekends. The home is set up with 3 seperate units so I need to let everyone know. One of 22 Official City Landmarks. Does have the Mills Act property tax of only \$3063.00 a year. ASSUMABLE 40-year low interest LOAN.

**Private Remarks**

**Directions**  
 Victoria toward the ocean to Elena right onto Cazador Lane

### OTHER FEATURES

<b>Air/Cooling</b>	None
<b>Appliances</b>	Dishwasher, Garbage Disposal
<b>Association Amenities</b>	
<b>Association Rules</b>	
<b>Bathroom Features</b>	Tile (N)
<b>Bedroom Features</b>	Main Floor Bedroom, Main Floor Master Bedroom
<b>Community Features</b>	
<b>Cooking Appliances</b>	Built-Ins, Gas, Range
<b>Eating Areas</b>	Formal Dining Rm
<b>Equipment</b>	Built-Ins, Dishwasher, Garbage Disposal, Range/Oven

1-17-14

Re: 418 Cazador Lane Historic Home

Dear San Clemente Planning Commission,

We wanted to share our thoughts with you regarding the Design Meeting on 1-15-14 regarding the Historic Landmark at 418 Cazador Lane in San Clemente. The meeting seem to go off track about the home being a historic Landmark - Saving original historic features should be the may concern on a historic landmark. Instead, the meeting went on about how the changes would look good on the home. This historic Landmark home is not a regular track home. People shouldn't be able to destroy original features of a historic home just because they want a better ocean view, or light. We are asking that you please don't let them modify the front of the home were the balcony is, and lower level under balcony. Also, please don't let them add a staircase on the side of the house. The side is as visual as the front of the house because of it being on a hill. It is very important to not let them add a staircase because it would change the whole architectural appearance of the home, and is absolutely not necessary because it already has an entrance to the master bedroom. We believe that the owners want another entrance by adding the stairs and door to rent out as another vacation rental. They already have been renting parts of their home as a vacation rental since Oct. 2013. If you add a staircase and door, it gives you another unit.

You can clearly see these modifications are not in keeping with the Secretary of the Interior's Standards for the treatment for historic properties, let alone a San Clemente Landmark. Much of these improvements upstairs and downstairs will remove original windows, doors, stucco, wood trim, and elevation grills.

Please be careful on what you allow with the modifications on this historic Landmark because once there're destroyed there're gone forever.

Thank you for your time,

Michael Schmidt & Kim Myles

January 21, 2014

San Clemente Planning Commission,

As Preservation Chair for the San Clemente Historical Society and now President, I am concerned about the degree of modification to historic structures that is being permitted. This issue has been called to the attention of the City on several projects but there has been no attempt to look into the subject. Data was submitted to the City last March showing that City hired historical consultants had downgraded the significance rating of historic buildings because of modifications that the City had approved. I have not received a response to the concern raised.

The latest historic building modification project to be proceeding through the planning process is 418 Cazador Lane, the Gloria Swanson House. This is one of our most important historic houses. It is one of 204 Designated Historic Resources. It is one of our 25 Landmarks. It has been under an Historic Property Preservation Agreement since 1999. It is one in a cluster of three important homes in the Pasadena Colony. It is highly visible and much beloved.

The owners have proposed a number of modifications that would drastically alter the appearance of the building and very negatively impact its historic integrity. Incredibly, City staff and the Design Review Sub Committee have expressed acceptance and approval of most of these modifications.

The West elevation, which is the primary façade, has been proposed to have the stucco closet removed, or have the existing windows enlarged. The downstairs "guest room" has been proposed to be enlarged out to the balcony front, and to have its doors and windows replaced. The North elevation has been proposed to have a new stairway or a balcony. The South elevation has been proposed to have its dining room doors replaced. The proposed alterations would be contrary to our City Design Guidelines, contrary to the Secretary of the Interior's Standards, and in violation of the California Environmental Quality Act (CEQA).

City Design Guidelines specify, "New improvements to renovate or alter an historic site should demonstrate a diligent effort to retain and rehabilitate the historic resource." And, "Historic buildings which are renovated are encouraged to follow The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings."

Some of the applicable Standards:

- "2) The distinguishing original qualities or character of building shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- 3) All buildings shall be recognized as products of their own time. Alterations that have no historical basis and which seek to mate an earlier appearance shall be discouraged.
- 4) Changed which may have taken place in the course of time are evidence of the history and development of a building. These changes may have acquired significance in their own right and this significance shall be recognized and respected.
- 5) Distinctive stylistic features which characterize a building shall be treated with sensitivity."

This project would trample these Standards. Distinguishing qualities like the stucco closet, its windows, the doors and windows below would be demolished. Alterations done in 1948 are being considered non-historic. Demolishing character defining features is certainly not treating them with sensitivity.

The strongest protection this and other historic buildings have is CEQA. This California law prohibits demolition or significant negative impacts to historic resources if there are reasonable alternatives to the project. The reasonable alternative is to accept this historic house with its existing door and window configurations as they are.

It was particularly vexing that DRSC was so determined to “accommodate the needs” of the applicant to optimize ocean views and facilitate bed placement that they would let them demolish windows. Somehow all the previous owners for 87 years have gotten by just fine with the North and West facades just as they are.

One good suggestion that DRSC made was one that I have suggested before. That is to have an applicant get an opinion from an historical architect to confirm that what they are proposing is not detrimental to the building’s historic integrity. This should be required for this project.

418 Cazador Lane should not be altered at all. It is perfect as it. If you must allow another addition, please keep it small and out of sight. Historic buildings should not be altered at the whim of each successive owner.

Larry Culbertson

**12-2-13**

**Cultural Heritage Permit 13-215, Casa Ammirato**

Dear Planning commission:

My name is Kim Myles and my husband's is Michael Schmidt, and we own a historical Landmark home next door to our neighbor's historical Landmark at 418 Cazador Lane.

We are writing to you because we are confused on the remodel and addition to a Historical Landmark on 418 Cazador Lane, San Clemente.

First, we were never notified to the first original design review planning meeting. The only information we received is the public hearing letter we got in the mail November 21<sup>st</sup>. 2013.

The purpose of this letter is to inform you of some new information regarding the original structural of the home. We have proof that the front elevation facing west and north are still the same as they were in 1927.

We believe these modifications are not in keeping with the Secretary of the Interior's Standards for the treatment for historic properties. Much of these improvements upstairs and downstairs will remove original windows, doors, stucco, wood trim, and elevation grills. All of these features are seen in the original 1927 photo of this home. It is our understanding that by reading the planning commission minutes for this home that you were lead to believe that the home was already modified in the areas of the west and north elevation, that is simply not true. It is also our understanding that these owners told you that they were living in the home. That simply not true as well. The reference of this comment is that these owners turned this single family residence into three to four units that are being rented long term and is being used as a short term vacation rental. We talked to the long term renters that currently live there. As you are aware, parking in the pier bowl is a big issue and not addressed in your Heritage Permit by adding additional stairs for additional units in a single family home.

The Gloria Swanson home – Has such a huge significance being a Historic Landmark. Gloria Swanson and many other famous movie stars have visited this home.

Adding stairs and removing original parts of this home makes it look like an apartment, instead of a movie star landmark home. The home already has a beautiful original staircase to the upper level, and many other entrances.

Since 1926 people have entered the master bedroom from the house, not needing a whole new separate entrance. All you need is a separate entrance and you have a new unit to rent out as another Vacation rental. Please don't change the whole front of an original Historic Landmark.

Lastly, I want to end this with the hope the city planning, will see the importance of the Significance of one of the earliest historic Landmark homes in San Clemente. Let people from now, and many more years see the original architecture of a famous Ole Hanson home, where the movie stars once

roamed, and not let this pass where the front of the home will be altered and changed forever, and why would you want to allow alteration to an original historic landmark that would be lost forever?

We have an historical picture from the historical society dated 1927 of this home's front architecture, we are also able to share this with you. We have attached the website address showing this home used as a Vacation rental by owner. This is in addition to the 2 additional full time renters in this home. Here are the sites;

<http://www.vrbo.com/484940>

<http://www.homeaway.com/vacation-rental/p484940vb>

I have no idea if they have a city business license for this type of business.

Please, we ask you to look at all the facts and -Not approve any alteration or addition which will result in not adhering to the Secretary of the Interior's Standards with this new information lessening the historic significance of a resource.

If you would like to reach us we are available by email Mike's email is [bigdog33771@yahoo.com](mailto:bigdog33771@yahoo.com)

Kim's email address is [Kmyles1@cox.net](mailto:Kmyles1@cox.net)

Thank you for your time,

Mike Schmidt, Kim Myles

Please distribute to all planning commissioners.