



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: August 21, 2013

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**PLANNER:** Christopher Wright, Associate Planner *CJW*

**SUBJECT:** Cultural Heritage Permit 13-105 – Whitmore Residence, a request to consider an expansion of a nonconforming residence. The subject site is located across the street from a historic structure.

### REQUIRED FINDINGS

The following findings shall be made to approve the proposed project. 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 [Table 17.16.100 and Table 17.72.050(A)] is required to expand legal-nonconforming single-family dwellings less than 1,400 square feet up to a maximum of 2,100 square feet and remain nonconforming.***

- a. The architectural treatment of the project complies with the San Clemente General Plan.
- b. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc.
- c. The architectural treatment of the project complies with the City's Design Guidelines.
- d. The general appearance of the proposal is in keeping with the character of the neighborhood.
- e. The proposal is not detrimental to the orderly and harmonious development of the City.
- f. The proposed project will not have negative visual or physical impacts upon the historic structure.

### BACKGROUND

The proposed project is a remodel and expansion of a legal-nonconforming residence located across the street from a historic structure. The subject site is a 10,450 square foot coastal canyon lot located in the Residential Medium Density zone and Coastal Overlay (RM-CZ) at 235 West Marquita. The subject residence was constructed in 1957. The house is one-story with 1,250 square feet of floor area.

The majority of the residence is below street level because it is on a lot that slopes from the street down to an area that is designated as a coastal canyon by the Coastal Commission. The bottom of the Palizada coastal canyon was developed into Linda Lane Park, unlike most other canyons that primarily contain creeks and sensitive habitat areas.

***Abutting historic structure***

The historic residence is located at 236 West Marquita, across the street from the project site (see Attachment 1 for a vicinity map). The one-story house was built for E.L. Scheeberger, designed by Virgil Westbrook, and constructed by O.M. Berg in 1928. Refer to Attachment 4 for more information on the historic residence.

***Development Management Team***

The City's Development Management Team (DMT) reviewed the project. The DMT determined the project meets requirements and recommends Conditions of Approval shown on Attachment 1, Exhibit A.

***Noticing***

Public notices were distributed and posted per City and State requirements. Staff did not receive comments on this project to-date.

**PROJECT DESCRIPTION**

The proposed project would expand the residence's floor area by 67 percent or a total of 840 square feet. The project adds 265 square feet to the first floor and adds a 575 square foot second story (one story from street level). The project also includes: a facade remodel, drought tolerant landscaping in the front yard, walls, a carport, and a new patio and spa on the west side yard. Also, some repairs would be made to a deck in the rear yard. The new carport would provide two covered parking spaces in compliance with parking requirements, where one covered space is currently provided.

***Development Standards***

The residence and rear yard deck are legal-nonconforming structures because they do not comply with the required coastal canyon setback. The canyon setback is measured from the canyon's edge. The proposed project meets development standards and brings the site into compliance with parking and landscaping requirements. Table 1 outlines the project's consistency with development standards.

**Table 1 – Development Standards**

<b>Development standard</b>	<b>Existing conditions</b>	<b>Zoning requirement</b>	<b>Proposed project</b>
Building Height Maximum	13'	25'	24'-7"
Lot Coverage	23%	Max. 55%	28%
Required Parking (Minimum):	1 covered space**	2 covered spaces	2 covered spaces

**Table 1 – Continued**

<b>Development standard</b>	<b>Existing conditions</b>	<b>Zoning requirement</b>	<b>Proposed project</b>
Setbacks (Minimum): <ul style="list-style-type: none"> <li>• Front</li> <li>• West Side Yard</li> <li>• East Side Yard</li> <li>• Coastal canyon (measured from edge)</li> </ul>	13'	10'-2" <sup>**</sup>	10'-2"
	33'	5'	5'
	5'	5'	5'-6"
	10'	15'	16'
Drought tolerant front yard landscaping (Minimum)	Less than 50%, six trees	50%, three 15 gallon trees	56%, three trees

\* The standard RM front yard setback is 15 feet. The house qualifies for a median front setback since there are four developed lots on the block with setbacks shorter than 15 feet.

\*\*There is currently one uncovered space so the project brings site into closer compliance with requirements.

***Landscaping***

Zoning Ordinance Section 17.68 requires landscape plans be reviewed when a discretionary process is required. Staff determined the proposed plan meets requirements. Condition of approval No. 25 would require a landscape inspection to ensure landscaping is consistent with approved plans and zoning standards.

**PROJECT ANALYSIS**

***Cultural Heritage Permit***

Zoning Ordinance Table 17.16.100B requires a Cultural Heritage Permit (CHP) to expand a nonconforming structure that abuts a historic resource. A Cultural Heritage Permit is required to ensure the project is compatible with historic resources, is consistent with design guidelines, and is in character with the neighborhood. The structure is not located in an Architectural Overlay district so Spanish Colonial Revival (SCR) Guidelines do not apply. Design Guidelines related to massing and neighborhood compatibility are particularly important when considering this project, to determine whether it is compatible with historic resources.

Staff believes the project meets the required CHP findings based on the following:

1. The proposed materials, massing, and exterior finishes are consistent with contemporary architecture. This style of design would blend in with a variety of architecture styles in the neighborhood.

2. The project involves an expansion of a single-family residence in a multi-family residential zone where there are fourplex buildings on both sides of the subject site with more mass and a taller height than the proposed project.
3. The project involves the expansion of a single-family residence within the RM zoning district that allows a maximum density of one unit for every 1,800 square feet of lot area or five dwellings on the 10,450 square foot subject site.
4. The front view of the residence would be one-story tall and a maximum of 16 feet high from the street and historic residence, where the RM zone allows buildings to be a maximum of 25 feet high.
5. The project complies with development standards including the required coastal canyon setback.
6. The project would not have negative massing impacts on the historic structure. The subject site is significantly separated from (approximately 90 feet) and at a higher grade than the historic structure.
7. The project would improve the appearance of the house and neighborhood.

*Design Review Subcommittee review*

The Design Review Subcommittee (DRSC) reviewed the project on June 12, 2013 and supported the proposed architecture.

**GENERAL PLAN CONSISTENCY**

Table 2 summarizes the project’s consistency with the General Plan.

**Table 2 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<i>1.2.9 Require that new residential development in existing residential neighborhoods be compatible with existing structures.</i>	Consistent. The massing, architecture, and scale of the proposed residence are in character with the neighborhood.
<i>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>	Consistent. The proposed project would be set back at least 90 feet from the historic structure and the subject site is at a lower grade. The proposed architecture is compatible with the historic structure.

**Table 2 - Continued**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<p><i>Coastal Element Policy XV.1 Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.</i></p>	<p>Consistent. The proposed project complies with coastal canyon setback requirements and does not encroach into sensitive habitat.</p>

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

The Planning Division completed an initial environmental assessment for this project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is exempt from CEQA as a Class 1 exemption per CEQA Guidelines Section 15301. This is recommended because the project involves an addition to an existing structure on areas of a lot that are not environmentally sensitive.

**California Coastal Commission Review**

The project must be approved by the California Coastal Commission (CCC) because the site is a coastal canyon lot. Condition of approval #7 requires proof of CCC approval before issuing permits.

**ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

1. The Planning Commission can concur with staff and approve the proposed project.

*This is the recommended action. This action would result in the adoption of Resolution No. PC 13-027, allowing the project as proposed, per required findings and conditions of approval.*

2. The Planning Commission can approve the project and 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 detail, finish, massing changes or modifications to conditions of approval.*

3. The Planning Commission can deny the project.

*This action would result in not allowing the project as proposed. This action would require this item to be continued so staff can draft a new resolution. The Commission should cite reasons for not being able to meet required findings.*

### **RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission approve CHP 13-105, Whitmore Residence, subject to the attached Resolution and Conditions of Approval.

### **Attachments:**

1. Resolution No. PC 13-027  
Exhibit A – Conditions of approval
2. Location Map
3. Photos of Existing conditions
4. Photo of materials board and colored elevation drawing
5. Historic survey sheet on 236 West Marquita  
Plans

# ATTACHMENT 1

## RESOLUTION NO. PC 13-027

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 13-105, WHITMORE RESIDENCE, A REQUEST TO CONSIDER AN EXPANSION OF A LEGAL-NONCONFORMING RESIDENCE ON A SITE THAT ABUTS A HISTORIC STRUCTURE, LOCATED AT 235 WEST MARQUITA**

**WHEREAS**, on March 26, 2013, an application was submitted and deemed complete on June 14, 2013, by Ryan Whitmore, 235 West Marquita, San Clemente, CA 92672, for Cultural Heritage Permit (CHP) 13-105, a request to consider an 840 square foot expansion (a 67% increase) of a nonconforming residence that is across the street from a historic structure. The residence and a rear yard deck are legal-nonconforming structures because they do not comply with the required coastal canyon setback. The subject site is a coastal canyon lot located in the Residential Medium Density zone and Coastal Overlay (RL-CZ) at 235 West Marquita. The site's legal description is Lot 14, Portion of Lot 13, Block 17 of Tract 793, and Assessor's Parcel Number 692-095-17; and

**WHEREAS**, the Planning Division completed an initial environmental assessment of the above matter in accordance with California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine this project categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 because the project involves an addition to an existing structure on areas of a lot that are not environmentally sensitive and the project is in an area where all public services and facilities are available to allow for development that is permitted in the General Plan; and

**WHEREAS**, on May 2, 2013; May 23, 2013; July 3, 2013; and July 18, 2013; the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

**WHEREAS**, on August 21, 2013, the Design Review Subcommittee reviewed the project and supported it as proposed with no comments; and

**WHEREAS**, on August 21, 2013, the Planning Commission held a duly noticed public hearing on the subject application and considered evidence presented by the City staff, the applicant, 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 CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 because the project involves an addition to an existing structure on areas of a lot that are not environmentally sensitive

and the project is in an area where all public services and facilities are available to allow for development that is permitted in the General Plan.

**Section 2:** With regard to Cultural Heritage Permit 13-105, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan, in that the project is consistent with policies related to maintaining the character of neighborhoods and ensuring projects are compatible with surrounding development.
- B. The architectural treatment of the project complies with the Zoning Ordinance in areas including, but not limited to, height, setback, color, etc. in that the project complies with applicable development standards.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the scale, mass, form, setbacks, and materials are compatible with adjacent structures and the pattern of development in the neighborhood.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:
  - 1. the proposed materials, massing, and exterior finishes are consistent with contemporary architecture. This style of design would blend in with a variety of architecture styles in the neighborhood; and
  - 2. the building's height and mass would be comparable or smaller than adjacent residences for the reasons identified in Subsection E.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the massing, scale, form, and setbacks of the addition will be compatible with adjacent structures since:
  - 1. the house is on a downward sloped lot so that the first story is below street level. While the project adds a second story, the front of the house would appear to be one-story and a maximum of 16 feet high from the street and historic structure; and
  - 2. the project involves an expansion of a single-family residence in a multi-family residential zone where there are fourplex buildings on both sides of the subject site with more mass and a taller height than the proposed project;
  - 3. the project complies with development standards including the required coastal canyon setback.



- 4. the project involves the expansion of a single-family residence within the RM zoning district that allows a maximum density of one unit for every 1,800 square feet of lot area or five dwellings on the 10,450 square foot subject site; and
  - 5. the front view of the residence would be one-story tall and a maximum of 16 feet high from the street and historic residence, where the RM zone allows buildings to be a maximum of 25 feet high;
- F. The proposed project will not have negative visual or physical impacts upon the historic structure in that:
- 1. the project would improve the appearance of the house and neighborhood;
  - 2. the project would not have negative massing impacts on the historic structure. The subject site is significantly separated from (approximately 90 feet) and at a higher grade than the historic structure; and
  - 3. the mass, scale, and materials of the project are in character with the neighborhood and compatible with adjacent properties, including the historic residence, as described in Subsection E.

**Section 3:** The Planning Commission of the City of San Clemente hereby approves CHP 13-105, Whitmore Residence, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit A.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of San Clemente on August 21, 2013.

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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 August 21, 2013, 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

**CONDITIONS OF APPROVAL  
CHP13-105, WHITMORE RESIDENCE**

1. 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.)\_\_\_\_\_
  
2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)\_\_\_\_\_
  
3. CHP 13-105 shall become null and void if the use is not commenced within three (3) years 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.)\_\_\_\_\_

4. A use shall be deemed to have lapsed, and CHP 13-105 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 13-105 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 compliance with section 17.12.160 of the Zoning Ordinance. [*Citation - Section 17.12.160 of the SCMC*] (PIng.) \_\_\_\_\_
6. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. [*Citation – City Quality Assurance Program*] (PIng.) \_\_\_\_\_
7. Prior to issuance of permits, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that approval by the California Coastal Commission has been obtained for the project. [*Citation - Section 17.56.050 of the SCMC & Division 20, Public Resources Code*] ■ (PIng.) \_\_\_\_\_
8. Prior to issuance of certificate of occupancy, the project shall be develop in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Planning Commission on August 21, 2013, subject to the Conditions of Approval. Any deviation from the approved plans or other approved submittal shall require that the owner or designee 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 Zoning Administrator or Planning Commission. [*Citation - Section 17.12.180 of the SCMC*] (PIng.) \_\_\_\_\_
9. 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.[*S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20*] (Bldg.)\_\_\_\_\_
10. Prior to issuance of building permits, code compliance will be reviewed during building plan check. [*S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20*] (Bldg.)\_\_\_\_\_

11. 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.)\_\_\_\_\_
12. 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. *[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]*  
(Bldg.)\_\_\_\_\_
13. 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. *[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]*  
(Bldg.)\_\_\_\_\_
14. 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.)\_\_\_\_\_
15. 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. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*  
(Bldg.)\_\_\_\_\_
16. Projects involving remodeling, alteration, or addition to the existing main building exceeding 50% of the existing building floor area. Under ground utilities are required according to Section 15.12 of the Municipal Code. Overhead wiring shall not be installed outside on private property. *[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]* ■ (Bldg.)\_\_\_\_\_

17. Fire sprinkler system required throughout as follows:
- a. All new Group R occupancies, including the attached garages;
  - b. All existing Group R occupancies and U-1 garages when the total floor area is increased by 50% of the existing area over a 2-year period;
  - c. All existing Group R occupancies and U-1 garages when the total area is increased by 750 square feet or more over a 2-year period;
  - d. All existing Group R occupancies and U-1 garages when an additional story is added to the structure regardless of the area involved;
  - e. 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;
  - f. Any addition to existing building that has fire sprinklers installed.  
*[S.C.M.C – Title 15 – Chapter 15.08]* (Bldg.)\_\_\_\_\_
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, 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_

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 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.)\_\_\_\_\_

23. 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.)\_\_\_\_\_

24. 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 ¾ 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.

25. Prior to Building Division final inspection and release of construction permits, the landscaping shall be inspected to ensure it is consistent with the approved landscape plan and Zoning Ordinance requirements to the satisfaction of the City Planner or designee. (■■PIng.)\_\_\_\_\_

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

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




# ATTACHMENT 2

## LOCATION MAP

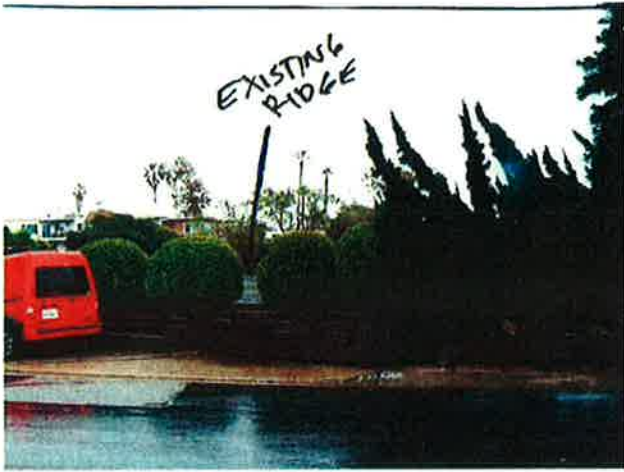
CHP 13-105, Whitmore Residence Addition  
235 West Marquita



No scale 







1



5



2



6



3



7



4



8

9



13



10



14



11



15



12



16



17



18



Standing Seam Roof ; 'Old Towne Gray'

Stucco; La Habra ' X-53 Pure Ivory'

Wood Siding; Minwax ' Early American - 230'



CONTINUATION SHEET

Page 1 of 2 Resource Name or #: 236 W MARQUITA

Recorded by: Historic Resources Group Date: 9/20/2006  Continuation  Update

PROPERTY NAME	Unknown
HISTORIC NAME	Unknown
PROPERTY ADDRESS	236 W Marquita
ASSESSOR PARCEL NUMBER	692-094-15
PROPERTY TYPE	Single-family residential
OTHER DESCRIPTION	
DATE OF CONSTRUCTION	1928 (F) Building Permit
<hr/>	
INTEGRITY	No substantial changes post-1995 Historic Resources Survey prepared by Leslie Heumann & Associates.
SIGNIFICANCE	This one-story single family residence was built for E. L. Scheeberger, designed by Virgil Westbrook, and constructed by O.M. Berg in 1928. It appears eligible as a contributor to a potential National Register 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 interpretation of the Spanish Colonial Revival style in San Clemente and association with architect Virgil Westbrook.
STATUS CODE	3D
STATUS	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.
Project	City of San Clemente Historic Resources Survey Update
Prepared for	City of San Clemente 910 Calle Negicio, Suite 100 San Clemente, CA 92673
Prepared by	Historic Resources Group 1728 Whitley Avenue Hollywood, CA 90028

# CONTINUATION SHEET

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Resource Name or #: 236 W MARQUITA

Recorded by: Historic Resources Group

Date: 9/20/2006

Continuation  Update

### Photographs of the Subject Property:

