



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: August 21, 2013

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**PLANNER:** Evan Jedynek, Planning Intern *EJ*  
Sean Nicholas, Associate Planner *SN*

**SUBJECT:** 129 Avenida de la Grulla – Cultural Heritage Permit 13-228 – Rosalino/Wallace Residence Addition, a request to consider a single story addition and remodel that meets applicable development standards including height and setbacks to a residence with a non-conforming front yard setback of a nonconforming residence located at 129 Avenida De La Grulla within the Residential Medium (RM) zoning district adjacent to a historic structure at 146 Avenida Pelayo.

### **REQUIRED FINDINGS**

The following findings shall be made prior to approval of 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: For the expansion of a legal-nonconforming residence that abuts a historic structure.***

- 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**

This is a request for an addition and remodel of a nonconforming house located adjacent to a historic structure. The site address is 129 Avenida de la Grulla, the lot is 4,500 square feet and is in the Residential Medium Density zone and Coastal Overlay (RM-CZ). The subject house was constructed in 1960.

***Development Management Team***

The City's Development Management Team (DMT) reviewed the project on July 3, 2013 and determined it meets requirements with conditions of approval. The recommended conditions are shown on Attachment 1, Exhibit A.

***Noticing***

Public notices were distributed and posted pursuant to City and State requirements. Staff has received no public comments regarding this project.

**PROJECT DESCRIPTION**

The house is one-story with 986 square feet of floor area. The proposed project includes: a 456 square foot single-story addition, a covered patio, and a front entry porch. The historic residence at 146 Avenida Pelayo is located behind the property.

***Development Standards***

The house is legal non-conforming because it has an attached garage that does not comply with the required front yard setback. The proposed addition meets development standards, and maintains accessibility to garage parking. Table 1 outlines development standards and the project's consistency with them.

**Table 1 - Development Standards**

<b>Development standard</b>	<b>Zoning requirement</b>	<b>Proposed project</b>
Building Height Maximum	25'	18' (one-story)
Setbacks (Minimum):		
1. Front	15'	30'-8"
Garage	18'	16'-5"
2. West Side Yard	5'	5'-9"
3. East Side Yard	5'	5'
4. Rear	5'	11'-4"
Lot Coverage	55% (Max.)	38.5%
Required Parking (Minimum):	2 covered spaces	1 covered space*
Drought tolerant front yard landscaping (Minimum)	45%, 2-15 gallon trees	48.2%, 2-15 gallon trees

*\*Since the residence was constructed prior to April 4, 1962, the oversized single car garage is exempt from the zoning requirement of two covered spaces, per Zoning Ordinance Section 17.72.030C.*

## **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 the adjacent historic resource, 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 the historic resource.

### ***Addition to Legal Nonconforming***

Pursuant to Zoning Ordinance 17.72.50(l)(2), nonconforming buildings may continue to be nonconforming if they are expanded less than 50 percent, and the addition complies with zoning requirements. An expansion of less than 50% requires a Minor Cultural Heritage Permit (MCHP). However, the MCHP is irrelevant due to the fact that a full CHP is required due to the size of the addition and adjacency to a historic structure.

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

1. The scale, mass, form, and materials of the project are compatible with adjacent structures and the pattern of development in the neighborhood since:
  - a. The adjacent residences on both sides of the subject site are taller than the project.
  - b. The addition in the rear will not be visible from the public right-of-way.
  - c. The addition would be set back further from the front property line than the existing portion of the residence.
  - d. The front and rear façades will be enhanced with materials and colors that will remain compatible with the character of the neighborhood.
2. The proposed addition complies with current development standards, and there are other residences nearby with nonconforming front yard setbacks, such as 122-128 and 130-135 Avenida de la Grulla.
3. The project is compatible with the historic resource since:
  - a. The project is located behind the historic resource so the new construction does not visually impact the historic resource.

- b. The historic resource’s primary facade (front) and character defining features are oriented toward Avenida Pelayo, not towards Avenida de la Grulla and subject site.

***Design Review Subcommittee***

The project went before the Design Review Subcommittee (DRSC) on July 24, 2013. All of the DRSC members were appreciative of the sensitivity and scale of the addition the applicant is proposing. The Subcommittee reviewed the three proposed façade options of shiplap siding, stucco, and a combination of siding on the front and back elevations and stucco on the sides. DRSC members agreed that all three of the façade options would be compatible with the neighborhood, but urged the applicant to utilize the siding, at least on the front elevation, to provide some architectural detail. The Subcommittee felt that any of the proposed designs would result in a quality project and supported it moving forward to Planning Commission.

**GENERAL PLAN CONSISTENCY**

**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, scale, and setbacks of the proposed residence are in character with the neighborhood. There is a mixture of architectural styles and several residences with setbacks similar to the project.
<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 not be visible from the adjacent historic structure. The proposed architecture complements the historic structure.

**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 pursuant to Section 15301(e) because the project involves an expansion of a residence in a residential zone on a developed site.

**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 13-028, 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 13-228, Rosalino/Wallace Residence, subject to the attached Resolution.

**Attachments:**

1. Resolution No. PC 13-028  
Exhibit A: Conditions of Approval
2. Location Map
3. Historic survey sheet on 146 Avenida Pelayo
4. Survey of neighborhood prepared by the Applicant
5. DRSC Staff Report and Minutes from July 24, 2013 (*excerpted*)
6. Materials Board
7. Plans

**RESOLUTION NO. PC 13-028**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 13-  
228, ROSALINO/WALLACE RESIDENCE, A REQUEST TO ADD A 456 SQUARE  
FOOT SINGLE STORY ADDITION TO A LEGAL NONCONFORMING RESIDENCE  
THAT ABUTS A HISTORIC STRUCTURE LOCATED AT  
129 AVENIDA DE LA GRULLA**

**WHEREAS**, on June 6, 2013, an application was submitted and deemed complete on July 25, 2013, by William Peters, 33771 Blue Lantern Street, Dana Point, CA 92629, for Cultural Heritage Permit (CHP) 13-228, a request to consider a single-story expansion of a legal-nonconforming residence with a legal-nonconforming front yard setback on a site that abuts a historic structure. The subject site is a 4,500 square foot lot located in the Residential Medium Density zone and Coastal Overlay (RM-CZ) at 129 Avenida de la Grulla. The site's legal description is Lot 29, of Block 2, of Tract 820, and Assessor's Parcel Number 692-381-04; 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(e) because the project involves an addition to an existing structure that increases existing floor area less than 2,500 square feet; and

**WHEREAS**, on July 3, 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 July 24, 2013, the proposed project went before the Design Review Subcommittee (DRSC) for architectural and cultural heritage review. The DRSC supported the project moving forward to the Planning Commission; 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(e) because the project involves an addition to an existing structure that increases existing floor area less than 2,500 square feet.

**Section 2:** With regard to Cultural Heritage Permit 13-228, 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. The project is one-story, sensitive to surroundings, and not visible from the historic structure or public right-of-way.
- B. The architectural treatment of the project complies with this title in areas including, but not limited to, height, setback, color, etc. in that the project complies with development standards, is a one-story addition, and will utilize exterior finishes that are consistent with prevailing neighborhood character.
- 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. The new façade will enhance the residence while matching existing neighborhood conditions.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:
  1. the massing, scale, form, and setbacks of the addition will be compatible with adjacent structures for reasons described in subsection E; and
  2. there are other residences nearby with nonconforming front yard setbacks, such as 122-128 and 130-135 Avenida de la Grulla.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that:
  1. the massing, scale, form, and setbacks of the addition will be compatible with adjacent structures since:
    - a. the adjacent residences on both sides of the subject site are taller than the project;
    - b. the addition in the rear will not be visible from the public right-of-way and thus will not appear incompatible with adjacent structures;
    - c. the addition would be set back further from the property line than the existing portion of the residence; and
    - d. the front and rear façades will be enhanced with materials and colors that

will remain compatible with the character of the neighborhood.

- 2. there are other residences in the neighborhood with similarly reduced front yard setbacks.
- F. The proposed project will not have negative visual or physical impacts upon the historic structure in that:
- 1. the project is located behind the historic resource so the new construction does not visually impact the historic resource; and
  - 2. the historic resource's primary façade (front) and character defining features are oriented toward Avenida Pelayo, not towards Avenida de la Grulla and subject site.

**Section 3:** The Planning Commission of the City of San Clemente hereby approves CHP 13-228, Rosalino/Wallace 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:

<b>AYES:</b>	<b>COMMISSIONERS:</b>
<b>NOES:</b>	<b>COMMISSIONERS:</b>
<b>ABSTAIN:</b>	<b>COMMISSIONERS:</b>
<b>ABSENT:</b>	<b>COMMISSIONERS:</b>

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Secretary of the Planning Commission



**CONDITIONS OF APPROVAL  
CHP13-228**

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 13-228 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 13-228 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 13-228 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 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.) \_\_\_\_\_
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. *[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.)\_\_\_\_\_
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.

*[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.) \_\_\_\_\_

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.  
*[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]* (Bldg.) \_\_\_\_\_

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

13. Fire sprinkler system required throughout the building including the attached garage. 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.)\_\_\_\_\_

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

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

16. 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

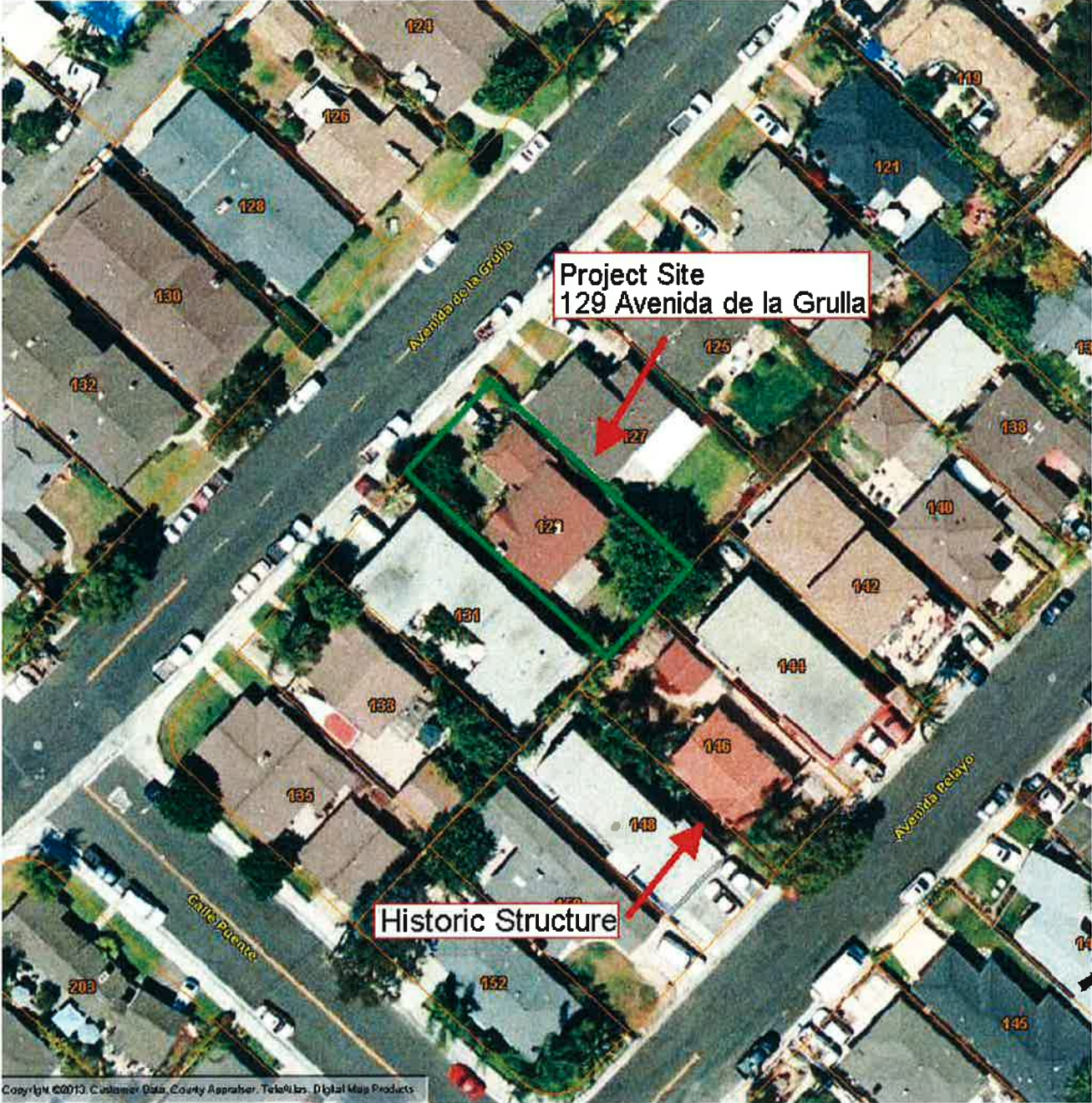
- or more, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]* (Eng.)\_\_\_\_\_
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, 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_
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 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.)\_\_\_\_\_

21. 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]*
- A. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000, 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.
  - B. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.
  - C. Permanent improvements, such as the patio walls and columns, shall be removed from the street right-of-way unless an Administrative Encroachment Permit is approved by the City Engineer.



# LOCATION MAP

CHP 13-228, Rosalino-Wallace Residence  
129 Avenida de la Grulla



PRIMARY RECORD

Trinomial  
NRHP Status Code 3D

Other Listings  
Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 3 Resource Name or #: 146 AVENIDA PELAYO

P1. Other Identifier:

P2. Location:  Not for Publication  Unrestricted a. County Orange  
and (P2b and P2C or P2d. Attach a Location Map as necessary.)  
b. USGS 7.5' Quad Date T; R; 1/4 of 1/4 of Sec; B.M.  
c. Address 146 Avenida Pelayo City San Clemente Zip 92672  
d. UTM: Zone; mE/ mN  
e. Other Locational Data: Assessor Parcel Number: 692-381-53

P3a. Description:

The property contains a one-story single family residence with a rectangular plan and wood-frame construction. Designed in the Spanish Colonial Revival style, it has a low-pitch side-gable roof with clay tiles. The exterior walls are clad with smooth stucco. The center bay of the symmetrically aligned primary facade includes an enclosed front entry porch under a shed roof. The fenestration consists of original wood double-hung and fixed windows throughout the residence. Original fixed wood windows flank the entrance bay of the primary facade. A low stucco wall runs along the entrance path leading along the primary facade to the porch. The residence is in good condition. The residence retains its original door. Its integrity is good.

P3b. Resources Attributes: 02 Single Family Property

P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other



P5b. Description of Photo:  
East elevation, west view. May 2006.

P6. Date Constructed/Sources:  
 Historic  Both  
 Prehistoric  
1929 (E) Tax Assessor

P7. Owner and Address:  
Kaupas, Natas  
146 Avenida Pelayo

P8. Recorded by:  
Historic Resources Group, 1728  
Whitley Avenue, Hollywood, CA  
90028

P9. Date Recorded: 8/10/2006

P10. Survey Type:  
City of San Clemente Historic  
Resources Survey Update

P11. Report Citation: None.

Attachments:  NONE  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  
 Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  
 Artifact Record  Photograph Record  Other:

# BUILDING, STRUCTURE, AND OBJECT RECORD

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NRHP Status Code 3D

Resource Name or #: 146 AVENIDA PELAYO

B1. Historic Name: (Unknown)

B2. Common Name: (Unknown)

B3. Original Use: Single-family residential

B4. Present Use: Single-family residential

B5. Architectural Style: Spanish Colonial Revival

B6. Construction History:

B7. Moved?  No  Yes  Unknown

Date: Original Location:

B8. Related Features:

B9a. Architect: (Unknown)

b. Builder: (Unknown)

B10. Significance: Theme Ole Hanson/Spanish Village by the Sea Area City of San Clemente

Period of Significance 1925-1936 Property Type Residential Applicable Criteria A

This one-story single family residence was built in 1929. This property is a typical example of the Spanish Colonial Revival style as represented in San Clemente. This property 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 of development. It 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.

B11. Additional Resource Attributes: 02 Single Family Property

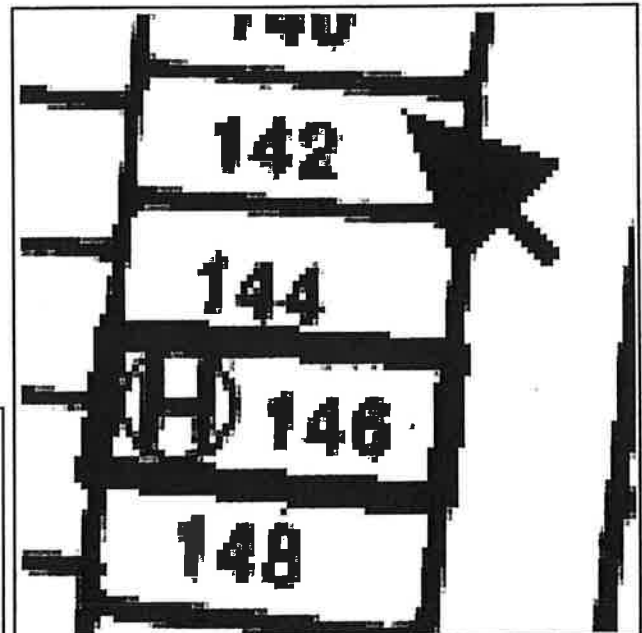
B12. References: Orange County Tax Assessor Records; Historic Resources Survey, Leslie Heumann and Associates, 1995.

B13. Remarks: (none)

B14. Evaluator: Historic Resources Group, Hollywood, CA

Date of Evaluation: 8/10/2006

(This space reserved for official comments.)





# CONTINUATION SHEET

Page 3 of 3

Resource Name or #: 146 AVENIDA PELAYO

Recorded by: Historic Resources Group

Date: 8/10/2006

Continuation  Update

Photographs of the Subject Property, Continued:



## NEIGHBOR ANALYSIS FOR ROSALINO RESIDENCE

AT

### 129 DE LA GRULLA

THE PROPOSED ADDITION AND REMODEL OF THE SUBJECT PROPERTY COMPARES FAVORABLY WITH THE SURROUNDING DEVELOPMENT IN SIZE, SCALE AND SETBACK FROM THE STREET. IT IS PROPOSED TO BE ONE STORY SINGLE FAMILY RESIDENCE WITH THE MAJORITY OF THE ADDITION BEING ATTACHED TO THE REAR OF THE HOME.

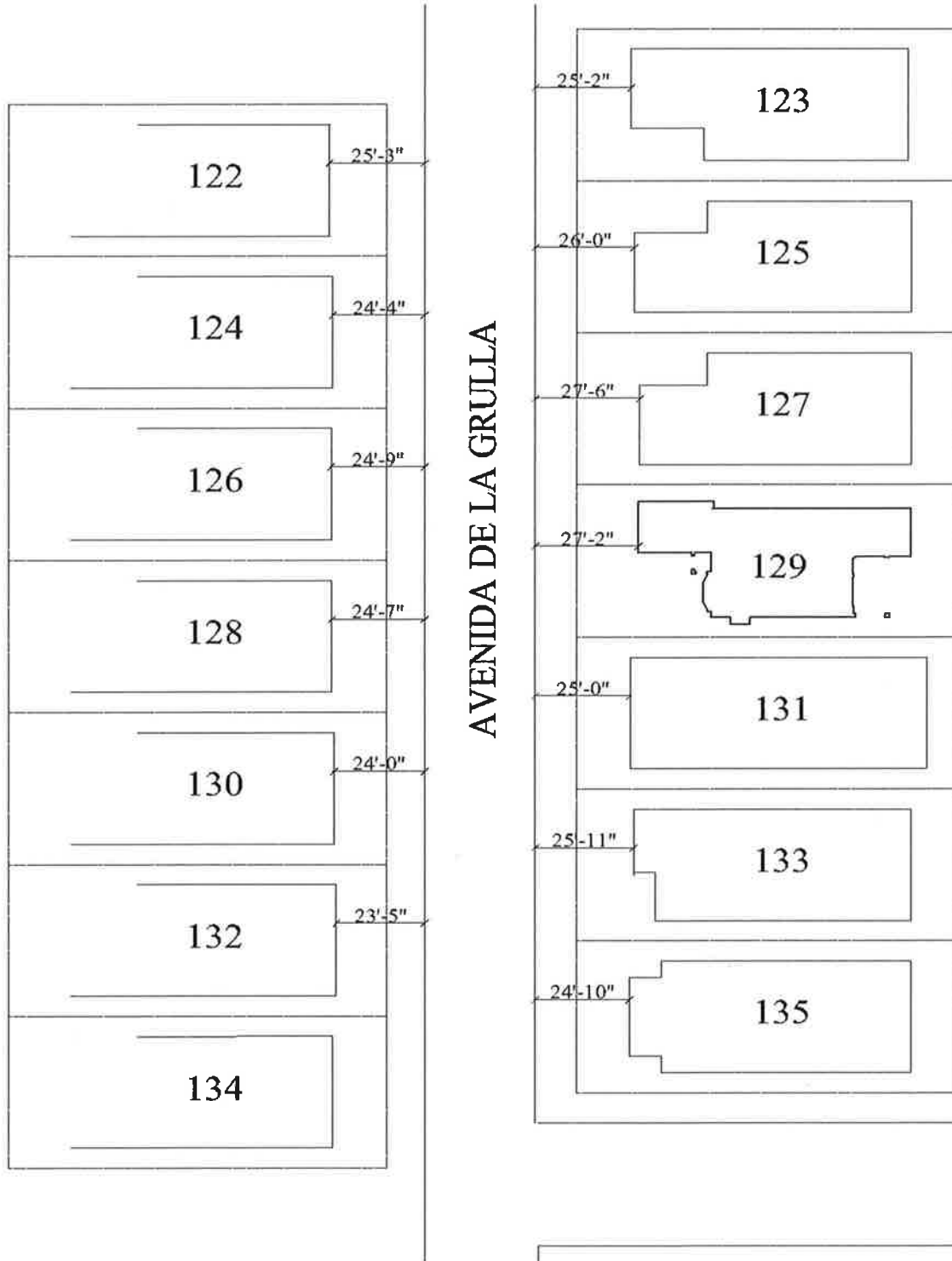
ADJACENT TO 129 IS A LARGE TWO STORY APARTMENT WITH A BLOCK-LIKE SCALE AND DIRECTLY ACROSS THE STREET THERE IS A 2-STORY STRUCTURE AT THE REAR OF THE HOUSE WHICH IS ASSUME TO BE A SECOND UNIT. THE BALANCE OF THE HOMES PICTURED APPEAR TO BE SINGLE FAMILY RESIDENCES.

### SUBJECT PROPERTY

129 AVENIDA DE LA GRULLA



STREET MAP OF ADDRESSES AND SETBACKS FROM THE CURB



PICTURES OF NEIGHBORING HOMES (121 THRU 135 ON SAME SIDE OF STREET AS 129)

121 DE LA GRULLA



123 DE LA GRULLA



125 DE LA GRULLA



127 DE LA GRULLA (FIRST HOUSE EAST OF 129)



131 DE LA GRULLA (APARTMENT JUST WEST OF 129)



133 DE LA GRULLA



135 DE LA GRULLA



PICTURES OF HOUSES 122 THRU 134 ON OPPOSITE SIDE OF STREET FROM 129

122 DE LA GRULLA



124 DE LA GRULLA





126 DE LA GRULLA



128 DE LA GRULLA (ACROSS THE STREET OPPOSITE 129)



130



132



134





## Design Review Subcommittee (DRSC)

Meeting Date: July 24, 2013

**PLANNER:** Evan Jedynak, Planning Intern  
Sean Nicholas, Associate Planner

**SUBJECT:** **Cultural Heritage Permit 13-228, Rosalino/Wallace Residence,** a request to consider an addition and remodel of a nonconforming house located at 129 Avenida de la Grulla. The site is adjacent to a historic structure at 146 Avenida Pelayo.

### **BACKGROUND:**

#### *Project Description*

The proposed project is an addition and remodel of a legal, non-conforming house located adjacent to a historic structure, as shown in Attachment 1. The house is one story with 986 square feet of floor area. The proposed project includes: a 456 square foot, single story addition, a covered patio, and a front entry porch.

#### *Why is DRSC Review Required?*

Zoning Ordinance Table 17.16.100B requires Planning Commission approval of a Cultural Heritage Permit (CHP) because the project involves an addition (over 200 square feet) and remodel of a legal, non-conforming primary building that abuts a historic structure. Cultural Heritage Permit applications are reviewed by the DRSC to ensure the project is compatible with the adjacent historic structure, is in character with the neighborhood, and is consistent with Design Guidelines.

#### *Site Data*

The subject site is a 4,500 square foot lot located in the Residential Medium Density zone and Coastal Overlay (RM-CZ) at 129 Avenida de la Grulla. The subject house was constructed in 1960.

#### *Abutting Historic Structure*

The historic residence is located at 146 Avenida Pelayo (see Attachment 1 for a vicinity map). The one-story house was built in 1929, and is an example of the Spanish Colonial Revival architectural style popularized during the Ole Hanson Era of the 1920s. Refer to Attachment 4 for the most recent historic resource survey of the house's historical significance, condition, and character defining features.

**ANALYSIS:**

**Development Standards**

The house is legal, non-conforming because it has an attached garage that does not comply with the required front yard setback. The proposed addition meets development standards, is consistent with the neighborhood, and will not impact parking accessibility. Table 1 outlines development standards and the project’s consistency with them.

**Table 1 – Development Standards**

<b>Development standard</b>	<b>Zoning requirement</b>	<b>Proposed project</b>
Building Height Maximum	25’	18’
Setbacks (Minimum):		
1. Front	15’	30’-8”
Garage	18’	16’-5”
2. West Side Yard	5’	5’-9”
3. East Side Yard	5’	5’
4. Rear	5’	11’-4”
Lot Coverage	55% (Max.)	38.5%
Required Parking (Minimum):	2 covered spaces	1 covered space*
Drought tolerant front yard landscaping (Minimum)	45%, 2-15 gallon trees	48.2%, 2-15 gallon trees

*\*Since the residence was constructed prior to April 4, 1962, the oversized single car garage is exempt from the zoning requirement of 2 covered spaces, per Zoning Ordinance Section 17.72.030C.*

**Design Guidelines**

The structure is not located in the Architectural Overlay 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 the addition and façade remodel are compatible with historic resources. Analyses of the most relevant guidelines for this project are below:

1. ***Relationship to Neighboring Development II.B*** “All development proposals should demonstrate sensitivity to the contextual influences of adjacent properties and the neighborhood.”

The proposed materials, massing, and exterior finishes are consistent with prevailing neighborhood character. The style of design would blend in with the variety of architecture styles in the neighborhood, including Spanish Colonial Revival (historic home), 50s-era multi-family structures, and Beach Cottages. The building’s height and mass would be comparable or smaller than adjacent residences. The proposal ensures the general character of the house will be retained.

2. ***Relationship to Neighboring Development II.B.3*** “Design buildings to be compatible in scale, mass and form with adjacent structures and the pattern of the neighborhood.”

The project is consistent with this guideline for the reasons summarized below:

- a. The project would not have adverse impacts on the historic house or the street. The rear portion of the building located closest to the historic house will remain a one-story building with a maximum height of 18 feet. The applicant is proposing to upgrade the entire roof with grey asphalt shingles. From the street, the building will undergo a remodel of the front entry porch. The addition and remodel will utilize either 6” horizontal shiplap siding or smooth stucco in off-white with green trim that will enhance the residence while matching existing colors. The addition in the rear will not be visible from the public right-of-way.
- b. The building’s mass and scale would be smaller than the adjacent buildings on both sides of the lot. The multi-family residence to the west has two stories and is situated closer to the street. The single family residence to the east is taller than the proposed project, with a comparable street setback. The applicant is proposing to improve the front and rear façades with materials and colors that will remain compatible with the character of the neighborhood.
- c. The RM zoning would allow a larger building to be constructed on the site if the residence were made conforming, or demolished and re-developed.

### **RECOMMENDATIONS:**

The applicant is seeking approval for two alternative elevations plans, as they have not decided which to use. Elevation A-4 proposes fiber-concrete shiplap siding, while Elevation A-4A proposes smooth stucco wall. The house currently has both shiplap siding and stucco visible from the public right-of-way. A staff site visit found a balance of shiplap and stucco houses located throughout the neighborhood. Staff finds either alternative to be representative of the neighborhood character.

As a third alternative, the applicant could utilize a mixture of shiplap and stucco siding. Fiber concrete shiplap could be used for the front and rear of the home, and smooth stucco could be used on the sides of the house, where it would not be visible from the historic structure or the public right-of-way.

**CONCLUSION:**

Due to the small project scale and location of the addition, it will not obscure the prominence of the historic structure or be visible from the public right-of-way. Staff's position is that the project is consistent with the neighborhood, and will not detract from the adjacent historic resource. Staff is seeking DRSC concurrence with the above recommendations, and any other comments DRSC may have.

Staff supports the project and recommends this item be forwarded to the Planning Commission with DRSC recommendation of approval.

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
JULY 24, 2013**

Subcommittee Members Present: Michael Kaupp, Julia Darden and Bart Crandell

Staff Present: Jim Pechous, Cliff Jones, Sean Nicholas and John Ciampa

**1. MINUTES**

Minutes approved: July 10, 2013

**2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS**

**A. Cultural Heritage Permit 13-228, Rosalino/Wallace Residence  
(Nicholas)**

A request to consider an addition and remodel of a nonconforming house located at 129 Avenida de la Grulla. The site is adjacent to a historic structure at 146 Avenida Pelayo.

Associate Planner Sean Nicholas presented the staff report.

All of the Design Review Subcommittee Members were appreciative of the sensitivity and scale of the addition the applicant is proposing. All Subcommittee Members agreed that all three of the façade options would be compatible with the neighborhood, but urged the applicant to utilize the siding, at least on the front elevation, to provide some architectural detail. The Subcommittee felt it was a good project and supported it moving forward to Planning Commission.

**B. Conditional Use Permit 13-220/Minor Site Plan Permit 13-221/Minor Architectural Permit 13-222/Discretionary Sign Permit 13-223/Sign Exception Permit 13-224 - 24 Hour Fitness (Jones)**

A request to consider a commercial recreation use, major site improvements, minor exterior façade improvements, and a Master Sign Program with signs exceeding the maximum allowable sign size. The project is located at 110 Avenida La Pata in the Business Park zoning district of the Rancho San Clemente Specific Plan.

Associate Planner Cliff Jones presented the staff report.

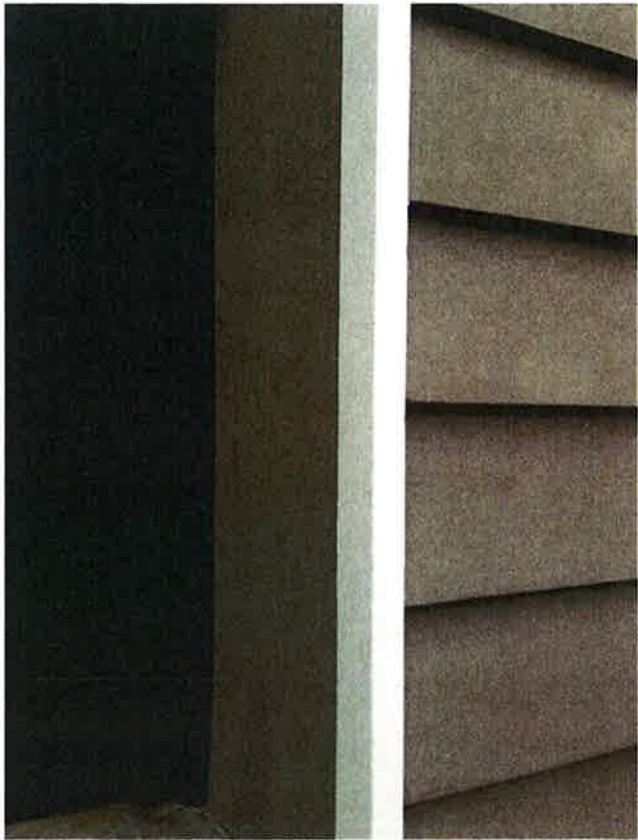


MATERIALS BOARD

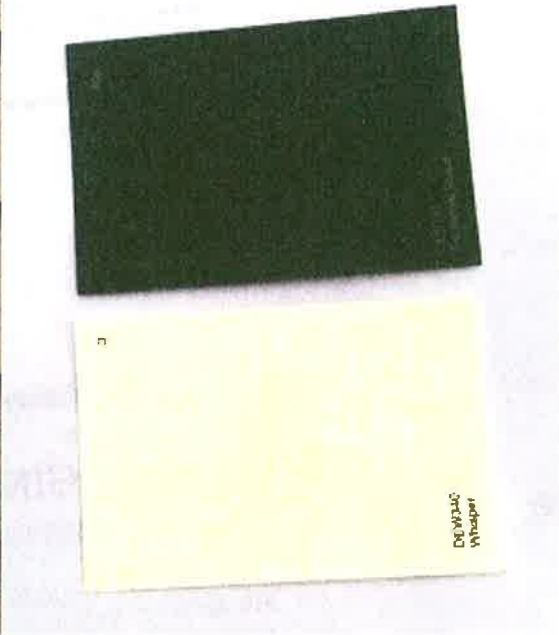
129 DE LA GRULLA



SLATE GREY - ASPHALT SHINGLES



SHIPLAP SIDING



COLORS