



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: April 3, 2013

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**PLANNER:** Adam Atamian, Assistant Planner 

**SUBJECT:** Cultural Heritage Permit (CHP) 13-014, Minor Exception Permit (MEP) 13-058, Davies Remodel, a request to consider an 892 square foot expansion and a garage encroachment into the front yard setback for a single family residence abutting a historic structure. The project site is located at 218 West Paseo De Cristobal.

### 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; and
- b. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color, etc.; and
- c. The project's architectural treatment complies with the architectural guidelines in the City's Design Guidelines; and
- d. The project's general appearance is in keeping with the character of the neighborhood; and
- e. The project's 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 abutting historic structure.

#### ***Minor Exception Permit (MEP), Section 17.16.090***

- a. The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located; and
- b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit; and
- c. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public.
- d. The encroachment complies with the standards of Section 17.32.050(E); and
- e. The slope of the front of the lot is significant enough in both length and width that

requirement of the standard front yard setback will result in significant grading and/or fill; and

- f. The proposed project reduces the need for mass grading and/or fill and allows the structures on the site to follow the natural topography of the site.

## **BACKGROUND**

The project site includes a 1,395 square foot single-story residence with a non-conforming, detached two-car garage that is five feet from the front property line. The property is a 10,822 square foot lot within the Residential Low zoning district and Coastal Zone Overlay (RL-CZ). The abutting historic structure is located at 217 Esplanade, on a lot directly west that touches the corner of the subject lot.

The City's Development Management Team (DMT) reviewed the applicant's request and determined the project meets the applicable requirements. Conditions of approval are recommended and included in the attached draft resolution.

Public notices were distributed and posted per City and State requirements. To date, staff has received no input from the public on this request.

## **PROJECT DESCRIPTION**

The applicant proposes to expand the residence by adding 591 square feet to the front, rear, and southwest sides of the structure. The applicant proposes to demolish the 480 square foot garage and build a 781 square foot in-the-bank garage attached to the residence as a new basement level. The project will increase the gross floor area of the structure by 892 square feet.

Due to the steep topography of the site towards the front property line, the applicant is requesting a two foot reduction to the 18 foot required front yard setback for garages. The majority of garage will maintain the 18 foot required setback, except for a three foot section of the garage door that will encroach eight inches and the southern corner of the structure that will encroach two feet.

### ***Development Standards***

Table 1 outlines the development standards and how the project is consistent with these standards.

**Table 1 - Development Standards**

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
Density:	1 dwelling unit/lot	1 dwelling unit	Yes
Building Height (Maximum)	25'	24'-4"	Yes
Setbacks:			
• Front	20'	28'6"	Yes
• Side Yard (Northeast)	6'	6'7"	Yes
• Side Yard (Southwest)	6'	6'	Yes
• Rear Yard	10'	89'	Yes
• Garage	18'	17'4"*	Yes*
• Deck			
• Front	14'	20'	Yes
• Side	6'	6'	Yes
Lot Coverage	50%	37.3%	Yes
Required Parking (Minimum):	2 covered spaces	2 covered	Yes
Landscaping Req. (Minimum):	50% of Front Yard	54%	Yes

\*MEP required to allow garage encroachment.

**Architecture**

The house is a non-descript ranch design that is typical of homes built in San Clemente in the 1950s and -60s. The applicant is proposing a complete façade remodel, in a Coastal Caribbean style, that will match an existing accessory building in the back yard. The proposed structure, including the garage, will be clad in a mix of white board-and-batten siding and stucco sections with light green shutters and louvered grills. The window and door trim will be black and the decorative wood posts and railings will be the same white as the siding. The applicant proposes to replace the roof with a dark grey, standing seam metal roof.

**Site Design**

This project is a modest expansion of the structure. The majority of the changes proposed will be located at the front of the property. Less than 30 square feet of the finished structure will be located in the rear half of the lot.

## **PROJECT ANALYSIS**

### ***Minor Exception Permit***

The applicant is proposing to demolish a non-conforming, detached two-car garage and replace it with an in-the-bank garage. The front of the property has a steep upslope that requires additional grading for a two garage with a conforming front yard setback and restricts the site planning options on the property. The project complies with the MEP requirements (Zoning Ordinance Section 17.32.050.E) for a three foot reduction to the 18 foot front yard setback for the garage because there is a 10 foot grade difference within 35 feet of the front property line. For this project, the applicant is requesting a two foot reduction, resulting in a 16 foot front yard setback for the garage.

The majority of the garage door will maintain conformity with the required 18 foot setback. The garage features projections on both corners of the structure where, due to the curving front property line, one side will sit 16 feet from the front property line. This proposal will make the property more consistent with the majority of the properties in this neighborhood because the garage will be pushed back 10 feet farther from the front property line than where it sits currently.

### ***Cultural Heritage Permit***

The project site is located diagonally opposite a two-story historic structure located at 217 Esplanade. The historic house was built in 1927 in the Ole Hanson/Spanish Village by the Sea period of Development. A Cultural Heritage Permit is required to allow an addition to a house adjacent to a historic structure. In addition to the general findings for approval of an Architectural Permit, Zoning Ordinance Section 17.16.100(F)(2)(c) requires this project to be found to have no negative visual or physical impacts upon the historic resource.

The proposed addition is sensitive to the contextual influences of the neighborhood in that the proposed project is a modest expansion of the structure and involves the replacement of a non-conforming garage. This structure is approximately 170 feet from the abutting historic structure. The height of the proposed structure meets the requirements of the Zoning Ordinance and appears as a one-story house when viewed from the abutting historic structure.

The proposed expansion of the residence and the replacement of the garage will result in a lot coverage of 37.3% and a 1,986 square foot primary structure. This project will make the structure more consistent with the scale and mass of neighboring properties because the structure will only be 30 square feet larger than the average square footage of the primary structures of the block, and much smaller than many of the neighboring properties, some of which are larger than 3,000 square feet.

The project includes articulated building forms and elevations to create interesting roof lines, and strong patterns of shade and shadow that are of high architectural quality similar to other structures nearby. This is achieved with varied roof heights and changes in roof orientation, as

well as a partially covered deck, integrated into the design of the main structure. By reducing the encroachment of the garage, the structure improves compatibility with the pattern of setbacks in the neighborhood.

This project will not have negative visual or physical impacts to the abutting historic property because trees and landscaping obscure direct views of the project site, and the separation in distance between the two structures is much greater than the average neighboring buildings. Additionally, the structures impact after the addition and remodel will remain generally similar in scale, mass, form, and color.

***Design Review Subcommittee***

The Design Review Subcommittee (DRSC) reviewed the application on March 13, 2013. The Subcommittee supports the project design and determined it is consistent with the Design Guidelines.

**GENERAL PLAN CONSISTENCY**

Table 2 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

**Table 2 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<i>Policy 1.2.9 Require that new residential development in existing residential neighborhoods be compatible with existing structures.</i>	Consistent. The proposed finish materials and colors are in character with various architecture styles in the neighborhood, and the propose garage will be more compatible with the predominant front yard setbacks of the neighborhood.
<i>Policy 10.3.6 Through the design review process, encourage that new development is compatible with adjacent existing historical structures.</i>	Consistent. The massing of the residence is consistent with neighboring development in terms of size and scale. The project reduces visual massing by having only one level exposed to the abutting to the historic house.

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

The Planning Division completed an initial environmental assessment of the project accordance with the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is categorically exempt per CEQA Guidelines Section 15301(e), as a Class 1

since it will not result in an increase of more than 10,000 square feet and the project is not in an environmentally sensitive area.

### **CALIFORNIA COASTAL COMMISSION REVIEW**

The subject property is located within the Coastal Zone, and meets the geographic area criteria of Categorical Exclusion Order No. E-82-1 issued by the California Coastal Commission to the City of San Clemente. Therefore, the project is not subject to the permit requirements of the California Coastal Act of 1976.

### **ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

1. The Planning Commission can concur with staff and recommend approval of the proposed project.

*This action would result in the adoption of Resolution No. PC 13-012, allowing the expansion of the primary structure and the encroachment of the garage into the front yard setback.*

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 and potentially added as a condition of approval. Examples of potential modifications could be to reduce the size of the addition to improve the compatibility of the addition with the historic house.*

3. The Planning Commission can recommend denial of the proposed project.

*This action would result in the denial of the project. The applicant could appeal to the City Council.*

### **RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission approve Cultural Heritage Permit 13-014/Minor Exception Permit 13-058, Davies Remodel, subject to the attached Resolution and Conditions of Approval.

**Attachments:**

1. Resolution No. PC 13-012  
Exhibit 1 - Conditions of Approval
2. Location Map
3. Photo Log  
Plans

# ATTACHMENT 1

## RESOLUTION NO. PC 13-012

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 13-014 AND MINOR EXCEPTION PERMIT 13-058, DAVIES REMODEL, A REQUEST TO ALLOW AN 892 SQUARE FOOT EXPANSION OF A SINGLE-FAMILY RESIDENCE THAT INCLUDES AN IN-THE-BANK GARAGE WITH A REDUCED FRONT YARD GARAGE SETBACK OF 16 FEET, WHICH IS ABUTTING A HISTORIC STRUCTURE, LOCATED AT 218 WEST PASEO DE CRISTOBAL**

**WHEREAS**, on January 16, 2013 an application was submitted, and deemed complete on February 14, 2013, by Jim Davies, 218 West Paseo De Cristobal, San Clemente CA 92672; a request to allow an 892 square foot expansion of a single-family residence that includes an in-the-bank garage with a reduced front yard setback of 16 feet, which is abutting a historic structure. The project site is within the Residential Low, (RL) zoning district. The legal description is Lot 9, of Block 13, of Tract 822, and Assessor's Parcel Number 692-242-19; and

**WHEREAS**, the Planning Division completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA) and recommends the Planning Commission determine that the project is exempt from CEQA as a Class 1 exemption pursuant to Section 15301 because the project involves an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet; and

**WHEREAS**, on February 14, 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 March 13, 2013, the City's Design Review Subcommittee considered the project and supports it as proposed; and

**WHEREAS**, on April 3, 2013, 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) the project involves an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet; and

**Section 2:** With regard to Cultural Heritage Permit (CHP) 13-014, the Planning Commission finds as follows:



- A. The proposed architectural style of the project complies with the San Clemente General Plan. The project adheres to the policies and objectives of the City's Design Guidelines and has been reviewed and accepted by the Design Review Subcommittee.
- B. The project complies with the Zoning Ordinance development standards outlined in the San Clemente Municipal Code including height, setbacks, and lot coverage.
- C. The architectural treatment and massing of the project has been reviewed and is consistent with the City's Design Guidelines in that the proposed project will be harmonious with the surrounding developed neighborhood and it will not have a negative impact on the abutting historic structure.
- D. The general appearance of the proposed project is consistent with the surrounding neighborhood. Many of the residences are two-stories with various architectural styles. The proposed residence will appear as a one story structure when viewed from the direction of the abutting historic structure. The residence is consistent with the surrounding developments and is in keeping with the character of the neighborhood.
- E. The proposed project will not be detrimental to the orderly and harmonious development to the City as it single family house located within the Residential Low, (RL) zoning district. The house is consistent with the purpose and intent of the zoning district and is in character with the neighborhood
- F. The proposed project will not have negative visual or physical impacts upon the historic resource given that the proposed house would be approximately 170 feet from the historic structure, significantly shielded from view by trees and landscaping, and appear as a one story structure when viewed from the direction of the historic resource.

**Section 3:** With regard to Minor Exception Permit (MEP) 13-058, the Planning Commission finds as follows:

- A. Neighboring properties will not be adversely affected as a result of the conditional approval of the Minor Exception Permit in that:
  - 1. The garage will not create a sight distance problem, as verified by the Engineering Division; and
  - 2. The proposed garage is more conforming to the pattern of garage setbacks in the neighborhood than the existing non-conforming garage.
- B. The proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity, in

that the garage will be constructed in compliance with all required Building, Safety and Fire codes.

- C. The encroachment complies with Section 17.32.050.E, Garage Encroachments into Front Yard Setback, in that the encroaching portion of the garage’s height does not exceed 10 feet as measured from the finished floor of the garage.
- D. The slope of the front of the lot is significant enough in both length and width, to allow for the reduced garage front yard setback and meets the topography requirements for the Minor Exception Permit.
- E. The proposed project reduces the need for grading and allows the structure on the site to follow the natural topography, in that the location of the home on the lot preserves the integrity of the adjacent natural grade property.

**Section 4:** The Planning Commission of the City of San Clemente hereby approves Cultural Heritage Permit 13-014, Minor Exception Permit 13-058, Davies Remodel, 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 April 3, 2013.

\_\_\_\_\_  
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 April 3, 2013, and carried by the following roll call vote:

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

\_\_\_\_\_  
Secretary of the Planning Commission

**EXHIBIT 1**

**CONDITIONS OF APPROVAL  
Cultural Heritage Permit (CHP) 13-014,  
Minor Exception Permit (MEP) 13-058, Davies Remodel**

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 April 3, 2013, 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.)\_\_\_\_\_

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

A use shall be deemed to have lapsed, and CHP 13-014 and MEP 13-058 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.)\_\_\_\_\_

4. CHP 13-014 and MEP 13-058 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.)\_\_\_\_\_

A use shall be deemed to have lapsed, and CHP 13-014 and MEP 13-058 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. Prior to the issuance of building permits, the owner 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 Insurance Program]* (PIng.)\_\_\_\_\_

6. The owner or designee shall have the right to request an extension of CHP 13-014 and MEP 13-058 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.)\_\_\_\_\_

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

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

9. 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.)\_\_\_\_\_
10. 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.)\_\_\_\_\_
11. Prior to issuance of building permits, the owner or designee shall submit a copy of the City Engineer approved 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. *[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]* (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. 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.)\_\_\_\_\_
14. An automatic sprinkler system shall be installed throughout including the garage. The alteration or combination of the Addition and Alteration, within a two year period, is 50% or more of area of the existing structure and 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.)\_\_\_\_\_

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

**Fees**

- 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, 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.)\_\_\_\_\_

**Reports –Soils and Geologic, Hydrology**

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

**Grading**

- 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 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.)\_\_\_\_\_
- 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 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, building pad grades, storm drains, sewer system, retaining walls, landscaping, water system, etc., as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]* (Eng.)\_\_\_\_\_

**Improvements**

- 20. 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, the owner or designee shall construct sidewalk along the property frontage per current City Standards. This includes repair and/or replacing sidewalk with existing trip hazards or defects.
- B. In the event the existing water meter is within the proposed drive approach location, the property owner will be responsible for abandoning the existing line at the water main in the street per City standards and establishing a new water meter outside the drive approach.
- C. An Engineering Department Encroachment Permit will be required for all work in the public right-of-way.

**NPDES**

- 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 issuance of any permit, the owner or designee shall submit for review a final “Non-Priority Project” Checklist *[Citation – Section 13.40 of the SCMC]* (Eng.)\_\_\_\_\_

**Financial Security**

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

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

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





FRONT OF  
HISTORICAL  
STRUCTURE  
217 ESPERANDE



ATTACHMENT 3

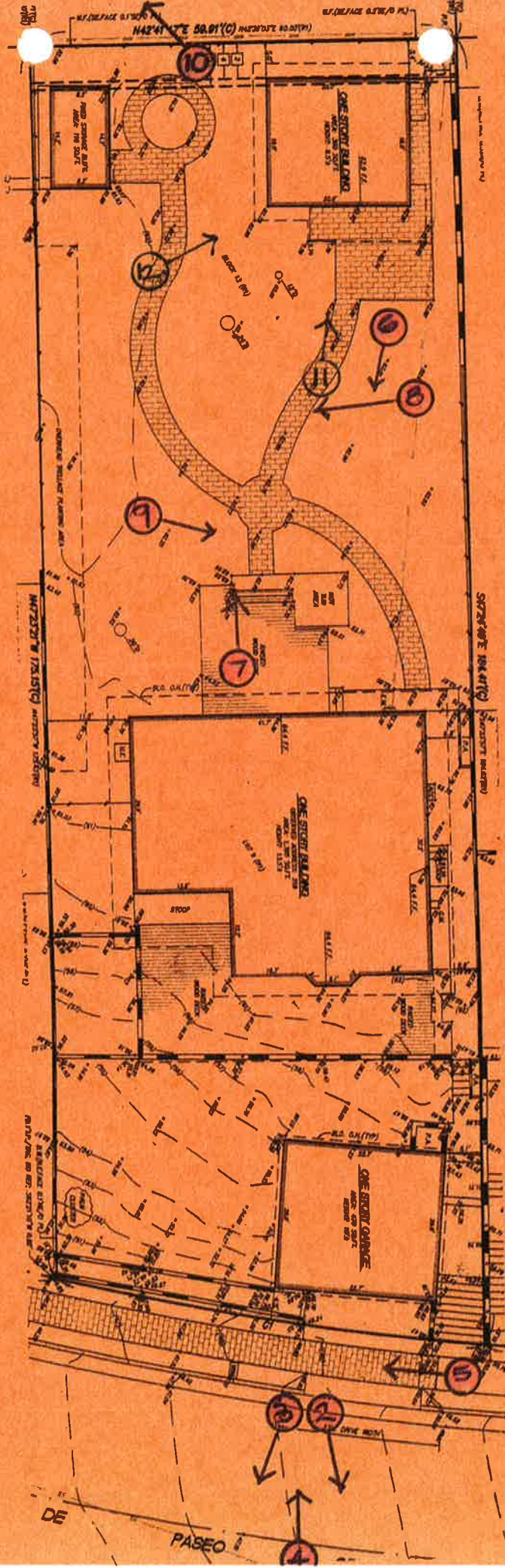
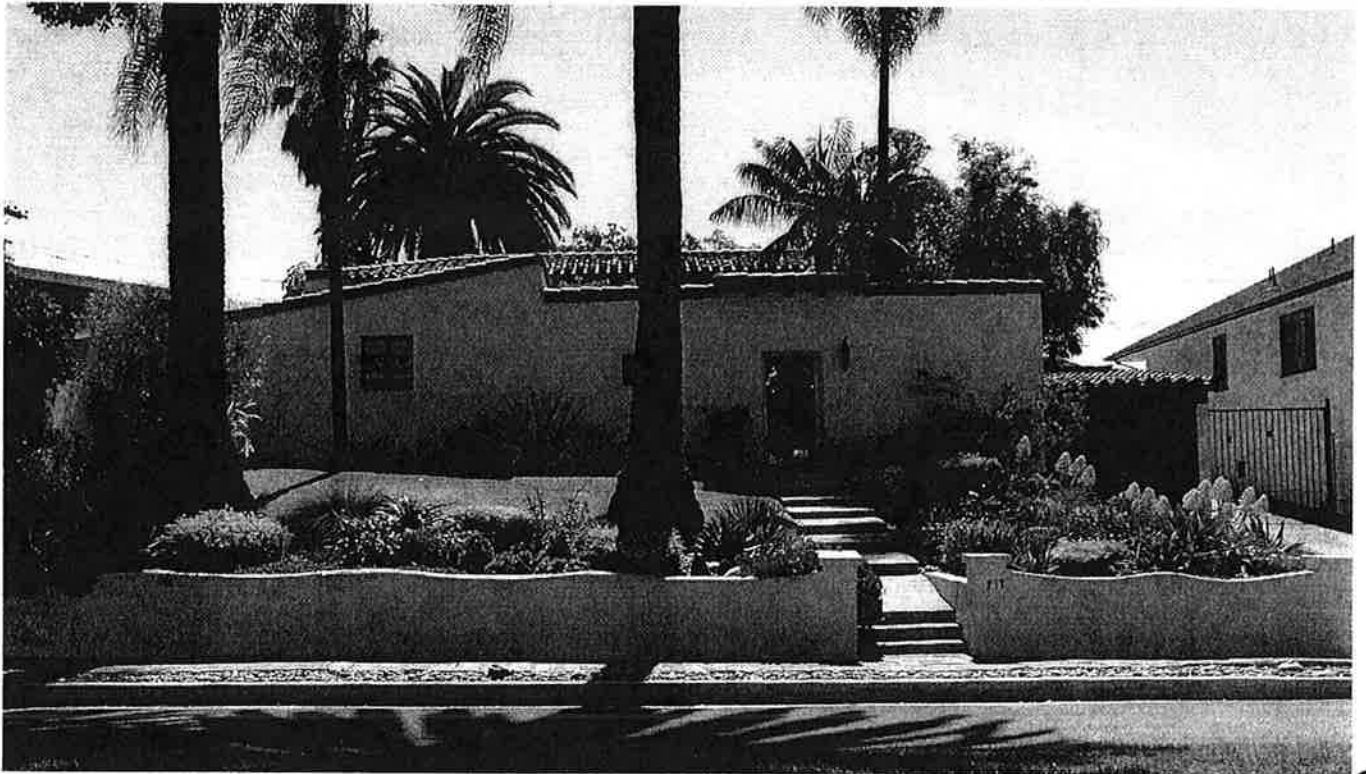


PHOTO LOG

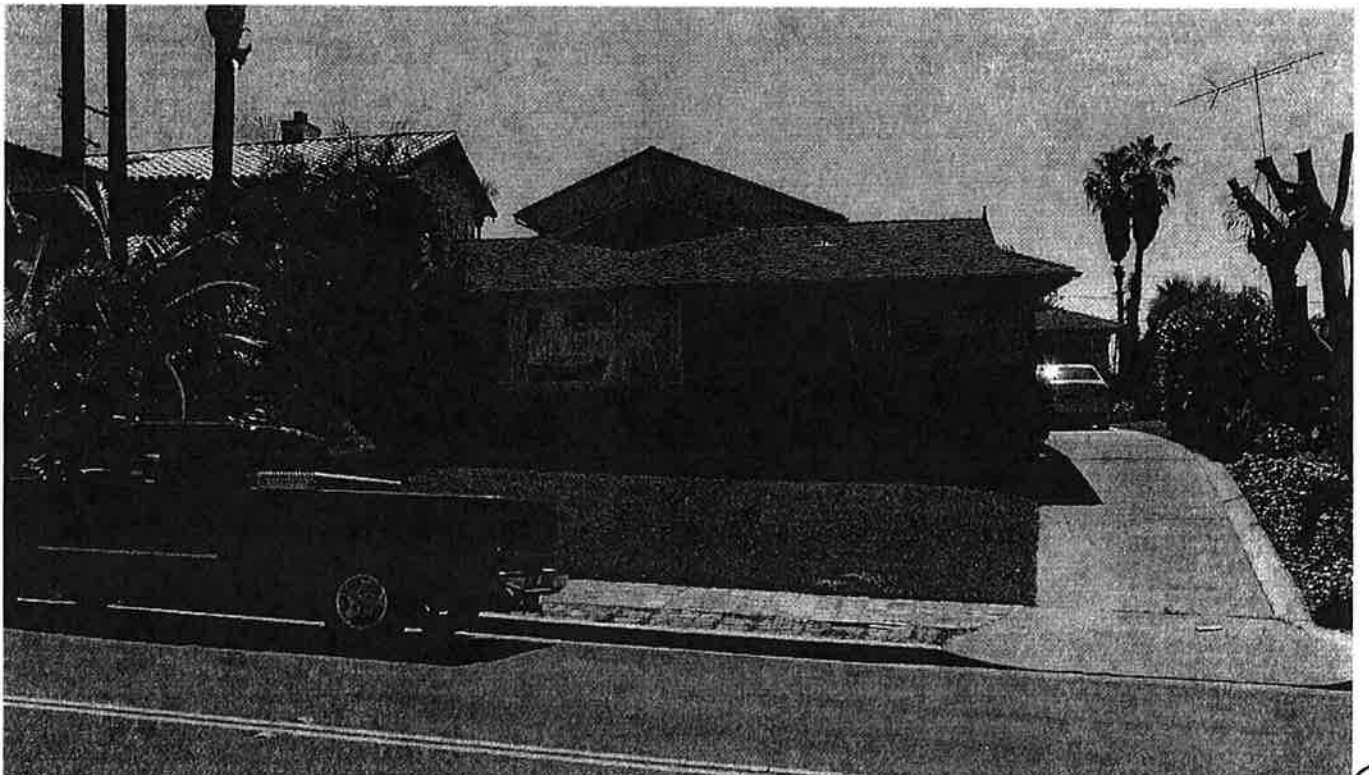


218 W. AVE CRISTOBAL



HISTORICAL STRUCTURE  
217 ESPLANADE

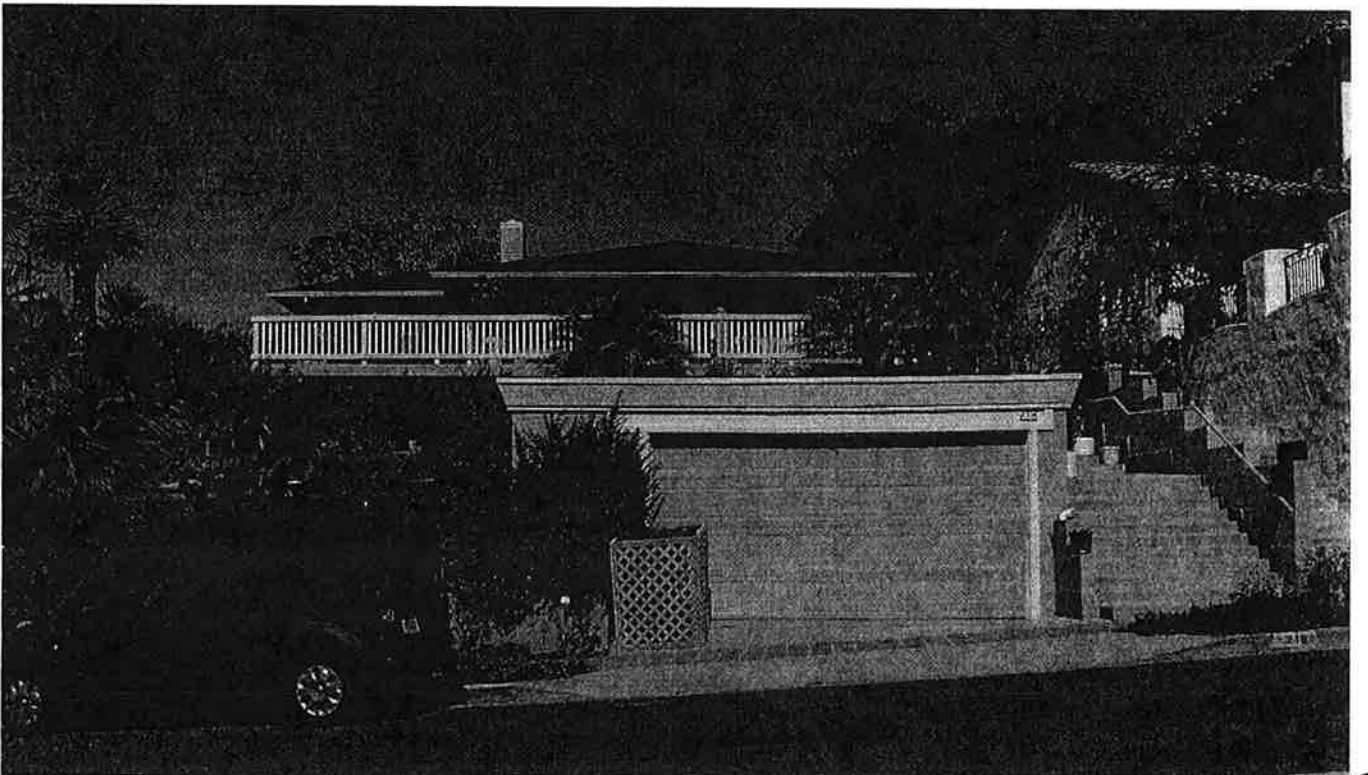
1



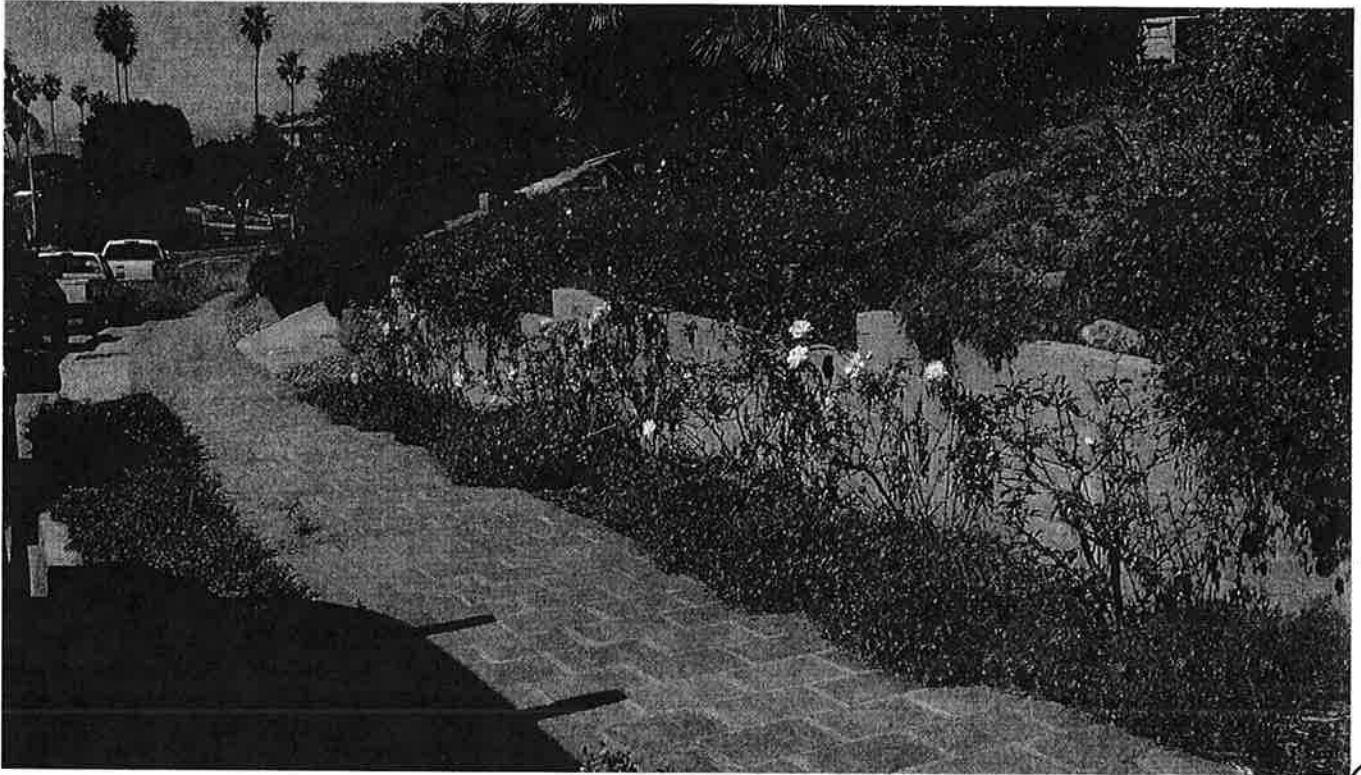
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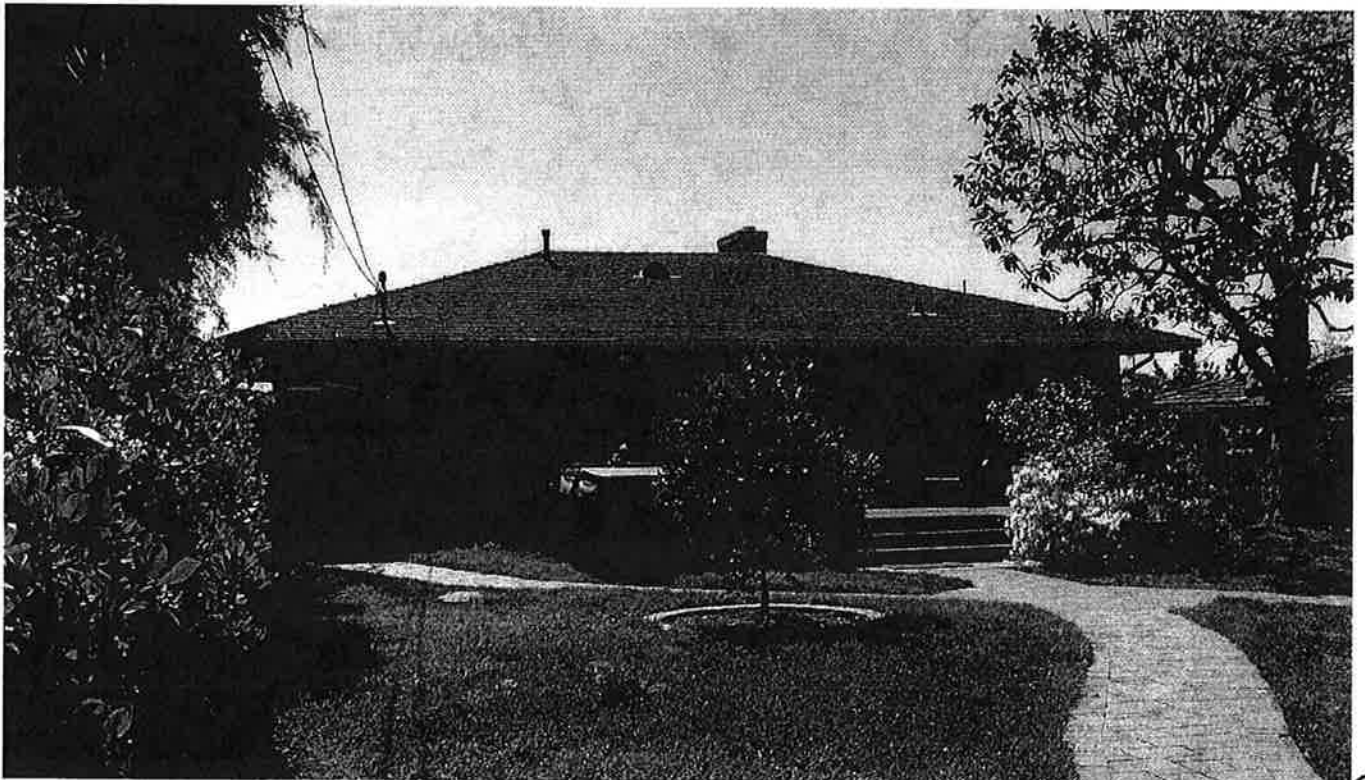
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4



5

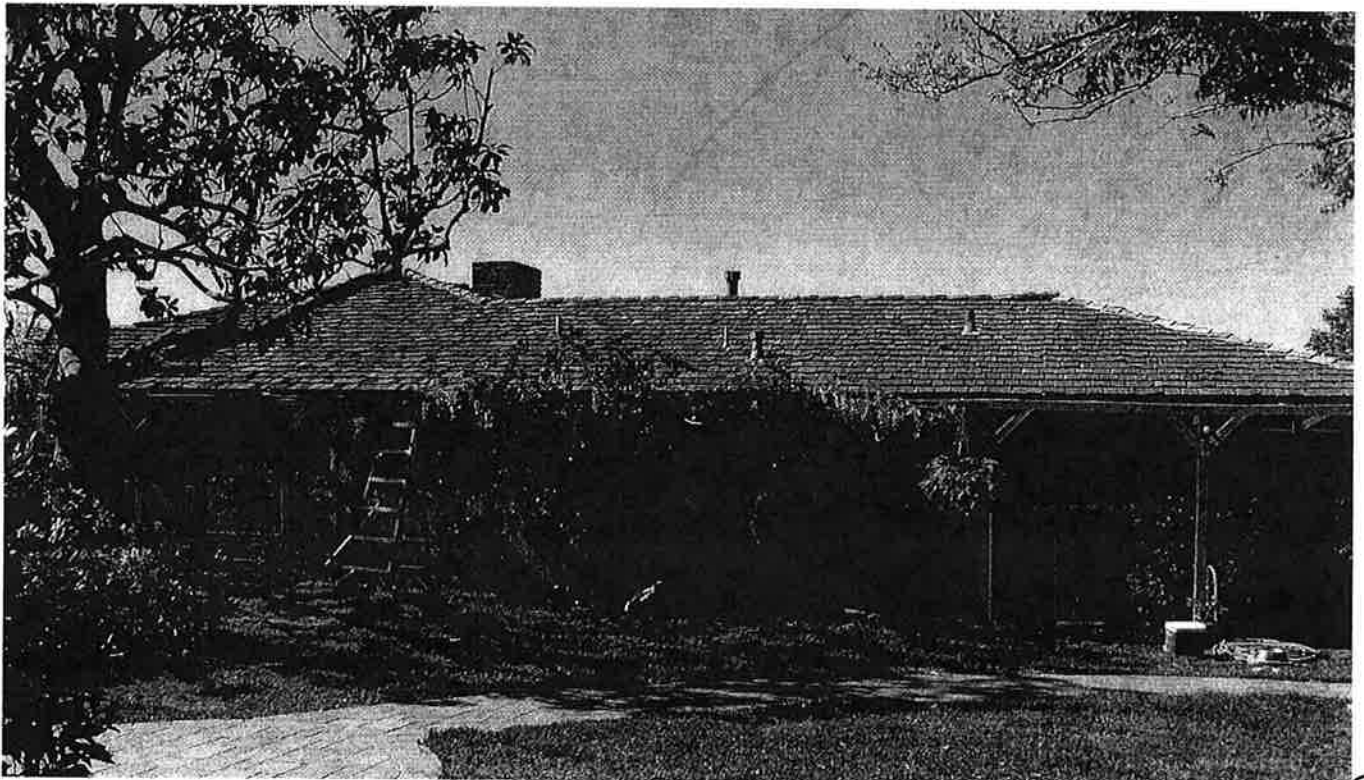


6

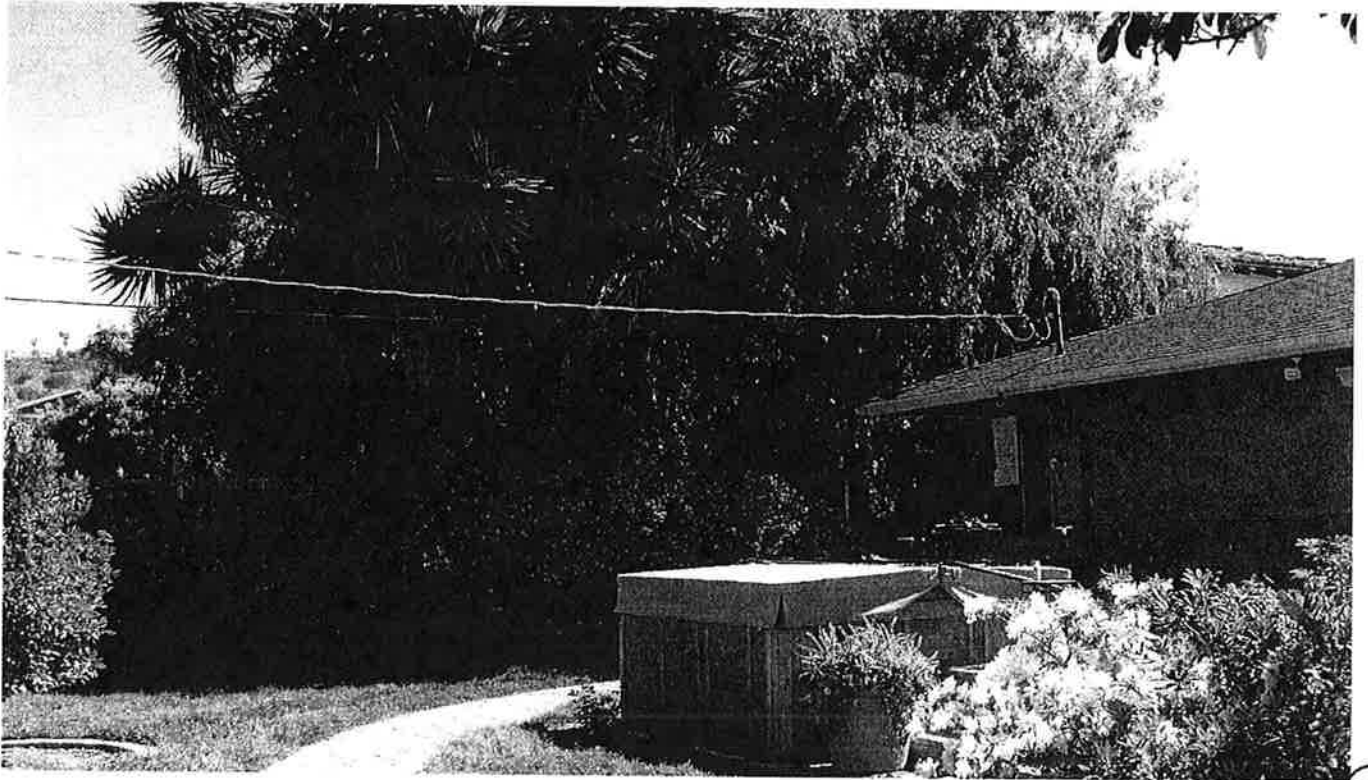
ROOF OF HISTORICAL  
STRUCTURE



7



8



9

ROOF OF HISTORICAL  
STRUCTURE



REAR PROPERTY FENCE

10



COMPLETED ACCESSORY STRUCT. 1/11/13

11



COMPLETED ACCESSORY STRUCT.

(12) 1/11/11