



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: February 6, 2013

PLANNER: John Ciampa, Associate Planner *JC*

SUBJECT: Cultural Heritage Permit (CHP) 12-311, Minor Exception Permit 13-017, 119 Boca, a request to consider a new duplex with a wall that exceeds 42 inches within the front yard setback within the Architectural Overlay and adjacent to the historic Ole Hanson Beach Club. The project is located at 119 Boca De La Playa.

REQUIRED FINDINGS

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

Cultural Heritage Permit (CHP), Section 17.16.100

- a. The architectural treatment of the project complies with the San Clemente General Plan.
- b. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color.
- c. The project's architectural treatment complies with the architectural guidelines in the City's Design Guidelines.
- d. The project's general appearance is in keeping with the character of the neighborhood.
- e. The project's is not detrimental to the orderly and harmonious development of the City
- f. The proposed project will not have negative visual or physical impacts upon the 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.

BACKGROUND

This is a request to construct a multi-story duplex that is adjacent to the historic Ole Hanson Beach Club. The property is a vacant lot within the Residential Medium zoning district, Architectural Overlay, and Coastal Zone (RM-A-CZ).

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 are included in the attached draft resolution.

Public notices were distributed and posted per City and State requirements. To date no comments have been received by the public.

Abutting historic resources at 105 Avenida Pico

The project site is located across the street from the Ole Hanson Beach Club located at 105 Avenida Pico. The Beach Club is one of the City's finest examples of Spanish Colonial Revival architecture from the Ole Hanson Era. It was designed by Virgil Westbrook and Paul McAlister, and constructed by Strang Bros in 1927. The structure is listed on the National Register for Historic Places. The Beach Club is used for community recreational activities, weddings, and special events. A copy of the historic resources report is provided as attachment 4.

PROJECT DESCRIPTION

This is a request to construct a 5,385 square foot duplex on a 7,673 square foot vacant lot. The multi-level duplex would step up the hillside and have a total of five floors including the parking level. Tandem Parking is located on the first level and will provide the required four covered parking spaces.

Development Standards

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

Table 1 - Development Standards

	Z.O. Requirements	Proposed Site Plan
Maximum Density:	1 unit/1,800sf	1 Unit/3,500
Building Height Maximum	25'	24.9'
Setbacks (Minimum):		
Front	15'	16'11"
Side Yard	5'	5'
Entry Side Yard	8'	8'2"
Rear Yard	5'	52'7"
Garage	18'	23'5"
Lot Coverage	55%	40.1%

Architecture

The duplex is a Spanish Colonial Revival (SCR) design because the property is located in the Architectural Overlay. The project’s SCR elements include: smooth mission plaster finish, two-piece terra cotta clay tile, wrought iron railings, segmented arches, and exposed rafter tails. The duplex’s design includes a three-story tower and balconies on floors two through five to provide outdoor living space and maximize ocean views. The architect inset the garages to provide a shadow line and make them less prominent along the street frontage. To improve the pedestrian feel of the duplex the front door for the lower unit is located at the base of the tower element. The multi-level design reduces massing and provides additional livable space by building the structure into the hillside.

PROJECT ANALYSIS

Story Poles

Section 17.24.110.A of the Zoning Ordinance requires residential projects that are three or more stories in the Architectural Overlay to construct story poles. The structure’s design results in portions of it being three stories which require the property owner to erect story poles 14 days prior to the Planning Commission meeting. The story poles are a visual tool that outlines the edges of the roof and decks of the duplex. The story poles are useful to evaluate the potential massing of the building and determine if a project will obstruct a public view corridor. Staff’s review of the story poles determined the project is consistent in massing and scale with the neighborhood, it will not negatively impact the Ole Hanson Beach Club, and the structure will not obstruct the Pico View Corridor.

Cultural Heritage Permit (CHP)

The proposed project requires a CHP because the house is adjacent to the Ole Hanson Beach Club and is within the Architectural Overlay. The Cultural Heritage Permit is required to ensure the

project does not negatively visually or physically impact the historic structure and is a high quality Spanish Colonial Revival Design that is consistent with the Design Guidelines.

Staff’s position is the project complies with the required CHP findings in the following ways: 1) The SCR design complies with the requirements for the Architectural Overlay and Design Guidelines and is compatible with the historic structure. 2) The stepped design of the project and its location 190 feet from the Ole Hanson Beach Club reduces potential physical and visual impacts to the Beach Club. 3) The building design stepped up the hillside is consistent with the neighborhood as well as the goals and intent of the City’s height requirements.

Minor Exception Permit (MEP)

The project requires a MEP to allow the 4.5 foot retaining wall within the front yard setback at the north of the property. The requested MEP meets the required findings in the following ways: 1) The steep topography of the lot requires the retaining wall to provide the pedestrian access to the lower unit and allows for a side walk along the front of the property. 2) The request is consistent with the neighborhood because there are examples of properties with walls that exceed 42 inches within the front yard setback. 3) The Engineering Division reviewed the proposed wall and determined that it will not create any line of sight obstructions. 4) The proposed landscaping will screen the wall from street view.

Design Review Subcommittee review

Table 2 summarizes the concerns raised by the Design Review Subcommittee DRSC on the August 1, 2012, meeting. The DRSC supported the proposed design with the following recommended modifications.

Table 2- DRSC Comments

DRSC Concerns	Applicants Modifications
The first level has a low plate line which is not consistent with SCR architecture. Traditional SCR architecture has a taller plate line for the first floor. The railing should be modified to an enclosed stucco panel to increase the perceived height of the first floor	Modified as requested.
The second and third level balconies are not consistent with SCR design and should be modified to simplify and unify the design.	Modified as requested.
The duplex has a number of design features that are inconsistent or not shown as traditionally used in SCR architecture and should be modified.	Modified as requested. The numbers of segmented arches have been reduced and the windows in the garage were removed.

GENERAL PLAN CONSISTENCY

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

Table 3 - General Plan Consistency

Policies and Objectives	Consistency Finding
<i>Policy 1.2.9 Require that new residential development in existing residential neighborhoods be compatible with existing structures.</i>	Consistent. The proposed colors, finish, and materials are in character with various architecture styles in the neighborhood.
<i>Policy 10.3.6 Through the design review process, encourage that new development is compatible with adjacent existing historical structures.</i>	<i>Consistent.</i> The plans and the story poles confirm the massing of the development is consistent with neighboring development in terms of size and scale. The project has no visual and massing impacts because it is located across the street and is stepped up the hillside.
<i>Policy 2.4.3 Require than new development and adaptive reuse of existing structure conform to the Spanish Colonial Revival architectural design style (I 2.8).</i>	<i>Consistent. The proposed design of the duplex is Spanish Colonial Revival. The wood windows, smooth white stucco and terra cotta two piece tile contribute to the Spanish Colonial Revival design.</i>
Coastal Element Policy XI1.9 Promote the preservation of significant public view corridors to the ocean (GP Policy 10.2.7).	<i>The location of the development and the story poles confirms that there are no obstructions to the view corridors to the ocean.</i>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is categorically exempt per CEQA Guidelines Section 15303(a) as a Class 3 exemption because the project is limited to the development of a duplex.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

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

This is the recommended action. This action would result in the adoption of Resolution No. PC 13-006, allowing the construction of the duplex and increased wall height in the front yard setback area.

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

This action would result in any modifications being incorporated into the project, such as architectural modifications to reduce the massing for the duplex or improve the Spanish Colonial Revival design of the duplex..

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

This action would result in not denying the construction of the house, increased wall heights in the setback areas and a pool in the front yard setback area. This would require staff to draft a new resolution for denial of the project. The Commission should cite reasons or findings for its denial. This action is appealable to the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve CHP 12-311, MEP 13-017, 119 Boca, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution PC13-006
2. Location Map
3. December 12, 2012 DRSC Minutes
4. DPR forms for 105 Avenida Pico
5. Colored Elevations
6. Photographs

Plans

RESOLUTION NO. PC 13-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 12-311 AND MINOR EXCEPTION PERMIT 13-017, 119 BOCA, A REQUEST TO CONSTRUCT DUPLEX THAT IS ADJACENT TO A HISTORIC STRUCTURE AND A WALL THAT EXCEEDS 42 INCHES WITHIN THE FRONT YARD SETBACK LOCATED AT 119 BOCA DE LA PLAYA

WHEREAS, on September 13, 2012 an application was submitted, and deemed complete on January 11, 2013, by 119 Boca LTD, 17 Pinewood, Irvine CA 92604, a request to construct a duplex and walls that exceed 42 inches for a property that is adjacent to a historic structure. The project site is within the Residential Medium zoning district, Architectural Overlay and Coastal Zone (RM-A-CZ). The legal description is Lot 45, of Tract 821, and Assessor's Parcel Number 692-121-02; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303(b) given that the project involves the construction of a new duplex with a wall that exceeds 42 inches within the front yard setback; and

WHEREAS, on September 27, and November 29, 2012 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 October 24, and December 12, 2012, the City's Design Review Subcommittee considered the project and supports it as proposed; and

WHEREAS, on February 6, 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 15303, as a Class 3 exemption given that the project involves the construction of a new duplex with a minor accessory structure (a wall that exceeds 42 inches within the front yard setback); and

Section 2: With regard to Cultural Heritage Permit (CHP) 12-311, 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 City's Historic Preservation Officer and the Design Review Subcommittee.
- B. The project complies with the 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 historic structures.
- D. The general appearance of the proposed project is consistent with the surrounding neighborhood. The majority of the residences in the surrounding neighborhood are one- and two-stories with various architectural styles. The proposed residence will be two stories, designed in Spanish Colonial Revival Architecture, and respects the 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 is a multi-level duplex located within the Residential Medium (RM) zoning district. The duplex and its design are consistent with the purpose and intent of the zoning district and are in character with the neighborhood.
- F. The proposed project will not have negative visual or physical impacts upon the historic resources. The project is a stepped design that is over 100 feet from the historic structure. The architecture is complimentary to the historic structure's integrity.

Section 3: With regard to Minor Exception Permit (MEP) 13-017, 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 proposed landscaping will screen the wall from the street; and
 - 2. There are several walls in the neighborhood with reduced front setbacks.
- 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 wall will be constructed in compliance with all required Building, Safety and Fire codes.

- 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 in that the wall does not create any line of sight issues and will be required to comply with all building code requirements.

Section 4: The Planning Commission of the City of San Clemente hereby approves CHP 12-311, MEP 13-017, 119 Boca, 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 February 6, 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 February 6, 2013, and carried by the following roll call vote:

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

Secretary of the Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL
CHP 12-311, MEP 13-017, 119 Boca

1. The owner or designee shall develop the approved project in conformance with the site plan, elevations, and any other applicable submittals approved by the Planning Commission on February 6, 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 12-311 and MEP 13-017 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. The owner or designee shall have the right to request an extension of CHP 12-311 and MEP 13-017 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval in accordance with Section 17.16.160 of the Zoning Ordinance. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____

- 5. CHP 12-311 and MEP 13-017 shall become null and void if the use is not commenced within three (3) year from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)_____

A use shall be deemed to have lapsed, and CHP 12-311 and MEP 13-017 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.)_____

- 6. The owner or designee shall have the right to request an extension of CHP 12-311 and MEP 13-017 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. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following:
(PIng.)_____

- A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the

appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. [Citation – City of San Clemente Design Guidelines, November 1991]

- B. Stucco walls with a 'steel, hand trowel' (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. [Citation – City of San Clemente Design Guidelines, November 1991]
8. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. (Bldg.)_____ [S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]
9. Prior to 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.)_____ (Bldg.)_____
10. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. (Bldg.)_____ [S.C.M.C – Title 15 Building Construction]
11. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. (Bldg.)_____ [S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning]
12. Prior to the issuance of building permits, the owner or designee shall submit plans that identify the intended use of each building or portion of building and obtain approval of the Building Official. (Bldg.)_____ [S.C.M.C – Title 15 – Chapter 15.08]
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 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. (Bldg.)_____ *[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]*
15. 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. (Bldg.)_____ *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*
16. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. (Bldg.)_____ *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*
17. Fire sprinkler system required throughout including the attached garages. (Bldg.)_____ *[S.C.M.C – Title 15 – Chapter 15.08]*
18. Underground utilities required. Overhead wiring shall not be installed outside on private property. All utility services located within any lot to be installed underground. (Bldg.)_____ *[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]*
19. Prior to the issuance of any permits, 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.)_____
20. Prior to the issuance of any permits, 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.)_____
21. Prior to the issuance of any permits, 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.)_____

22. Prior to the issuance of any permits, 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.)_____
23. Prior to issuance of any permits, 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. This includes construction of compliant sidewalk up and around drive approaches 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 will be required for all work in the public right-of-way. The frontage improvement plan shall include detailed topographic construction detail to show that current city standards are to be met including but not limited to, the construction of sidewalk up and around drive approaches, where applicable, with a minimum width of 4 feet at no more than 2% cross fall.
- C. Any existing utilities or obstruction in the right-of-way that conflict with compliant sidewalk may be needed to be removed, if required by the City Engineer. Alternatively, sidewalk may be required to go up and around conflicting obstructions or utilities.
24. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for an Administrative Encroachment Permit for the proposed retaining wall as shown on the plans necessary to address the existing slope along the street right of way in order to install compliant sidewalk. [Citation – Section 15.36, and 12.08 of the SCMC] (Eng.)_____
25. Prior to the issuance of any permits, 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.)_____
26. Prior to issuance of any permit, the owner or designee shall submit for review a project binder containing the following documents: *[Citation – Section 13.40 of the SCMC]*
(Eng.)_____
- A. If the site is determined to be a “Priority Project” at the time of permit issuance (as defined by the Orange County Municipal Storm Water Permit available at <http://www.waterboards.ca.gov/sandiego/programs/ocstormwater.html>), a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder’s Office and filed with the City. Site design plans shall incorporate all necessary WQMP requirements which are applicable at the time of permit issuance.
- B. If a site is determined to be a “Non-Priority Project”, a final Non Priority Project Checklist must be filed with the City
27. Prior to the issuance of any permits, 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.)_____
28. Prior to the issuance of a building permit the plans shall demonstrate access to all bedroom rescue windows. (Fire.)_____
29. Prior to concealing interior construction a Fire Sprinkler System shall be installed. (Fire.)_____

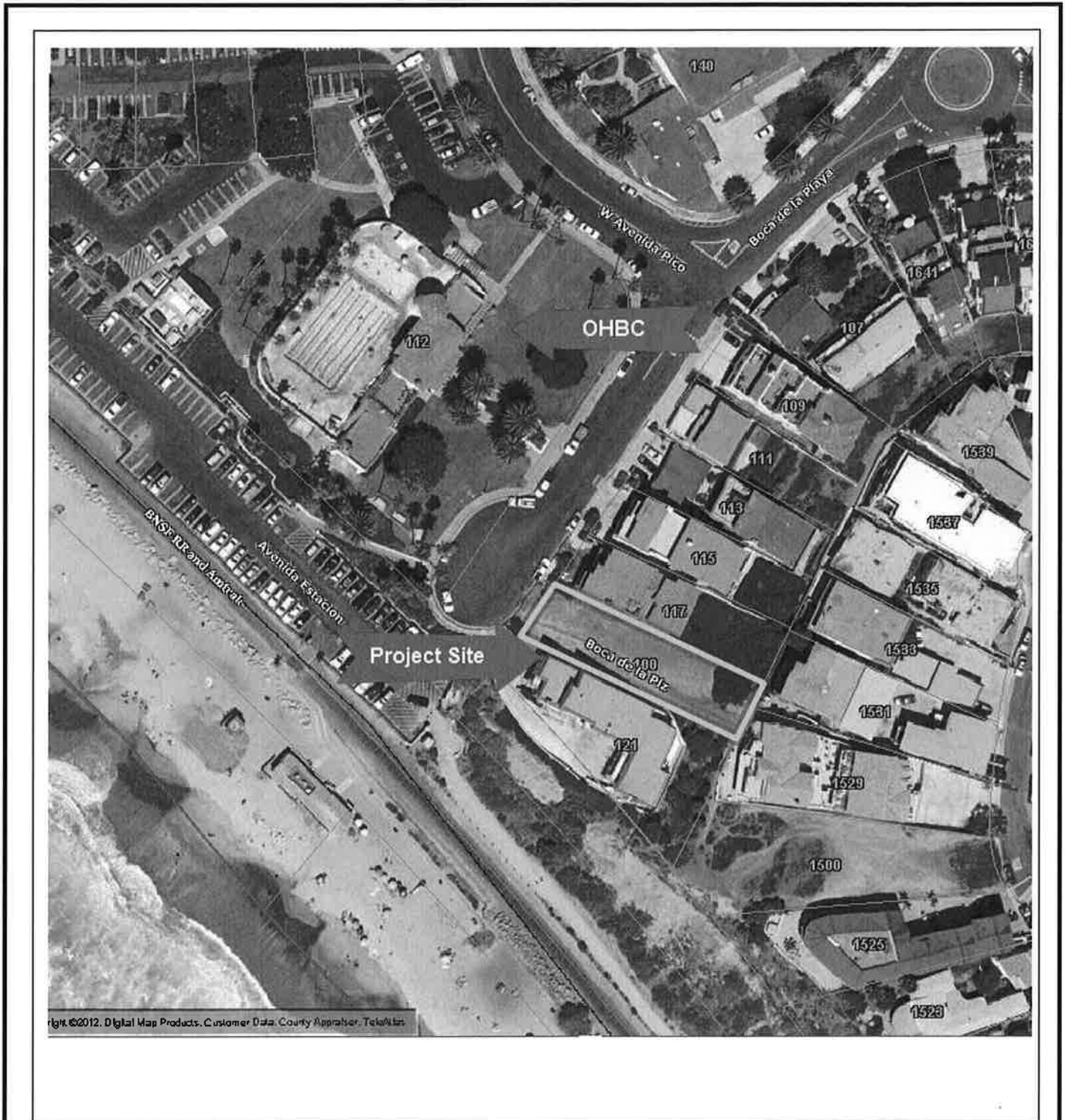
* All Conditions of Approval are standard, unless indicated as follows:

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



LOCATION MAP

119 Boca Duplex
119 Boca De La Playa



Not to scale 

B. Cultural Heritage Permit 12-311, 119 Boca (Ciampa)

A request to construct a 5,380 square foot, duplex on a vacant lot within the Residential Medium zoning district Architectural Overlay (RM-A) and adjacent to the historic Ole Hanson Beach Club. The project is located at 119 Boca De La Playa, Legal Description being Lot 45, Block 4, of Track 821.

Planner Ciampa presented the proposed project.

The applicant's architect, Tim Wilkes, reviewed the modifications made based on the comments provided by the DRSC at the October 24, 2012 meeting.

The DRSC was in favor of the changes made to the tower, second floor deck, garage doors and segmented arched window on the front elevation. The DRSC did feel that the third level deck and guardrail should be one uniform material so that the elevation is simplified.

The DRSC was in favor of the design of the project and recommended the third level deck be modified prior to the Planning Commission Public Hearing.

C. Cultural Heritage Permit 12-359, Cazador 4-Plex (Ciampa)

A request to demolish a house and construct a 4-plex within 300 feet of a historic house. The property in the Residential Medium Zoning (RM) District located at 301 Cazador Lane, Legal Description being Lot 1, Block 10 of Tract 822.

Planner Ciampa presented the proposed project.

Subcommittee Member Kaupp recommended that the corbels not extend beyond the stucco walls. It was also recommended for the removal of the outlookers, wrought iron railing on top of the entry gate and the windows on the garage doors.

Subcommittee Member Darden asked the applicant if the windows and window frames were proposed to be vinyl. The applicant, Rick Moser, stated that the windows were proposed to be vinyl to reduce maintenance costs but they would be willing to change the material if it was a low maintenance product. The DRSC recommended the applicant change the windows to fiberglass and the window frames to stucco. The applicant agreed to the recommended modifications.

Subcommittee Member Crandell recommended thickening the narrow walls that are out of proportion with the building and thickening the wall on the north elevation to remove the unnecessary pop out around the second story window.

State of California -- The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary
HRI#
Trinomial

CONTINUATION SHEET

Page 1 of 2

Resource Name or #: 105 W AVENIDA PICO

Recorded by: Historic Resources Group

Date: 9/21/2006

Continuation Update

PROPERTY NAME	Ole Hanson Beach Club						
HISTORIC NAME	San Clemente Beach Club; The Plunge						
PROPERTY ADDRESS	105 W Avenida Pico (112 Boca De La Playa)						
ASSESSOR PARCEL NUMBER	057-192-20						
PROPERTY TYPE	Public beach club						
OTHER DESCRIPTION							
DATE OF CONSTRUCTION	1927 (F)						
<hr/>							
INTEGRITY	No substantial changes post-1988 Historical Photo Log prepared by the City of San Clemente.						
SIGNIFICANCE	This property was designed by Virgil Westbrook and Paul McAlister, and constructed by Strang Bros. in 1927. It was listed in the National Register of Historic Places in 1981. It appears eligible at the local level under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development (1925-1936), and under Criterion C as a distinctive example of the Spanish Colonial Revival style as represented in San Clemente.						
STATUS CODE	1S						
STATUS	Listed in the National Register as an individual property. The property also appears eligible at the local level both individually and as a contributor to a potential historic district. It is recommended for retention on the Historic Structures List.						
<table border="1"> <tr> <td>Project</td> <td>City of San Clemente Historic Resources Survey Update</td> </tr> <tr> <td>Prepared for</td> <td>City of San Clemente 910 Calle Negicio, Suite 100 San Clemente, CA 92673</td> </tr> <tr> <td>Prepared by</td> <td>Historic Resources Group 1728 Whitley Avenue Hollywood, CA 90028</td> </tr> </table>		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
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CONTINUATION SHEET

Page 2 of 2

Resource Name or #: 105 W AVENIDA PICO

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Continuation Update

Photographs of the Subject Property:



De La Playa

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PROJECT NO: 14-001



RENDERED WEST ELEVATION



REGISTERED
SOUTH
ELEVATION

119 Boca De La Playa

Boca De La Playa

DATE: 09-11-2012
BY: L. Boca

Boca De La Playa
DUPLEX
RESIDENCES

TIMOTHY
WILKES
ARCHITECT



RENDERED SOUTH ELEVATION

View of Swim Club & beach area from site



Southern adjacent property



Northern adjacent property



119 Boca De La Playa San Clemente, California



Existing street view

