**AGENDA ITEM: 8-B** 

# STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: September 16, 2015

PLANNER: Cliff Jones, Associate Planner

SUBJECT: Cultural Heritage Permit 15-040, Woodnu

Cultural Heritage Permit 15-040, Woodnutt Duplex, a public hearing to consider a request for an addition to a duplex at 318 Avenida Del Mar that abuts a historic property at 319 Avenida Cabrillo. The property is located in the Residential Medium zoning district and Architectural and Coastal Overlays

(RM-A-CZ).

# 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 due to the projects location within the Architectural Overlay and it abuts a historic property.

- 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 architectural treatment of the project complies with the architectural guidelines in 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/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village.
- g. The proposed project will not have negative visual or physical impacts upon the historic structure.
- h. The proposed project complies with the purpose and intent of the Architectural Overlay District.

# **BACKGROUND**

The site is 4,500 square feet and contains a 2,196 square foot duplex that was built in 1952. The applicant proposes a first and second floor addition to expand Unit A 616 square feet for a total Unit A size of 1,740 square feet and Unit B 394 square feet for a total Unit B size of 1,296. As part of the request, the applicant proposes to remodel the duplex to a Spanish architectural style. The project is located within the Residential Medium zoning district and

the Architectural and Coastal Zone overlays (RM-A-CZ). Surrounding land uses are residential.

Zoning Ordinance Table 17.16.100B requires Planning Commission review a Cultural Heritage Permit (CHP) because the project involves an addition that is greater than 200 square feet adjacent to a historic structure and because it is an addition to a non-conforming structure. Per the nonconforming ordinance, a CHP is required to allow additions to a nonconforming structure provided the cumulative expansion is less than 50 percent. The 1,010 square foot expansion is an expansion of 49.8 percent.

### **Historic Resource Information**

The project site abuts a historic house located at the rear of the property at 319 Avenida Cabrillo. The one-story, single-family historic home was built in 1926 and is designed in the Spanish Colonial Revival style. The original historic garage was demolished to construct a two-story addition in 1985 at the rear of the property, consisting of garages on the first floor and two units above. The two-story structure on the historic site blocks views of the one story historic resource from the project site. The historic house is eligible as a contributor to a potential local district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea Period of Development (1925-1936). More information about the historic house is provided as Attachment 3.

# **Development Management Team**

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

# Noticing

Public notices were distributed and posted per City and State requirements. Attachment 7 are three letters of opposition received in response to public notice of the project.

## PROJECT DESCRIPTION

The project proposes a first and second floor addition to expand Unit A 616 square feet for a total Unit A size of 1,740 square feet and Unit B 394 square feet for a total Unit B size of 1,296. The remodel would convert the 50's cottage style duplex to a Spanish architectural style as explained in the architecture section below.

# **Development Standards**

The residence is legal-nonconforming because it does not comply with the required front setbacks and does not comply with parking standards. The addition conforms to the required setbacks. Table 1 summarizes development standards and the project's consistency with them.

**Table 1- Development Standards** 

	Required	Existing	Proposed
Setbacks (Minimum)			
Front to Primary Structure	15'	11'6"	No change
Front Street-facing Garage	18'	11'	No change
East Side	5'	5'-8"	No change
West Side	5'	7'-2"	5'-9"
Rear	5'	5'-10"	No change
Building Height (Maximum)	25'	Not identified	24'-7"
Parking (Minimum)	4	3	No change

### **Architecture**

The duplex is proposed to be remodeled from a 50's cottage style to a Spanish architecture style and utilizes traditional design elements. The design includes smooth white stucco finish, single barrel tile roofing with random mortar packing, solid wrought-iron railing and lighting, and recessed fiberglass windows and doors. Attachment 6 are color three-dimensional images of the building.

# **PROJECT ANALYSIS**

# Nonconforming Parking

As demonstrated in the development standards section above, the duplex is nonconforming with regards to parking because it has three parking spaces and current code requires four spaces. The duplex is also nonconforming because the garage setbacks vary from 11 to 20.5 feet and current code requires 18 feet, which limits driveway parking for the project. Driveway parking does not count towards off-street parking requirements of the zoning ordinance.

The Nonconforming Ordinance does not require additional parking for duplex additions provided the cumulative expansion is less than 50%. The 1,010 square foot expansion to the duplex is an expansion of 49.8 percent. The intent of the Nonconforming Ordinance (per Section 17.72.010.B.) is to allow improvements to nonconforming structures to "increase their compatibility with surrounding properties, enhance the quality of development, and to have structures and land uses become conforming over time." The project meets this intent by remodeling the building to a Spanish architectural style, which improves the projects compatibility with the Spanish Colonial Revival homes in the neighborhood, enhances the quality of the development, and makes the building more conforming to the architectural style prescribed in the Architectural Overlay. The ordinance provides an incentive for persons with nonconforming buildings to improve their property. In this case, the ordinance

provides and incentive for the owners to remodel the duplex to a Spanish architectural style, which is consistent with the Architectural Overlay.

# **Cultural Heritage Permit**

A Cultural Heritage Permit (CHP) is required to ensure the development is compatible with the neighborhood, consistent with the Design Guidelines for the Architectural Overlay, and does not have a negative physical or visual impact on the adjacent historic structure.

The intent of the Architectural Overlay is to move remodeled buildings towards a Spanish Colonial Revival architectural style. In this case, for the project to fully comply with Spanish Colonial Revival architecture would require every existing wall to be structurally altered to accommodate deep inset windows and doors. Since this is a remodel that does not involve the alteration of every wall, the goal with this project is to move the buildings towards a Spanish style consistent with City Design Guidelines. The project meets Design Guidelines but staff does have recommendations to improve its consistency with them. The recommendations are provided below and included as conditions of approval 21 – 24:

- 21. True columns and arches with appropriate thickness shall be provided on the front covered patio and decks subject to the approval of the City Planner.
- 22. The segmented arches surrounding the windows above the garage shall be eliminated. These windows shall be vertically oriented and recessed a minimum of eight inches subject to the approval of the City Planner.
- 23. Segmented aches shall be consistent with the Henry Lenny Design Guidelines.
- 24. All exterior details shall be approved by the City Planner prior to issuance of building permit.

The project complies with the required findings for a CHP for the following reasons:

- 1. The duplex complies with the required setbacks for the RM zone.
- 2. The project is consistent with the Design Guidelines because the design breaks up the second story mass into separate components with varied wall planes, decks, varied roof lines, and recessed windows and doors.
- 3. The project preserves and strengthens San Clemente's historic identity as a Spanish village by bringing a contemporary building closer to the Spanish Colonial Revival style required within the Architectural Overlay.
- 4. The project will not have a negative visual or physical impact to the historic house because of the location, size and design of the addition. The primary view of the historic resource is from Avenida Cabrillo. The second floor addition will not have any negative massing impacts viewed from Avenida Cabrillo because the historic property has a two story component that spans the width of the property that blocks views of the addition from public vantage points. The subject site is also approximately six feet lower than the historic property, which further reduces the potential for the project being visible from Avenida Cabrillo. The addition is designed in a Spanish style to complement the historic house.

# Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the project on July 29, 2015 and provided the following recommendations.

**Table 2 – DRSC Comments** 

DRSC Concerns	Project Modifications
A traditional barrel tile roof with random mortar packing should be provided on all roof planes.	Modified as requested.
The segmented arches should not have corbels at the comers.	Modified as requested.
Fascia boards are not traditional features and should be removed.	Modified as requested.
The window in the courtyard, south elevation, is too large for the wall space and should be reduced in size.	Modified as requested.
Wood trellis should have corbel ends. Detail needed for review.	Modified as requested. Applicant requests staff review this detail at the building permit stage of review.
Applicant should consider adding Spanish tile to the stair risers facing Avenida Del Mar.	Modified as requested.
A sample of the fiberglass windows/doors is needed for staff evaluation.	No change to plans. Applicant requests staff review this detail at the building permit stage of review.
Traditional wrought-iron lighting should be utilized and shown on the elevations.	Modified as requested.
Detail needs to be provided regarding the location of gutters, downspouts, and any applicable filters.	No change to plans. Applicant requests staff review this detail at the building permit stage of review.
Wood garage doors without glazing are recommended.	Modified as requested.

# **Project Modifications DRSC Concerns** Modifications not made. Applicant Arched recess surrounding the requests to maintain this detail. Staff windows above the garage should be eliminated and windows should be is not supportive of this request because the frequency of segmented vertically oriented. arches (four on front elevation) gives the building a more contemporary feel. The segmented arch detail is used sparingly on Spanish Colonial Revival buildings as depicted in the images below. As an alternative, staff has conditioned the project to have eight inch deep recessed, vertically oriented, windows above the garage.

DRSC Concerns	Project Modifications
Five inch recess on windows above the garage and three inch recess elsewhere is adequate.	No change to plans. Applicant indicates that they can accommodate a four inch recess on the windows above the garage and two inches elsewhere. Staff has conditioned the project to have an eight inch recess for the windows above the garage.

# **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
Historic Preservation, Standards & Regulations Goal.  Ensure the preservation, rehabilitation, restoration and adaptive reuse of buildings, sites, places, and districts with archaeological, historical, architectural, or cultural significance to San Clemente.	The project preserves and strengthens San Clemente's historic identity as a Spanish village by bringing a contemporary building closer to the Spanish Colonial Revival style required within the Architectural Overlay.
Urban Design Policy 5.01. Outdoor Spaces.  For multi-family residential, mixed use and commercial development, we require integration of outdoor spaces into the architectural and site designs by encouraging the use of courtyards, patios, paseos, plazas, gardens, covered walkways, rooftop terraces, verandas and other outdoor spaces enclosed by architectural or landscape elements, and encourage the same for other types of development.	The applicant has incorporated entry patios, a second floor deck, and roof decks to allow for outdoor spaces.

Policies and Objectives	Consistency Finding
Urban Design Policy 5.10. Scale and Massing.  We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan.	The project incorporates articulation, setbacks, and varying wall planes on the elevations to reduce massing.
Historic Preservation Policy HP-2.06 New Development.  We require that all new single-family and multi-family residential development abutting historic resources, and new commercial and multi-family development of three or more units within a 300-foot radius from a historic resource be compatible with the historic resource in terms of scale, massing, building materials and general architectural treatment.	The project is compatible with the adjacent historic property. The project will not have a negative visual or physical impact to the historic house because of the location, size and design of the addition. The primary view of the historic resource is from Avenida Cabrillo. It is unlikely that the second floor addition will have any negative massing impacts viewed from Avenida Cabrillo. The historic property has a two story component that spans the width of the property that blocks views of the addition. The subject site is also approximately six feet lower than the historic property, which further reduces the potential for the project being visible from Avenida Cabrillo. The addition is designed in a Spanish style to complement the historic house.

# **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 from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301(e)(1) because the project is an addition that will not

result in an increase of more than 50% of the floor area of the existing structure before the addition and will result in a negligible expansion of the structure's existing use.

# ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

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

This is the recommended action. This action would result in the adoption of Resolution No. PC 15-047.

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

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

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

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

## RECOMMENDATION

**STAFF RECOMMENDS THAT** the Planning Commission approve CHP 15-040, Woodnutt Duplex, subject to the attached Resolution and Conditions of Approval.

# Attachments:

- 1. Resolution PC15-047
- 2. Location Map
- 3. DPR form for 319 Avenida Cabrillo
- 4. DRSC Meeting Minutes dated July 29, 2015 (excerpted)
- 5. DRSC Report dated July 29, 2015 (excerpted)
- 6. Color Three-Dimensional Images
- 7. Opposition Letters

Plans

### **RESOLUTION NO. PC 15-047**

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN CLEMENTE APPROVING CULTURAL HERITAGE PERMIT 15-040,
WOODNUTT DUPLEX, A PUBLIC HEARING TO CONSIDER A REQUEST FOR AN
ADDITION TO A DUPLEX AT 318 AVENIDA DEL MAR THAT ABUTS A HISTORIC
PROPERTY AT 319 AVENIDA CABRILLO

WHEREAS, on February 2, 2015, an application was submitted, and completed on August 17, 2015, by Lampert Dias Architects, Inc., 101 South El Camino Real, Suite 208, San Clemente, CA 92672, for a Cultural Heritage Permit to allow an addition to a duplex at 318 Avenida Del Mar that abuts a historic property at 319 Avenida Cabrillo. The property is located in the Residential Medium zoning district and Architectural and Coastal Overlays (RM-A-CZ). The legal description is Lot 26, Block 27 of Tract 779, Assessor's Parcel Number 692-054-23; and

WHEREAS, the Planning Division completed an initial environmental assessment of the above matter in accordance with California Environmental Quality Act (CEQA) and recommends the Planning Commission determine this project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301(e)(1) because the project is an addition that will not result in an increase of more than 50% of the floor area of the existing structure before the addition and will result in a negligible expansion of the structure's existing use; and

WHEREAS, the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on July 29, 2015, the City's Design Review Subcommittee considered the project and supported it with recommended modifications to the design; and

**WHEREAS,** on September 16, 2015, 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:

<u>Section 1:</u> This project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301(e)(1) because the project is an addition that will not result in an increase of more than 50% of the floor area of the existing structure before the addition and will result in a negligible expansion of the structure's existing use.

<u>Section 2:</u> With respect to Cultural Heritage Permit 15-040, the Planning Commission finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Cultural Heritage Permit and complies with the San Clemente General Plan in that the project complies with the density allowance for the zone and the architecture is compatible within the neighborhood.
- B. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, color; in that the duplex will conform to all of the development standards for the RM zone.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the duplex will be in scale with the neighborhood and complies with the Spanish architectural style prescribed in the Architectural Overlay.
- D The general appearance of the proposal is in keeping with the character of the neighborhood in that the duplex massing and scale are similar to existing buildings in the neighborhood and the Spanish design of the duplex is consistent with the Spanish Colonial Revival buildings in the Architectural Overlay.
- The proposed use will not be detrimental to the harmonious development of the City in that the project will conform to the density requirements for the RM zoning designation. The proposed addition complies with the height, lot coverage, and setback standards.
- F. The proposed project/use preserves and strengthens the pedestrianorientation of the district and/or San Clemente's historic identity as a Spanish village by adding an additional Spanish style building within the Architectural Overlay.
- G. The proposed project will not have negative visual or physical impacts upon the historic structure that abuts the property in that it is unlikely that the second floor addition will have any negative massing impacts viewed from Avenida Cabrillo. The historic property has a two story component that spans the width of the property that blocks views of the addition. The subject site is also approximately six feet lower than the historic property, which further reduces the potential for the project being visible from Avenida Cabrillo. The addition is designed in Spanish style to complement the historic house.

H. The proposed project complies with the purpose and intent of the Architectural Overlay District in that the project complies with the Spanish architectural style prescribed in the Architectural Overlay.

<u>Section 3:</u> The Planning Commission of the City of San Clemente hereby approves CHP 15-040, Woodnutt Duplex, a request to allow the construction of a duplex, 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 September 16, 2015.

	<u> </u>	
		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 September 16, 2015, 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 WOODNUTT DUPLEX CHP 15-040

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 September 16, 2015, 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. (Plng.)\_\_\_\_\_\_\_[Citation - City Quality Insurance Program]

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



- The owner or designee shall have the right to request an extension of CHP 15-040 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] (Plng.)
- 4. CHP 15-040 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] (Plng.)

A use shall be deemed to have lapsed, and CHP 15-040 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] (Plng.)

- 5. Prior to issuance of grading and/or building permits, the owner or designee shall submit for review and approval by the Community Development Director and Director, Beaches, Parks and Recreation or designees, a detailed landscape and irrigation plan incorporating drought tolerant plants, for medians, parkways, public trails, fuel modification areas, common areas, and slopes, and other landscaped areas, prepared by a registered landscape architect, and in compliance with all pertinent requirements including, but not limited to guidelines contained in the City's Master Landscape Plan of Scenic Corridors. Landscape plans shall include vertical plants on the side and rear of the property. [Citation Section 17.68.020.B.2 of the SCMC] (Plng.) (B,P&R)
- 6. 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]
- 7. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check.

  (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]

- 8. 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]
- 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]
- 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]
- 11. 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]
- 12. An additional story is being proposed to the existing building. Fire sprinkler system is required throughout the building.

  [S.C.M.C Title 15 Chapter 15.08] (Bldg.)\_\_\_\_\_
- 13. 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]
- 14. 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.)\_\_\_\_

- 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, 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]
- 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 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.)
- 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 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.)
- 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 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; sewer lines; water lines; storm drains; and erosion control. [Citation Section 15.36 of the SCMC] (Eng.)
- 19. 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, prepared by a registered civil engineer. The owner or his designee shall be responsible for the construction of all required frontage

improvements as approved by the	City Engineer including but not limited to the
following: [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, unless a waiver is obtained. This includes construction of compliant sidewalk up and around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way and existing easement is approximately 10 feet behind the curbface a sidewalk easement is not anticipated to be required to be granted to the City.
- B. In the event that areas of sidewalk or other street improvements are disturbed or damaged during the construction project, the applicants shall be responsible for replacing said sidewalk or other street improvements prior to the finalization of any Engineering or Building Permits.
- 20. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.
- 21. True columns and arches with appropriate thickness shall be provided on the front covered patio and decks subject to the approval of the City Planner.

■■ (Plng.)\_\_\_\_

- 22. The segmented arches surrounding the windows above the garage shall be eliminated. These windows shall be vertically oriented and recessed a minimum of eight inches subject to the approval of the City Planner.
- 23. Segmented aches shall be consistent with the Henry Lenny Design Guidelines.

■■ (Plng.)\_\_\_\_

24. All exterior details shall be approved by the City Planner prior to issuance of building permit.

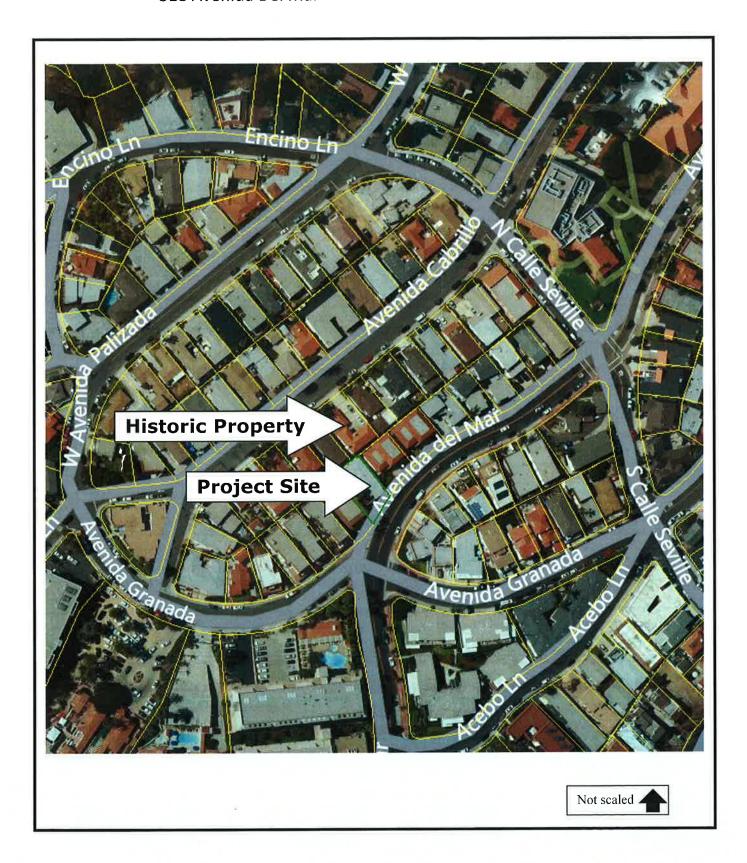
All Conditions of Approval are standard, unless indicated as follows:

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



# **LOCATION MAP**

CHP 15-040, Woodnutt Duplex 318 Avenida Del Mar



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

ATTACHMENT 3

# CONTINUATION SHEET

Primar HRI# **Trinomial** 

Page 1 of

Resource Name or #:

319 AVENIDA CABRILLO

Date: 9/18/2006

□ Continuation ☑ Update

PROPERTY NAME

Recorded by: Historic Resources Group

Unknown

HISTORIC NAME

Unknown

**PROPERTY ADDRESS** 

319 Avenida Cabrillo

ASSESSOR PARCEL NUMBER

692-054-08

PROPERTY TYPE

Single-family residential

OTHER DESCRIPTION

**DATE OF CONSTRUCTION** 

1926 (E) Tax Assessor

INTEGRITY

Front door and two windows replaced post-1995 Historic Resources Survey

prepared by Leslie Heumann & Associates.

SIGNIFICANCE

This one-story single family residence was built in 1926. This property is a modest example of the Spanish Colonial Revival style as represented in San Clemente. Due to alterations this property no longer appears eligible for the National Register, but remains eligible as a contributor to a potential local district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development

(1925-1936).

**STATUS CODE** 

5D

**STATUS** 

The property appears eligible at the local level as a contributor to a potential historic

district. It is recommended for retention on the Historic Structures List.

**Project** 

City of San Clemente Historic Resources Survey Update

Prepared for

City of San Clemente

910 Calle Negicio, Suite 100 San Clemente, CA 92673

Prepared by

Historic Resources Group

1728 Whitley Avenue Hollywood, CA 90028 State of California -- The Resources Agency DEPARTMENT OF PARKS AND RECREATION

Primary # HRI# Trinomial

# **CONTINUATION SHEET**

Page 2 of 2

Resource Name or #:

319 AVENIDA CABRILLO

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Continuation ☐ Update

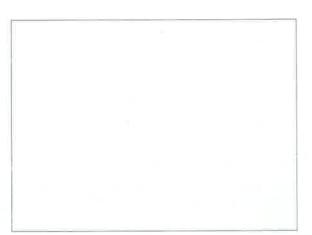












# D. <u>Cultural Heritage Permit 15-040, Woodnutt Duplex</u> (Jones)

A request to consider an addition to an existing duplex located at 318 Avenida Del Mar.

Associate Planner Cliff Jones summarized the staff report.

Larry Culbertson, Historical Society member, indicated that he is looking forward to the project and it will be a nice addition to the neighborhood.

The Design Review Subcommittee either individually or as a group discussed the following items:

- Indicated the remodel to a Spanish Colonial Revival design would make a nice addition to the neighborhood.
- Expressed concurrence with staff's recommendations with the following exceptions:
  - Corbel detail is not needed in the wall opening on the north elevation because it is not visible from the street.
  - 5" windows recess on the windows above the garage and a 3" recess elsewhere is adequate.
  - Wood lintel and stucco pot shelf on front façade are acceptable.

The Subcommittee recommended the project should move forward to the Planning Commission for consideration.

### 3. NEW BUSINESS

# A. Selection of Design Review Subcommittee Chair and Vice Chair

The Subcommittee selected Bart Crandell as Chair and Jim Ruehlin as Vice Chair.

### 4. OLD BUSINESS

None

### 5. ADJOURNMENT

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held August 12, 2015 at 3:00 p.m. in Conference Room A, Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, CA 92673.



# Design Review Subcommittee (DRSC)

Meeting Date: July 29, 2015

PLANNER:

Cliff Jones, Associate Planner

SUBJECT:

<u>Cultural Heritage Permit 15-040, Woodnutt Duplex</u>, a request for an addition to a duplex at 318 Avenida Del Mar within the Residential Medium zoning district and Architectural and Coastal Overlays (RM-A-

CZ).

# **BACKGROUND**:

Project Description

The site is 4,500 square feet and contains a 2,196 square foot duplex that was built in 1952. The applicant proposes a first and second floor addition to expand Unit A 616 square feet for a total Unit A size of 1,740 square feet and Unit B 394 square feet for a total Unit B size of 1,296. As part of the request, the applicant proposes to remodel the duplex to Spanish Colonial Revival architectural style. The project is located within the Residential Medium zoning district and the Architectural and Coastal Zone overlays (RM-A-CZ). Surrounding land uses are residential.

# Why DRSC Review is Required

Zoning Ordinance Table 17.16.100B requires Zoning Administrator review a Cultural Heritage Permit (MCHP) because the project involves an addition that is greater than 500 square feet adjacent to a historic structure and because it is an addition to a nonconforming structure. Per the nonconforming ordinance, a CHP is required to allow additions to a nonconforming structure provided the cumulative expansion is less than 50 percent. The 1,010 square foot expansion is an expansion of 49.8 percent. CHP applications are reviewed by the Design Review Subcommittee (DRSC) to ensure projects do not impact historic structures and comply with the Design Guidelines. DRSC comments will be forwarded to the Planning Commission.

### Historic Resource

The project site abuts a historic house located at the rear of the property at 319 Avenida Cabrillo. The one-story, single-family historic home was built in 1926 and is designed in the Spanish Colonial Revival style. A two-story addition at the rear of the property, consisting of garages on the first floor and units above, blocks views of the one story historic resource from the project site. It is unknown when the non-historic addition was built but a City historic photo survey prepared in April 1988 shows the addition. The historic house is eligible as a contributor to a potential local district under Criterion A for

its association with the Ole Hanson/Spanish Village by the Sea Period of Development (1925-1936). More information about the historic house is provided as Attachment 2.

# Development Standards

The residence is legal-nonconforming because it does not comply with the required front setbacks and does not comply with parking standards. The addition conforms to the required setbacks. Table 1 summarizes development standards and the project's consistency with them.

**Table 1- Development Standards** 

	Required	Existing	Proposed
Setbacks (Minimum)			
Front to Primary Structure	15'	11'6"	No change
Front Street-facing Garage	18'	11'	No change
East Side	5'	5'-8"	No change
West Side	5'	7'-2"	5'-9"
Rear	5'	5'-10"	No change
Building Height (Maximum)	25'	?	Unclear. Height analysis required
Parking (Minimum)	4	3	No change

# **ANALYSIS:**

The duplex is proposed to be remodeled from a 50's cottage style to a Spanish Colonial Revival architecture style and utilizes traditional design elements. The design includes smooth white stucco finish, solid wrought-iron railing, and recessed fiberglass windows and doors. Single barrel tile roofing with random mortar packing is provided along the front of the residence and s-tile roof with mortar packing is provided along rear portions of roof that are not visible from Avenida Del Mar.

The project's design is reviewed to ensure that it does not have a negative visual or physical impact to the adjacent historic house and is compatible with the neighborhood. The primary view of the historic resource is from Avenida Cabrillo. It is unlikely that the second floor addition will have any negative massing impacts viewed from Avenida Cabrillo. The historic property has a two story component that spans the width of the property that blocks views of the addition. The subject site is also approximately six feet lower than the historic property, which further reduces the potential for project being visible from Avenida Cabrillo. The addition is designed in Spanish Colonial Revival style to complement the historic house. Staffs position is that the project will not have a negative visual or physical impact to the historic house because of the location, size and design of the addition.

Design Guidelines / Henry Lenny Design Guidelines / General Plan Consistency

Staff evaluation of the project's consistency with Design Guidelines, Henry Lenny Design Guidelines, Centennial General Plan and its compatibility with the neighborhood, is provided in Table 2 below.

Table 2 – Project consistency with Design Guidelines, Henry Lenny Design Guidelines and Centennial General Plan

Design Guideline or General Plan Policy	Project Consistency
Design Guidelines II.B.3. Building scale, mass, and form compatible w/ adjacent development.	Consistent. The project design is two-stories over a garage as are the adjacent buildings.  The applicant should provide visual simulations that show the project in relationship to adjacent buildings fronting Avenida Granada to further demonstrate compatibility.
Design Guidelines II.C.3.b. Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components.	Consistent. The second story mass is broken into separate components with multiple roof lines and varied wall planes.
Design Guidelines II.C.3. Articulate building forms and elevations by dividing building mass into smaller-scale components.	Consistent. Separate building components create shadow and recess thereby adding architectural interest to the building.
Design Guidelines II.C.3. Varied roof heights are encouraged.	Consistent. Multiple roof lines and varied roof heights add architectural interest to the building.
Design Guidelines II.C.2. Building and site design should follow basic principles of Spanish Colonial Revival (SCR) architecture	Mostly consistent. Building forms, materials, colors and architectural details generally follow SCR style. Recommendations to improve the design of the building are provided within the Recommendations section below.
Design Guidelines II.C.3. Incorporate defined outdoor spaces, including courtyards, patios, plazas and courtyards	Consistent. Defined outdoor patio spaces are provided for each unit.

Design Guideline or General Plan Policy	Project Consistency
Design Guidelines IV.E. Compatibility with Historic Resources. New development should preserve and be compatible with existing historic resources.	Consistent. The project has a neutral architectural design that is complementary to the historic house and does not create any massing or visual impacts.
Henry Lenny Design Guidelines; Wall Openings. Windows and doors should be set toward the interior allowing the wall thickness to be revealed on the exterior of the building. Walls should be no thinner than 12". An 18" wall is ideal.	Unclear. The windows and doors should be recessed a minimum of 12" to 18" as suggested and as shown in the image to the left below.
Urban Design Policy 5.10. Scale and Massing. We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan.	Consistent. The two-story project is consistent with two-story developments permitted in the area.

Design Guideline or General Plan Policy	Project Consistency
Historic Preservation, Standards & Regulations Goal.  Ensure the preservation, rehabilitation, restoration and adaptive reuse of buildings, sites, places, and districts with archaeological, historical, architectural, or cultural significance to San Clemente.	Consistent. The project is consistent with the Spanish Colonial Revival architectural style prescribed within the Architectural Overlay. The roof deck at the rear of the property is purposely located to the southwest corner to reduce massing impacts to the historic resource to the northeast on Avenida Cabrillo.

# **RECOMMENDATIONS:**

The following comments provided in Table 3 are aimed at bringing the project further in line with the Design Guidelines and improve the project's architectural quality.

Table 3 – Recommendations to Improve Architectural Quality

Architectural Detail	Summary of Detail	Recommendations for Improvement	Example(s) of Suggested Detail
Concrete S- tile	Concrete s-tile with random mortar packing is proposed on non-street facing roof planes	A traditional barrel tile roof with random mortar packing should be provided on all roof planes.	No image available.
Segmented arches - Front and east elevation	The segmented arches have a non-traditional corbel detail at the corners.	The segmented arches should not have corbels at the comers.	No image available.
Fascia board - All elevations	The plans show fascia boards.	Fascia boards are not traditional features and should be removed.	No image available.

Architectural Detail	Summary of Detail	Recommendations for Improvement	Example(s) of Suggested Detail
Wood lintel and potshelf - Front elevation	A wood lintel and potshelf are proposed around window.	Wood lintel and pot shelf are not traditional features and should be removed.	No image available.
Window recess design – Front elevation	Windows on the first floor are recessed within an arch.	Arched recess should be eliminated and recessed windows should be vertically oriented.	No image available.
Window – Courtyard south elevation	Vertical window on second floor.	The window is too large for the wall space and should be reduced in size.	No image available.
Wall opening  – North elevation	The wall opening on the north elevation does not have any architectural detail.	A corbel detail or other detail should be added to the upper corners of the wall opening.	No image available.
Wood trellis	Wood trellis ends	Wood trellis should have corbel ends. Detail needed for review.	No image available.
Stairs	Details of the stairs are not provided.	Applicant should consider adding Spanish tile to the stair risers facing Avenida Del Mar.	

Architectural Detail	Summary of Detail	Recommendations for Improvement	Example(s) of Suggested Detail
Windows and Doors	Fiberglass windows/doors are proposed.	A sample of the fiberglass windows/doors is needed for staff evaluation. Windows and doors should have lites and recessed a minimum of 12" to 18" as suggested in the Henry Lenny Design Guidelines.	
Lighting	Lighting type and locations are not depicted on elevations.	Traditional wrought-iron lighting should be utilized and shown on the elevations.	

Architectural Detail	Summary of Detail	Recommendations for Improvement	Example(s) of Suggested Detail
Gutters	Gutter details need to be provided.	Detail needs to be provided regarding the location of gutters, downspouts, and any applicable filters.	
Garage Doors	Garage Door material is not specified.	Wood garage doors without glazing are recommended.	

# **CONCLUSION**

Staff seeks DRSC concurrence with the above recommendations and welcomes additional input.

## Attachments:

- 1. Location Map
- 2. DPR Form for 319 Avenida Cabrillo Plans

# The Proposed Project

- The proposed project will add a new second story master bedroom, master bath, stairways and view decks to each of the
  - two existing units, For a total 1,000 SF of new living space.



Northeast Elevation

Southeast Elevation

# The Proposed Project

- The existing entries will also be remodeled and the exterior of the building will be renovated to Spanish Colonial Revival.
- The second story addition is appropriate to the adjacent structures and the neighborhood.



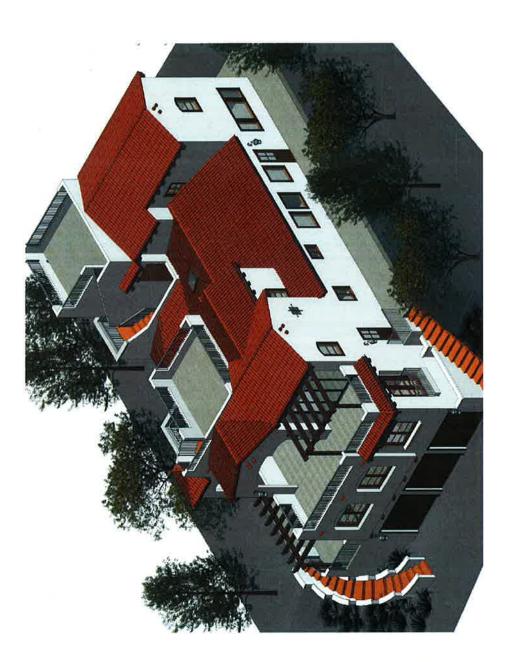
Southwest Elevation



Southwest Elevation

# The Proposed Project

Changing the styling of the exteriors, the building will enhance the "Spanish Village by the Sea" vision for San Clemente And will add to the ambience of the Pier Bowl and Avenida Del Mar



Birdseye Perspective – Southeast Elevation

Jim & Beth Carr 316 Avenida Del Mar #3 San Clemente, CA 92672

September 6, 2015

Jim Pechous, Secretary
San Clemente Planning Commission
910 Calle Negocio
San Clemente, CA 92672

Sirs:

My father, Vern Ehlers, along with my uncle, built the two condo triplexes at 316 and 314 Avenida Del Mar and completed them in 1973. For the past 42 years, my husband, two daughters along with our grandchildren have enjoyed visiting my parents when they were alive as well as staying in the condo after their passing. Both my husband and I are retired now and spend a significant amount of time here in San Clemente and have enjoyed a recent remodel of our top unit. We take pride in our ownership and maintaining our property while enjoying great relations with our neighbors and friends.

This week, we received notification that the unit at 318 Avenida Del Mar is proposing a second floor addition along with a roof top deck. We are very concerned with this proposed addition as the space between our two properties is narrow, especially for the owners of unit 1. When my father was building our units, he realized that the original owners of 318, Russ and Rose Manzone, had built a sidewalk on what was essentially our property and to be a good neighbor, my father ceded five feet of our property to the Manzones as a good neighbor. With the addition of a roof top deck and second story deck, we are very concerned about the increased noise and lack of privacy along with additional bedrooms but no additional parking places. We don't understand how this can be allowed as we are well aware of other city residents who have been denied additions to their properties based on lack of parking alone. We hope your decision will be consistent with past decisions made by the council. With an additional level on this structure, our air circulation will be drastically altered, possibly requiring each unit to be air conditioned which will be less cost effective and energy efficient than they are now. We also are greatly concerned with the decrease in our property values due to the blockage of air, lost ocean view and loss of privacy the proposed additions will afford our units.

When the previous owner was remodeling the structure, he was faced with many restrictions on what he could and couldn't do to the structure. One item was the shingles had to remain and he could not reface the building. Many restrictions were place on what he could and couldn't do, so we are amazed that in as little as 5-6 years since that remodel was completed, a new larger and more imposing remodel job is being proposed without any of the previous restrictions.

One final observation is the age of the building and it's structural integrity to support a second story and to meet current earthquake standards. The structure has a wood frame subfloor with a crawl space underneath. It was not designed to support the weight of a second floor. Are we to assume that the entire structure will be retro-fitted to meet current state laws regarding this additional weight? We are most interested in seeing how this will be done.

Sincerely,

Jim & Beth Carr

# RECEIVED

Patricia Ochoa 313 Avenida Del Mar #A San Clemente, CA 92672

SEP - 8 2015

CITY OF SAN CLEMENTE PLANNING DIVISION

Jim Pechous, Secretary
San Clemente Planning Commission
910 Calle Negocio
San Clemente, CA 92673

September 8, 2015

RE: Cultural Heritage Permit 15-040 Woodnutt Duplex 318 Avenida Del Mar

I would like to challenge this project due to the parking problem that this will create. The current parking for this building seems to be inadequate. Adding extra rooms will only add to this problem.

As I am sure that you are aware, our driveways on this block are often blocked by people going to the pier. Unless more parking is included in this remodel I do not think it should be allowed.

When we added a room to our home we were required to move our garage back so that there would be legal room to park two cars in the driveway without obstructing the sidewalk. We were required to do this even though we had five off street parking spaces not effected by the short driveway. I feel that it is only fair that they are held to the same standards.

I will not be able to attend the hearing as I must be at work during that time. I ask that my challenge please be given consideration.

Sincerely,

Mark S. Ver Steeg 316 Avenida Del Mar #2 San Clemente, CA 927672 (949) 498-0680

September 8, 2015

Jim Pechous, Secretary
San Clemente Planning Commission
910 Calle Negocio
San Clemente, CA 92672

### Sirs-

Ole Hanson wrote in 1925 "I vision a place where people can live together more pleasantly than on any other place in America. I am going to build a beautiful city on the ocean where the whole city will be a park; the architecture will be one type, and the homes will be located on sites where nearly everyone will have his view preserved forever." My, how times have changed!

I have lived at 316 Avenida Del Mar since 1978 and I love my community, my street and my neighborhood. There is not a finer place in California than San Clemente and in all my years here, this will be the first time I have addressed a concern that is near and dear to me. The proposed additional stories and bedrooms at 318 Avenida Del Mar greatly impacts our neighborhood and the quality of life for many of us. Others have addressed concerns about the height and blockage of views in my building. I have a large concern over the parking at 318. In my 38 years of living next door, not one tenant has parked in their garage as they are so narrow that once a car is parked inside. doors cannot be opened to exit. Unless the driver's car has a rear hatch where the driver can crawl over the back seat and out the hatch, it is impossible to open the door and exit unless one is very tiny and slim. There is no driveway for the tenants to park on, which I thought was a city ordinance for remodeling. I know when the owners of 313 did their remodeling a few years back; they had to off set their garage doors to accommodate parking for one car in the driveway as well as in their garage. I assume this ordinance is consistent with the proposed plan for 318's remodeling. With each unit gaining an additional bedroom, totaling 6 for the building, street parking will be greatly impacted. Previous guests and tenants have attempted to park in their driveways only to be ticketed by parking control. Blocking the sidewalk on the way to the beach for visitors and residents is not the message our council should want for the redeveloped pier bowl area.

Eventually, 315 Avenida Del Mar will be finished in that ongoing remodel job of 3+ years. They will have the same issues that 318 has with the difficulty in parking inside the garages along with no driveway parking, thereby adding to the congestion of street parking. With 5 additional bedrooms at 315 increasing the street parking to 3-5 more needed spaces, we can project that this will become a huge problem for residents and neighbors in this area as well as parking control enforcement.

Since the City has accepted the architect's plans for this remodeling, we do have a concern about how the second story will be supported by original foundation of the building. Will footings be installed and heavy support beams under the back to

supplement this increased weight? Do these proposed additions meet current state earthquake standards?

We obviously have a vested interest in the proposed remodeling of this structure having seen it remodeled from it's original style 5 some years ago, a remodeling that took nearly two years. We do understand that the proposed Spanish Revival Style is more in keeping with the vision for architectural conformity in the pier bowl but we do have concerns for our loss of view, decreased sunlight and air flow and also a dramatic increase in an already impacted parking issue on the street.

Please take our concerns to heart when making your decision. We love San Clemente and we have been here decades. We, at 316 Avenida Del Mar would like to protect as best we can the vision that Ole Hansen had for our town and not have a series of large, imposing units built closely together where the unique character of San Clemente is lost and we look like all our coastal neighbors to the north.

Sincerely,

Mark Ver Steeg