



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: June 22, 2016

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**PLANNER:** Amber Gregg, Senior Planner *AG*

**SUBJECT:** Minor Cultural Heritage (MCHP) Permit 15-055 – Cyr Remodel, a request to consider a façade remodel, new covered balcony, and roof deck to the front of an existing triplex, located at 253 Avenida Del Mar, within the Mixed-Use zoning district and Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ)

### REQUIRED FINDINGS

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

***Minor Cultural Heritage Permit (MCHP), Section 17.16.100, for exterior remodels to developments adjacent to a historic resource or in an Architectural Overlay.***

- A. The architectural treatment of the project complies with the San Clemente General Plan;
- B. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc.;
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines;
- D. The general appearance of the proposal is in keeping with the character of the neighborhood; and
- 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.

### BACKGROUND

The proposed project, a request to remodel an existing 3,221 square foot triplex constructed in 1971, was previously reviewed by the Planning Commission on May 18,

2016. The development is a typical 1960-70's faux modern Spanish style with a three car garage facing the street. Exhibit 1 shows the property today.

### **Exhibit 1- Existing Development**



At the meeting the Planning Commission had concerns about the design of the deck and recommended the applicant work with staff to simplify the design, review the lighting and further setback the project from the public right of way. The project was then continued to the June 22, 2016 regular scheduled meeting. For additional information please refer to the Staff Report and minutes of the May 18, 2016 meeting which are provided under Attachment 3 and Attachment 4 respectively.

### **PROJECT DESCRIPTION**

The applicant is requesting a facade remodel to make the building more Spanish in design. The applicant is also proposing a wrap-around front balcony and roof deck. The façade remodel includes: re-stuccoing the building with a smooth white stucco, replacing the existing mansard roof with a more authentic looking roof with single barrel tiles and random mortar packing, and front trellis. Traditional architectural details proposed include: wrought-iron railings, terra cotta clay tile wall cap, decorative tile accents, and Spanish light fixtures.

To help simplify the design, the applicant has consolidated the front arches into one larger arch, reduced the number of columns supporting and on the deck, removed the decorative tile from the front of the deck, eliminated the light fixture adjacent to the street and simplified the guardrail detail. Below are depictions of the previous reviewed design and the proposed design. In addition the applicant has provided a rendering without the trellis; however the trellis is the applicants preferred design.

**Exhibit 2- Previously Reviewed Design**



**Exhibit 3- Proposed Design**



**Exhibit 4- Proposed Design without Trellis**



**Development Standards**

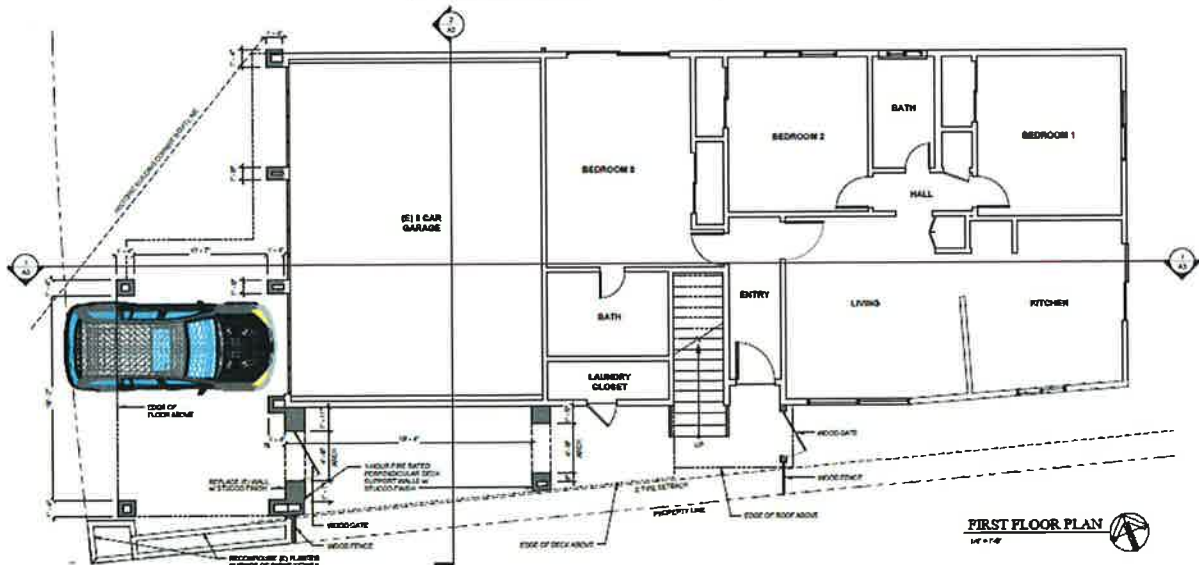
The project meets development standards as shown in Table 1 below.

**Table 1 – Development Standards**

	Development Standard	Proposed Project	Complies
Height (Maximum)	45'	23'-3"	Yes
Setbacks (Minimum):			
Front	0'	2'5" (previous 9")*	Yes
Side	0'	0'	Yes
Rear	0'	8'-9"	Yes
Lot Coverage (Maximum)	100%	Approx. 60%	Yes
Required Parking (Minimum):	7 spaces	3spaces	Yes Legal nonconforming

\*The previous design had the deck at nine inches at the closest point to the front property line. The applicant has pulled the deck back 20 inches to increase the setback to two feet, five inches. This location was selected so the supporting column would not impede the applicant from being able to open his car doors. The below exhibit shows the modified setback and the location of the columns to a car door. For a larger depiction of the exhibit, please refer the provided plans.

**Exhibit 4- Car Detail**



**GENERAL PLAN CONSISTENCY**

Table 2 summarizes how the proposed use is consistent with General Plan goals and policies.

**Table 2 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<p>LU-1.05. <b><i>Multi-Family Residential Uses.</i></b> We require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character in accordance with the Urban Design Element and Zoning Code.</p>	<p>Consistent. The proposed project will remodel the existing triplex to reflect a Spanish design more consistent with goals of the Architectural overlay.</p>
<p>LU-3.05. <b><i>Stand Alone Residential Uses.</i></b> In Mixed Use areas MU3.1, MU3.3, and MU5, stand-alone residential uses are permitted. In these areas, we require stand-alone dwellings to be compatible with adjacent commercial and mixed uses and with adjacent neighborhoods.</p>	<p>Consistent. The project was designed to be compatible with adjacent commercial and mixed-use developments, as well as the adjacent historic resources.</p>
<p>HP-2.06. <b><i>New Development.</i></b> 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.</p>	<p>Consistent. The proposed project is a two-story development adjacent to a two-story historic resource. The project will not impact views of the resource from the public right-of-way, and the new development will be remodeled to a Spanish style that will be compatible with the historic mixed-use building.</p>

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

The Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends the Planning Commission determine this project categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301, because the project is an addition to an existing structure that is limited to a faced remodel, new balcony and roof deck, and does not include any new living space, and is exempt from CEQA as a Class 32 exemption pursuant to CEQA Guidelines Section 15332, because the project involves



non-living space additions to an existing triplex and for the following reasons; 1) the project is consistent with the general plan and Zoning Ordinance, 2) the site is a developed urbanized area, the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and 3) the site is served by utilities and public service.

**CONCLUSION**

The project is located in the Architectural and Central Business District Overlay, which promotes pedestrian oriented developments. Driveways are not pedestrian oriented, however, without a complete teardown of the development the driveways will remain. The applicant has incorporated a balcony that will provide an outdoor living space. The balcony support and entry feature incorporate pedestrian scaled architectural details to enhance the pedestrian orientation of the development. The location of the balcony is placed to not impact the visibility of the adjacent historic resource, and the revised design is in scale with typical Spanish Colonial Revival design guidelines.

Staff's position is that the applicant has modified the building to meet the goals of the Mixed-Use zoning district, the Architectural Overlay, the Central Business District, and the Minor Cultural Heritage Permit. They comply with all development standards and have not increased massing impacts to the adjacent historic property. Staff believes that the required findings can be supported based on the General Plan goals for Del Mar and that this is the first redevelopment in the immediate area that is implementing recently approved Mixed-Use development standards.

**ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

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

*This is the recommended action, and would result in approval of the project.*

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; modifications could include removing the front balcony, setting it back from the public right of way, and/or changes to the buildings other features.*

3. The Planning Commission can deny the proposed project.

*This action would result in denial of the proposed project; the applicant would be able to appeal the decision to the City Council.*

**RECOMMENDATION**

Based on the information in the staff report and subject to the required Findings and Conditions of Approval, staff recommends that the Planning Commission:

1. Determine the project is Categorical Exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 and Section 15332; and direct staff to file a Notice of Exemption.
2. Approve MCHP 15-055, Cyr Remodel, subject to the attached Resolution and Conditions of Approval.

***Attachments:***

1. Resolution PC16-019  
Exhibit 1 Conditions of Approval
2. Location Map
3. Planning Commission Staff Report of May 18, 2016
4. Planning Commission Minutes of May 18, 2016
5. Historic Resource Report Fireside Room
6. Historic Resource Report 251 Avenida Del Mar
7. Design Review Subcommittee Report and Minutes of April 6, 2016
8. Design Review Subcommittee Report and Minutes of September 23, 2015
9. Design Review Subcommittee Report and Minutes of November 11, 2015
10. Design Review Subcommittee Report and Minutes of January 27, 2016
11. Letter submitted by resident, Larry Culbertson  
Plans

RESOLUTION NO. ZA 16-019

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, APPROVING MINOR CULTURAL  
HERITAGE PERMIT 15-055, CYR REMODEL, A REQUEST FOR A  
REMODEL, BALCONY, AND ROOF DECK FOR AN EXISTING  
TRIPLEX ADJACENT TO TWO HISTORIC RESOURCES LOCATED AT  
253 AVENIDA DEL MAR**

**WHEREAS**, on February 10, 2015 an application was submitted, and deemed complete on March 10, 2016, by Pete Cyr, 253 Avenida Del Mar, Unit A, San Clemente, CA, 92672, a request to approve a remodel, balcony, and roof deck to an existing triplex adjacent to two historic resources. The project site is in the Mixed-Use within the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ). The legal description is Lot 25, of Block 17, of Tract 779, and Assessor's Parcel Number 058-112-06; 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 1 exemption pursuant to CEQA Guidelines Section 15301, because the project is an addition to an existing structure that is limited to a faced remodel, new balcony and roof deck, and does not include any new living space, and is exempt from CEQA as a Class 32 exemption pursuant to CEQA Guidelines Section 15332, because the project involves non-living space additions to an existing triplex and for the following reasons; 1) the project is consistent with the general plan and Zoning Ordinance, 2) the site is a developed urbanized area, the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and 3) the site is served by utilities and public service; and

**WHEREAS**, on March 26, 2015, June 25, 2015, and August 20, 2015 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 September 23, 2015, November 11, 2015, and January 27, 2015, the City's Design Review Subcommittee considered the project and provided comments on the design; and

**WHEREAS**, on April 6, 2016, the Zoning Administrator held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties, and referred the application to the Planning Commission for review and final action; and.

**WHEREAS**, on May 18, 2016, 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, and continued the item to June 22, 2016 to allow the applicant time to incorporate modifications to the project; and.



**WHEREAS**, on June 22, 2016, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

**NOW, THEREFORE**, the Planning Commission of the City of San Clemente hereby resolves as follows:

**Section 1:** The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301 as a Class 1 exemption pursuant to CEQA Guidelines Section 15301, because the project is an addition to an existing structure that is limited to a faced remodel, new balcony and roof deck, and does not include any new living space, and is exempt from CEQA as a Class 32 exemption pursuant to CEQA Guidelines Section 15332, because the project involves non-living space additions to an existing triplex and for the following reasons; 1) the project is consistent with the general plan and Zoning Ordinance, 2) the site is a developed urbanized area, the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and 3) the site is served by utilities and public service; and

**Section 2:** With regard to Minor Cultural Heritage Permit (MCHP) 15-055, the Planning Commission finds as follows:

- A. The proposed architectural treatment of the project complies with the San Clemente General Plan in that the development moves the architecture of the building closer to Spanish Colonial Revival. The proposed project is a Spanish design that includes many characteristics of a Spanish Colonial Revival building including: smooth white stucco, red tile roof with random mortar packing, wrought iron details, and Catalina accent tiles. In addition the project meets the following goals and objectives of the General Plan in the following ways:
  - i. Per General Plan Objective LU-1.05. *Multi-Family Residential Uses*. We require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character in accordance with the Urban Design Element and Zoning Code and the proposed project will remodel the existing triplex to reflect a Spanish design more consistent with goals of the Architectural overlay.
  - ii. Per General Plan Objective LU-3.05. *Stand Alone Residential Uses*. In Mixed Use areas MU3.1, MU3.3, and MU5, stand-alone residential uses are permitted. In these areas, we require stand-alone dwellings to be compatible with adjacent commercial and mixed uses and with adjacent neighborhoods. The project was designed to be compatible with adjacent commercial and mixed-use developments, as well as the adjacent historic resources.
  - iii. Per General Plan Objective 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 proposed project is a two-story development adjacent to a two-story historic

resource. The project will not impact views of the resource from the public right-of-way, and the new development will be remodeled to a Spanish style that will be compatible with the historic mixed-use building.

- B. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc. in that the development meets all applicable development standards. The proposed project includes only minor additions to an existing facility. No additional living space is added.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines, in that the development moves the architecture of the building closer to Spanish Colonial Revival. The proposed project is a Spanish design that includes many characteristics of a Spanish Colonial Revival building including: smooth white stucco, red tile roof with random mortar packing, wrought iron details, and Catalina accent tiles.
- D. The general appearance of the proposed project is consistent with the surrounding neighborhood in that the proposed project is the first improvement within the area to utilize the new provisions of the mixed use zoning designation. Additional improvements that will occur over time will most likely be consistent with the setbacks and orientation of the proposed project.
- E. The proposed project will not be detrimental to the orderly and harmonious development to the City in that the project will be required to meet applicable building requirements as well as Municipal Code development standards.
- 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 in that the development moves the architecture of the building closer to Spanish Colonial Revival. The proposed project is a Spanish design that includes many characteristics of a Spanish Colonial Revival building including: smooth white stucco, red tile roof with random mortar packing, wrought iron details, and Catalina accent tiles.
- G. The proposed project will not have negative visual or physical impacts upon the historic structure in that the project has been designed to be Spanish architecture, and the applicant has proposed a project which maintains the existing line of sight to the neighboring historic resource.

**Section 3:** The Planning Commission of the City of San Clemente hereby:

1. Determines the project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 and Section 15332; and direct staff to file a Notice of Exemption; and
2. Approves MCHP 15-055, Cyr Remodel, subject to the attached Resolution and Conditions of Approval.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of San Clemente on June 22, 2016.

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on June 22, 2016, and carried by the following roll call vote:

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

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Secretary of the Planning Commission

## EXHIBIT A

**CONDITIONS OF APPROVAL  
MCHP 15-055, Cyr Remodel**

1. The owner or designee shall develop the approved project in conformance with the site plan, elevations, and any other applicable submittals approved by the Planning Commission on June 22, 2016, 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.)\_\_\_\_\_

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*] (Plng.)\_\_\_\_\_

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.)\_\_\_\_\_
4. Prior to issuance of certificate of occupancy, the project shall be develop in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Zoning Administrator on April 6, 2016, subject to the Conditions of Approval. Any deviation from the approved plans or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator or Planning Commission. *[Citation - Section 17.12.180 of the SMC]* (PIng.) \_\_\_\_\_
5. The owner or designee shall have the right to request an extension of MCHP 15-055 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 SMC]* (PIng.)\_\_\_\_\_
6. Minor Cultural Heritage Permit 15-055 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SMC]* (PIng.)\_\_\_\_\_
7. A use shall be deemed to have lapsed, and MCHP 15-055 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 SMC]* (PIng.) \_\_\_\_\_
8. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Assurance Program]* (PIng.) \_\_\_\_\_
9. 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]*
- C. All proposed decorative Catalina tile, wrought iron, exterior light fixtures, stucco details, and wood details shall be approved by the City Planner.
10. A minimum of one 15-gallon tree or equivalent, as approved by the City Planner, per 25 lineal feet of street frontage shall be planted on the site. *[Citation – Municipal Code Section 17.68.50]* (Plng.) \_\_\_\_\_
11. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.) \_\_\_\_\_
12. Prior to issuance of building permits, code compliance will be reviewed during building plan check. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.) \_\_\_\_\_
13. 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]*
14. 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]*
15. 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. (Bldg.) \_\_\_\_\_  
*[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]*



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. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)\_\_\_\_\_
17. 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. 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 is approximately 10 feet behind the curbface a sidewalk easement is not anticipated to be required to be granted to the City prior to final of Building Permits.
- 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.
- C. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.

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

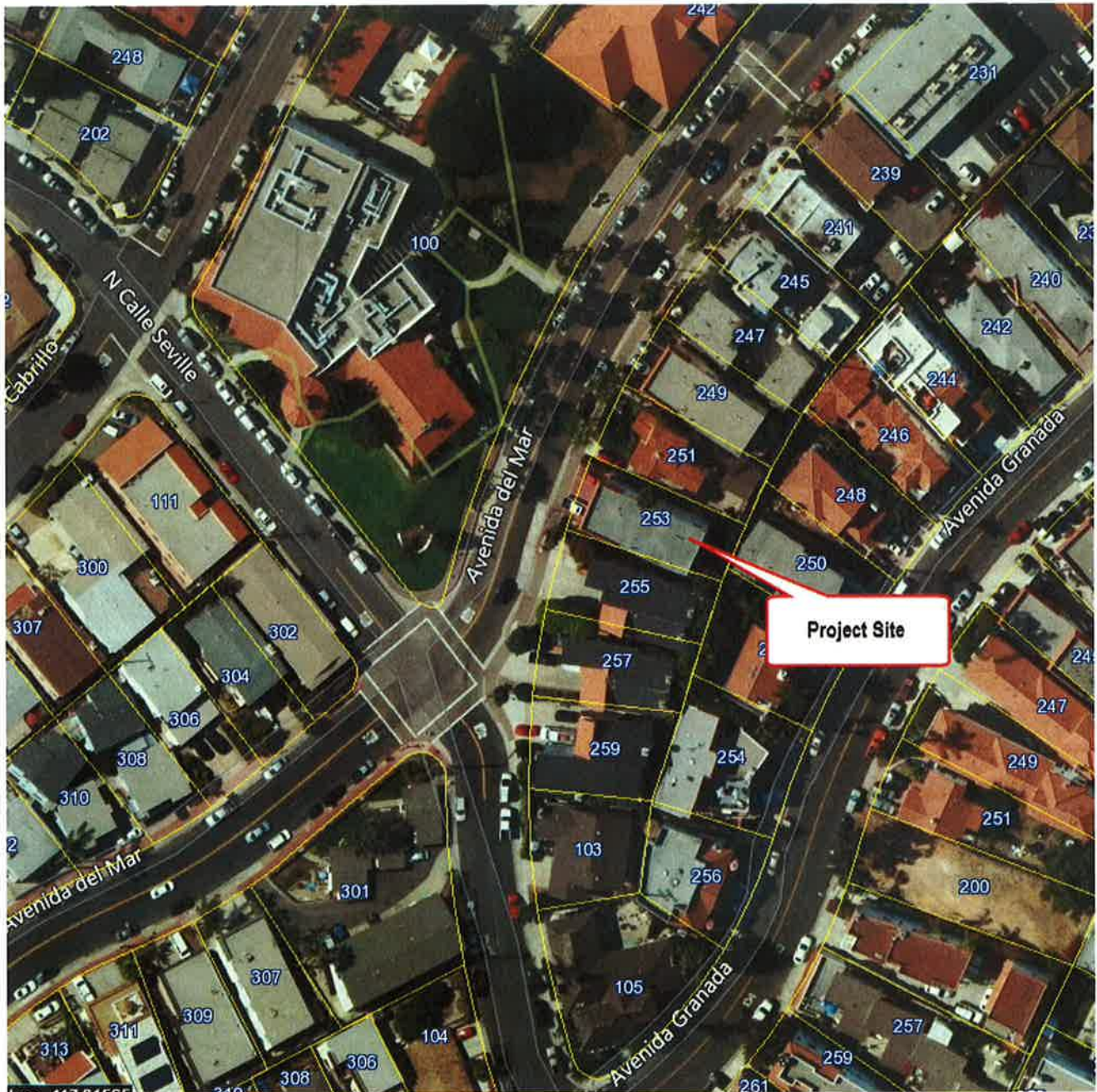
- Denotes a modified standard Condition of Approval
- ■ Denotes a project specific Condition of Approval




# LOCATION MAP

# ATTACHMENT 2

MCHP 15-055, Cyr Remodel  
253 Avenida Del Mar



No scale 





## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: May 18, 2016

**PLANNER:** Amber Gregg, Senior Planner . *AG*

**SUBJECT:** Minor Cultural Heritage Permit 15-055 – Cyr Remodel, a request to consider a façade remodel, new covered balcony, and roof deck to the front of an existing triplex, located at 253 Avenida Del Mar, within the Mixed-Use zoning district and Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ)

### REQUIRED FINDINGS

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

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- A. The architectural treatment of the project complies with the San Clemente General Plan.
- B. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc.
- C. The architectural treatment of the project complies with the 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.

### BACKGROUND

The project site is a 3,989 square foot developed lot, with a 3,221 square foot triplex that was constructed in 1971. The development is a typical 1960-70's faux modern Spanish style with a three car garage facing the street. Exhibit 1 shows the property today.

**Exhibit 1- Existing Development**



The applicant is requesting a facade remodel to make the building more Spanish in design. The applicant is also proposing a wrap-around front balcony and roof deck. The project is located adjacent to two historic resources, the Fireside Room of the Community Center, and a historic structure located at 251 Avenida Del Mar. For information on the historic resources, the historic resource reports are provided under Attachments 3 and 4.

This is the first solely residential project within the Mixed-Use zoning district to utilize the Mixed-Use development standards, which allow for a zero front yard setback. The proposed remodel requires approval of a Minor Cultural Heritage Permit (MCHP). The Zoning Administrator typically decides minor applications, however, at the hearing the item was referred to the Planning Commission for action due to the location on Avenida Del Mar, it being adjacent to two historic resources, and it being the first residential structure to apply Mixed-Use setbacks. The Zoning Administrator expressed concerns with the deck not being consistent with Spanish Colonial Revival architecture. A copy of the Zoning Administrator Staff Report and minutes are provided under Attachment 5.

***Development Management Team review***

The Development Management Team (DMT) reviewed the project on March 26, 2015, June 25, 2015 and August 20, 2015, and supports the MCHP with the proposed conditions of approval.

***Noticing***

Public notification was completed in accordance with State Law and Municipal Code regulations. To date, staff has received several letters from Larry Culbertson in opposition of the proposed project, in addition Mr. Culbertson spoke in opposition of the project at the Zoning Administrator meeting. The letters are provided under Attachment 9.

**PROJECT DESCRIPTION**

The applicant is requesting a facade remodel to make the building more Spanish in design. The applicant is also proposing a wrap-around front balcony and roof deck. The façade remodel includes: re-stuccoing the building with a smooth white stucco, replacing the existing mansard roof with a more authentic looking roof with single barrel tiles and random mortar packing, and front trellis. Traditional architectural details proposed include: wrought-iron railings, terra cotta clay tile wall cap, decorative tile accents, and Spanish light fixtures.

The proposed balcony is 532 square feet and at its closest point will be nine inches from the front property line. The proposed roof deck is 450 square feet and will be minimally visible from the public right-of way. See Exhibit 2 for proposed design.

**Exhibit 2- Proposed Design**



***Development Standards***

The project meets development standards as shown in Table 1 below.

**Table 1 – Development Standards**

	<b>Development Standard</b>	<b>Proposed Project</b>	<b>Complies</b>
Height (Maximum)	45'	23'-3"	Yes
Setbacks (Minimum):			
Front	0'	9"	Yes
Side	0'	0'	Yes
Rear	0'	8'-9"	Yes
Lot Coverage (Maximum)	100%	Approx. 60%	Yes
Required Parking (Minimum):	7 spaces	6 spaces (3 garage & 3 driveway)	Yes Legal nonconforming

**ANALYSIS**

Per Zoning Ordinance Section 17.56.020, Architectural Overlay District, the architectural overlay's purpose is to signify a visually distinct district in San Clemente, containing structures characterized by two significant design orientations: 1) the City's traditional architectural style, Spanish Colonial Revival, and 2) a pedestrian orientation. The goals for areas with this designation are as follows:

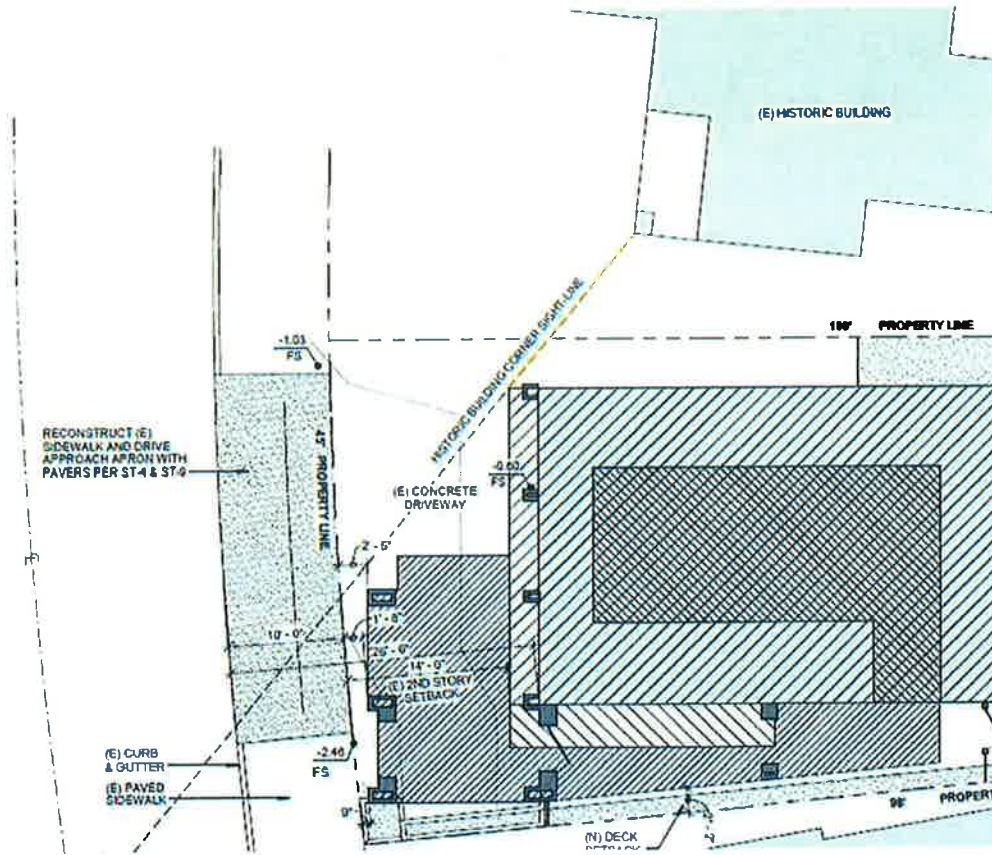
1. To maintain and enhance the unique "Spanish-Village-by-the-Sea" character of specific areas of the City;
2. To maintain a high quality of design consistent with the City's history;
3. To require that new and renovated buildings within the overlay district be designed to reflect the City's Spanish Colonial Revival heritage in accordance with the urban design element and design guidelines;
4. To require site and structural development that exemplifies the Ole Hanson era, and, at the same time, allow creative interpretation of Spanish Colonial Revival architecture;
5. To provide for the development of commercial and mixed-use (integrating commercial with residential) districts characterized by a high level of pedestrian activity;
6. To require that structures located in these areas be sited and designed to enhance pedestrian activity along sidewalks.

The remodel of the faux modern Spanish building towards a more traditional Spanish design would enhance the unique Spanish-Village-by-the-Sea character of the area. The project also brings the development closer to the public right-of-way, which may enhance the pedestrian atmosphere. Design features that improve the pedestrian orientation include: decorative Catalina tiles (to be approved by the City Planner prior to installation) on the new entry element adjacent to the sidewalk, decorative light fixture, and landscaping.

However, the project is adjacent to historic resources and massing impacts of the proposed project needs to be taken into consideration. Given the Fireside Room is across the street, staff does not anticipate massing impacts to that resource. Massing however could impact the adjacent historic structure. To analyze potential impacts, the applicant created an exhibit showing line of sight impacts. The applicant designed the proposed balcony to not intensify massing impacts by keeping it from breaching the existing sight line. See Exhibit 3 for details.



**Exhibit 3- Massing Study and Sightline of Adjacent Historic Resource**



The project complies with the goals for the Del Mar and Downtown Core outlined in the City's General Plan which states, " Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of the residents and visitors." The project improves the development's consistency with the Architectural Overlay, and incorporates new elements that create pedestrian scale improvements by utilizing the driveway space for something other than paving. However, there is a concern about the project meeting finding number four, on how the project relates to the existing character of the neighborhood. Further up Avenida Del Mar the majority of developments are constructed on the front property line. However, in this segment of Avenida Del Mar, the developments are setback from the front property line. See Exhibit 4 for details (project site has a blue star for reference).

**Exhibit 4- Existing Setback of the Surrounding Area**

The project is located in the center of seven developments that have approximately 12-20 foot front yard setbacks. The setback area mainly provides driveways. As stated previously, the project is located in the Mixed-Use zoning district, which permits zero front yard setbacks. Based on the development standards it could be anticipated that this segment of residential developments will be redeveloped with a zero front yard setback, and this is just the first development to do so. Since this is the first development, it is anticipated the streetscape will change over time as other properties redevelop to the new setback standards.

Since the Zoning Administrator referred the project to Planning Commission, the Commission has had a study session concerning stand alone residential in the downtown Mixed-Use zoning district. A copy of the memorandum reviewed at that session is provided under Attachment 10. The study session provided direction that the general appearance of the developments should be in keeping with the neighborhood. The project is in keeping with the character of the developments within the downtown mixed-use zoning district and along Avenida Del Mar. However, there is some question as to if the project is in character with the immediate developments.

**Architecture**

The project is a Spanish design with some Spanish Colonial Revival details. However, because it is a conversion of a contemporary Spanish building full Spanish Colonial Revival architecture is not achievable. The applicant incorporated as many Spanish Colonial Revival components as possible, including: refinishing the building with a smooth white stucco, modifying the roof with single barrel tiles and random mortar packing, wrought iron details, wood trellises, and column details. The applicant tried to make the

supporting balcony columns as thick as possible providing more visual support to the deck, but the location of the garage doors constrained the thickness of the columns.

The Zoning Administrator noted that the remodel was an improvement to the building, but was concerned with the proportions of the balcony to the structure. He noted that typically developments on Avenida Del Mar are held to the highest Spanish Colonial Revival standards, and the scale of the balcony was not consistent with Spanish Colonial Revival proportions. He informed the applicant that if the front balcony was reduced in size, and proportional in scale with the building, he could be in support of the remodel.

**DESIGN REVIEW SUBCOMMITTEE REVIEW:**

The Design Review Subcommittee (DRSC) reviewed this project on three separate occasions, the staff reports and minutes from those meetings are provided under Attachments 6, 7 and 8. DRSC’s last review was on January 27, 2016 and they had the following comments on the proposed design:

- Discussed architectural options to help simplify the design of the proposed deck.
- Requested a tile sample be provided when reviewed by the Zoning Administrator.
- Expressed concern as to how close the deck was to the sidewalk, but noted that the project is within the development standards of the Mixed Use zone and no exceptions are being requested.

In response to the DRSC’s comments the applicant has removed a portion of the trellis to simplify it and stated the tile will be a Catalina design that will be approved by the City Planner prior to installation.

**GENERAL PLAN CONSISTENCY**

Table 2 summarizes how the proposed use is consistent with General Plan goals and policies.

**Table 2 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<p>LU-1.05. <b><i>Multi-Family Residential Uses.</i></b>            We require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character in accordance with the Urban Design Element and Zoning Code.</p>	<p>Consistent. The proposed project will remodel the existing triplex to reflect a Spanish design more consistent with goals of the Architectural overlay.</p>



Policies and Objectives	Consistency Finding
<p>LU-3.05. <b>Stand Alone Residential Uses.</b> In Mixed Use areas MU3.1, MU3.3, and MU5, stand-alone residential uses are permitted. In these areas, we require stand-alone dwellings to be compatible with adjacent commercial and mixed uses and with adjacent neighborhoods.</p>	<p>Consistent. The project was designed to be compatible with adjacent commercial and mixed-use developments, as well as the adjacent historic resources.</p>
<p>HP-2.06. <b>New Development.</b> 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.</p>	<p>Consistent. The proposed project is a two-story development adjacent to a two-story historic resource. The project will not impact views of the resource from the public right-of-way, and the new development will be remodeled to a Spanish style that will be compatible with the historic mixed-use building.</p>

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

The Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends the Planning Commission determine this project categorically exempt from CEQA as a Class 32 exemption pursuant to CEQA Guidelines Section 15332, because the project involves non-living space additions to an existing triplex and for the following reasons; 1) the project is consistent with the general plan and Zoning Ordinance, 2) the site is a developed urbanized area, the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and 3) the site is served by utilities and public service.

**CONCLUSION**

The project is located in the Architectural and Central Business District Overlay, which promote pedestrian oriented developments. Driveways are not pedestrian oriented, however, without a complete teardown of the development the driveways will remain. The applicant has incorporated a balcony that will provide an outdoor living space. The balcony support and entry feature incorporate pedestrian scaled architectural details to enhance the pedestrian orientation of the development. The location of the balcony is placed to not impact the visibility of the adjacent historic resource, however if the front portion of the proposed deck were reduced to be in scale with typical Spanish Colonial Revival design guidelines, the development would better exemplify Spanish Colonial Revival architecture.

Staff's position is that the applicant has modified the building to meet the goals of the Mixed-Use zoning district, the Architectural Overlay, the Central Business District, and the Minor Cultural Heritage Permit. They comply with all development standards and have not increased massing impacts to the adjacent historic property. Staff believes that the required findings can be supported based on the General Plan goals for Del Mar and that this is the first redevelopment in the immediate area that is implementing recently approved Mixed-Use development standards.

**ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

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

*This is the recommended action, and would result in approval of the project.*

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; modifications could include removing the front balcony, setting it back from the public right of way, and/or changes to the buildings other features.*

3. The Planning Commission can deny the proposed project.

*This action would result in denial of the proposed project; the applicant would be able to appeal the decision to the City Council.*

**RECOMMENDATION**

STAFF RECOMMENDS THAT the Planning Commission approve MCHP 15-055, Cyr Remodel, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution PC16-019  
Exhibit 1 Conditions of Approval
2. Location Map
3. Historic Resource Report Fireside Room
4. Historic Resource Report 251 Avenida Del Mar
5. Zoning Administrator Report and Minutes of April 6, 2016
6. Design Review Subcommittee Report and Minutes of September 23, 2015
7. Design Review Subcommittee Report and Minutes of November 11, 2015
8. Design Review Subcommittee Report and Minutes of January 27, 2016
9. Opposition letters from Larry Culbertson
10. Study Session Memorandum  
Plans

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
May 18, 2016 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA**

---

**1. CALL TO ORDER**

Vice Chair Ruehlin called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Wu led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Michael Blackwell, Wayne Eggleston, Michael Smith, Zhen Wu; Chair pro tem Barton Crandell, Vice Chair Jim Ruehlin

Commissioners Absent: Chair Donald Brown

Staff Present: Jim Pechous, City Planner  
Amber Gregg, Senior Planner  
Thomas Frank, Transportation Engineering Manager  
Matthew Richardson, Assistant City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS - None**

**5. MINUTES**

**A. Minutes from the Study Session of April 20, 2016**

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY COMMISSIONER BLACKWELL, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES OF THE STUDY SESSION OF APRIL 20, 2016, AS SUBMITTED BY STAFF.

**B. Minutes from the Study Session of May 4, 2016**

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO



APPROVE THE MINUTES OF THE STUDY SESSION OF MAY 4, 2016, AS SUBMITTED BY STAFF.

**C. Minutes from the Planning Commission Meeting of May 4, 2016**

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES OF THE MEETING OF MAY 4, 2016, AS SUBMITTED BY STAFF.

**6. ORAL AND WRITTEN COMMUNICATION – None**

**7. CONSENT CALENDAR**

**A. Proposed Parking Restriction on Calle Oso – Continued from 4/20  
(Frank)**

Consider a recommendation to the City Council proposing parking restrictions on Calle Oso

Public Comment:

Helen McCue, resident, thanked staff for providing notice in Spanish to the area's Latino residents and revising plans resulting in reduced loss of parking spaces; requested staff continue to review the street in attempt to further improve the situation; speculated the proposed parking restrictions will negatively impact parking on both Calle Oso and West Portal; requested staff red curb the radius on the south corner of Calle Oso and West Portal to enforce the corner parking restriction.

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO FORWARD TO CITY COUNCIL A RECOMMENDATION TO APPROVE PARKING RESTRICTION BETWEEN THE HOURS OF 7:30 A.M. TO 3:30 P.M. ON SCHOOL DAYS, ON THE NORTHEAST SIDE OF CALLE OSO FROM THE SCHOOL EXITING DRIVEWAY IN A NORTHERLY DIRECTION FOR A DISTANCE OF ONE-HUNDRED (100) FEET, AND REMOVE TIME RESTRICTIONS ON 70 FEET OF CURB FACE ON THE SOUTH SIDE OF CALLE OSO.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL]**

**8. PUBLIC HEARING**

**A. 253 Avenida Del Mar, Minor Cultural Heritage Permit 15-055, Cyr Remodel  
(Gregg)**

Public Hearing to consider a request for a façade remodel, new covered balcony and roof deck to the front of an existing triplex, located at 253 Avenida Del Mar, within the Mixed-Use zoning district and Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MUY3-A-P-CB-CZ)

Amber Gregg, Senior Planner, narrated a Power Point Presentation entitled, "Cyr Remodel, dated May 18, 2016." A copy of the Presentation is on file in Planning Division.

Iain Buchan, Structural Engineer and Design Consultant, discussed revisions/improvements made during the Design Review Subcommittee (DRSC) process; described existing design constraints.

Pete Cyr, resident, described desired amenities compelling design choices; commented that the majority of the buildings on his block have no front yard setbacks; discussed different variations of the design considered and then rejected.

Vice Chair Ruehlin opened the public hearing.

Larry Culbertson, resident, highlighted concerns he expressed in a letter dated May 18, 2016, opposing the proposed remodel due to potential that the project's massing, inadequate parking, and use as a vacation rental will negatively impact the adjacent historic structures.

Vice Chair Ruehlin closed the public hearing.

During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Proposed Engineering and Planning work together to improve sidewalk accessibility/eliminate potential for cars parked in the driveway to encroach into the sidewalk.
- Established from staff that although the property is zoned to allow it to have zero setbacks, due to its location adjacent and across the street from historic structures, the proposed design must avoid massing impacts on the historic residences.
- Suggested replacement of the proposed light over the entryway with another design element to avoid light proliferation due to adjacent street light.
- Suggested further narrowing/pull back of the front deck to increase visibility of adjacent historic structure.
- Suggested further review of the proposed design in order to reduce impacts to the historic structures and reduce impacts to the built environment.

- Opined the proposed remodel would render the structure incompatible with the neighborhood, have negative impacts on the historic structures, and set precedent for remodels of similar buildings.
- Suggested the scale/proportion of the new elements were not harmonious to the existing structure; suggested a more elegant approach.
- Recommended removing the trellises to make the remodel appear less bulky.
- Suggested replacing the proposed screening for the front deck with wrought iron to make the deck appear less obstructive.
- Suggested removal of the entryway archway for a simpler, less cluttered appearance.
- Concurred to continue the agenda item to a future meeting to allow staff to work with the applicant to revise design based on Commission input.

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY COMMISSIONER BLACKWELL, AND UNANIMOUSLY CARRIED TO CONTINUE 253 AVENIDA DEL MAR, MINOR CULTURAL HERITAGE PERMIT 15-055, CYR REMODEL, TO THE REGULAR MEETING OF JUNE 22, 2016.

**[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]**

## **9. NEW BUSINESS**

### **A. Avenida Pico Striping (Frank)**

Consider a recommendation to the City Council proposing restriping of Avenida Pico between The Courtyards and the eastern end.

Thomas Frank, Transportation Engineering Manager, narrated a PowerPoint Presentation entitled, "Avenida Pico Restriping, dated May 18, 2016." A copy of the Presentation is on file in Engineering Division.

#### Public Comment:

Brenda Miller, resident, provided statistics indicating the proliferation of bicyclists' deaths/injuries; discussed Orange County's low rankings for traffic hazards/poor driver behaviors; supported staff's proposal as an opportunity to integrate multi-model strategies on City streets.

Bret Gross, resident, supported the proposed restriping as it will not be any different for car traffic yet save money for the City and encourage the public to consider alternative ways of travel.

Bill Redding, resident, opposed the proposed restriping due to degrading of the traffic lanes as a reduced number of lanes will have to handle the same amount of traffic as well as potential for

PRIMARY RECORD

Trinomial  
NRHP Status Code 5B

Other Listings

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 3

Resource Name or #: 100 N CALLE SEVILLE

P1. Other Identifier: Community Center / Community Clubhouse

P2. Location:  Not for Publication  Unrestricted a. County Orange  
and (P2b and P2C or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad Date T; R; 1/4 of 1/4 of Sec ; B.M.

c. Address 100 E Calle Seville/242 Avenida Del Mar City San Clemente

Zip 92672

d. UTM: Zone ; mE/ mN

e. Other Locational Data: Assessor Parcel Number: 058-111-55

P3a. Description:

The property contains a one-story community center with an irregular plan and wood-frame construction. Designed in the Spanish Colonial Revival style, it has low-pitched gable-on-hip, flat and conical tower roofs with non-original clay tiles and exposed structural elements, including exposed rafter tails and projecting roof beams. The exterior walls are clad with non-original stucco. The property is defined by the main one-story building, with hip, clay tile roof and a wraparound porch which extends along both sides of the main building, with heavy stucco porch supports, non-original metal balustrades and some original Mexican tile. A small portion of this porch has been enclosed. A stucco chimney is situated in the front gable of the hipped roof, with decorative brick flue. A rounded two-story tower is located at the Calle Seville rear corner of the property, and a substantial one-story addition is located at the rear of the property. The fenestration consists of both original and non-original windows throughout the building. The original structure was largely destroyed by fire in 1971, except for the Ole Hanson Room along Avenida Del Mar. The facility was substantially rebuilt and expanded in 1972. The building is in good condition. Its integrity is fair.

P3b. Resources Attributes: 13 Community Center/Social Hall

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



P5b. Description of Photo:

South elevation, north view. May 2006.

P6. Date Constructed/Age and

Sources:  Historic  Both  
 Prehistoric

1927 (F)

P7. Owner and Address:

City Of San Clemente  
100 Avenida Presidio, San Clemente Ca  
92672- 3100

P8. Recorded by:

Historic Resources Group, 1728  
Whitley Avenue, Hollywood, CA  
90028

P9. Date Recorded: 8/8/2006

P10. Survey Type:

City of San Clemente Historic  
Resources Survey Update

P11. Report Citation: None.

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



# CONTINUATION SHEET

Page 3 of 3

Resource Name or #: 100 N CALLE SEVILLE

Recorded by: Historic Resources Group

Date: 8/8/2006

Continuation  Update

**Photographs of the Subject Property, Continued:**





PRIMARY RECORD

Trinomial  
NRHP Status Code 3D

Other Listings

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 3

Resource Name or #: 251 Avenida Del Mar

P1. Other Identifier:

P2. Location:  Not for Publication  Unrestricted a. County ORANGE  
and (P2b and P2C or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad Date T; R; 1/4 of 1/4 of Sec ; B.M.

c. Address 251 AVENIDA DEL MAR City SAN CLEMENTE

Zip 92672

d. UTM: Zone ; mE/ mN

e. Other Locational Data: Assessor Parcel Number: 058-112-07

P3a. Description:

The property contains a one- and two-story single family residence with a L-shaped plan and wood-frame construction. Designed in the Spanish Colonial Revival style, it has low-pitched front-gable and side-gable roofs with clay tiles and exposed structural elements, including exposed rafter tails and projecting roof beams. A recessed entry porch is accessed by an arched opening from the driveway. The two-story section is located at the corner of the L-shape, with an exterior stucco chimney located on this end wall. The exterior walls are clad with smooth stucco, with a textured pattern. The fenestration consists of original double-hung and casement wood windows throughout the residence. The residence is in good condition. Its integrity is good.

P3b. Resources Attributes: 02 Single Family Property

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



P5b. Description of Photo:  
North elevation, south view. May 2006.

P6. Date Constructed/Age and Sources:  Historic  Both  Prehistoric

1927 (E) Tax assessor

P7. Owner and Address:  
Jerkunica, Ann  
22212 Paseo Del Sur, Laguna Beach Ca  
92651- 6912

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

P9. Date Recorded: 7/26/2006

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

P11. Report Citation: None.

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

# BUILDING, STRUCTURE, AND OBJECT RECORD

Resource Name or #: 251 Avenida Del Mar

- B1. Historic Name: Unknown.
- B2. Common Name: Unknown.
- B3. Original Use: Single-family Residential
- B4. Present Use: Single-family Residential
- B5. Architectural Style: Spanish Colonial Revival
- B6. Construction History: Unknown.

B7. Moved?  No  Yes  Unknown      Date: Original Location:

B8. Related Features:

- B9a. Architect: Unknown.      b. Builder: Unknown.
- B10. Significance: Theme Ole Hanson/Spanish Village by the Sea      Area San Clemente  
Period of Significance 1925-1936      Property Type Residence      Applicable Criteria A

This one- and two-story single-family residence was built in 1927. This property is a typical example of the Spanish Colonial Revival style as represented in San Clemente. This property appears eligible as a contributor to a potential National Register district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development. It also appears eligible at the local level as a contributor to a potential historic district. It is recommended for retention on the Historical Structures List.

B11. Additional Resource Attributes: 02 Single Family Property

B12. References: Historic Resources Inventory Form, Leslie Heumann & Associates, 1995

B13. Remarks: (none)

B14. Evaluator: Historic Resources Group, Hollywood, CA  
Date of Evaluation: 7/26/2006

(This space reserved for official comments.)



# CONTINUATION SHEET

Page 3 of 3

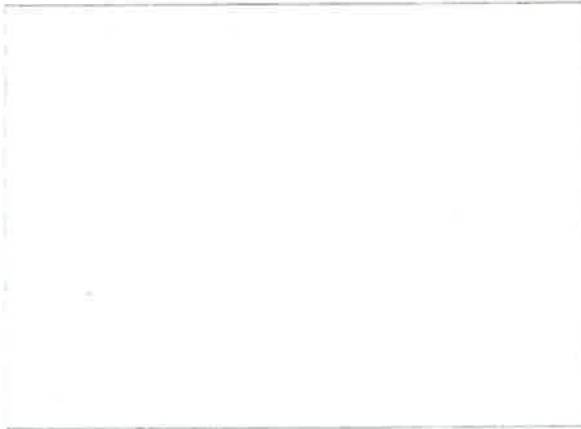
Resource Name or #: 251 Avenida Del Mar

Recorded by: Historic Resources Group

Date: 7/26/2006

Continuation  Update

**Photographs of the Subject Property, Continued:**





## **STAFF REPORT**

### **SAN CLEMENTE ZONING ADMINISTRATOR**

Meeting Date: April 6, 2016

---

**PLANNER:** Amber Gregg, Senior Planner

**SUBJECT:** Minor Cultural Heritage (MCHP) Permit 15-055 – Cyr Remodel, a request to consider a façade remodel, new covered balcony, and roof deck to the front of an existing triplex.

**LOCATION:** 253 Avenida Del Mar

**ZONING/GP:** Mixed-Use within the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ)

**BACKGROUND:**

- The project site is a 3,989 square foot developed lot, with a 3,221 square foot triplex that was constructed in 1971. The development is a typical 1960-70's faux modern Spanish style with a three car garage facing the street. Exhibit 1 shows the property today.

**Exhibit 1- Existing Development**



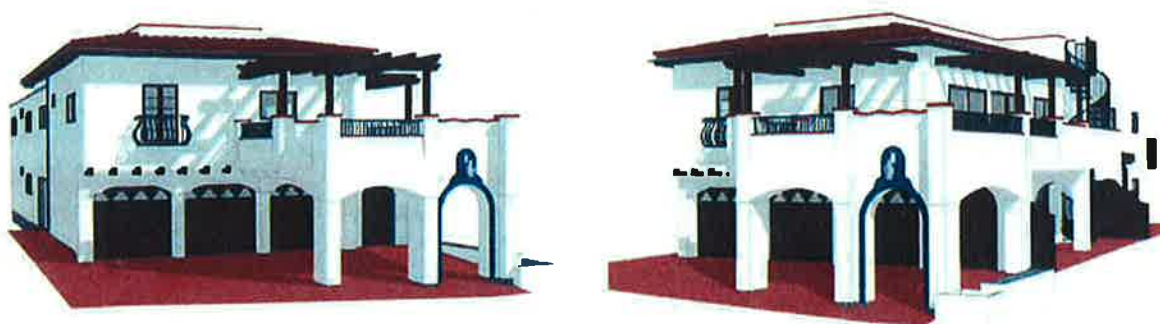
- The project is located adjacent to two historic resources, the Fireside Room of the Community Center, and a historic home located at 251 Avenida Del Mar. For information on the historic resources, the historic resource report is provided under Attachments 3 and 4.
- This is the first solely residential project within the Mixed-Use zoning district to utilize the mixed use development standards which allow for zero front yard setbacks.



**REQUEST:**

- The applicant is requesting a facade remodel to make the building more Spanish in design. The applicant is also proposing a wrap-around front balcony and roof deck.
- The façade remodel includes: re-stuccoing the building with a smooth white stucco, replacing the existing mansard roof with a more authentic looking roof with single barrel tiles and random mortar packing, and front trellis. Traditional architectural details proposed include: wrought-iron railings, terra cotta clay tile wall cap, decorative tile accents, and Spanish light fixtures.
- The proposed balcony is 532 square feet and at its closest point will be nine inches from the front property line. The proposed roof deck is 450 square feet and will be minimally visible from the public right-of way. See Exhibit 2 for proposed design.

**Exhibit 2- Proposed Design**



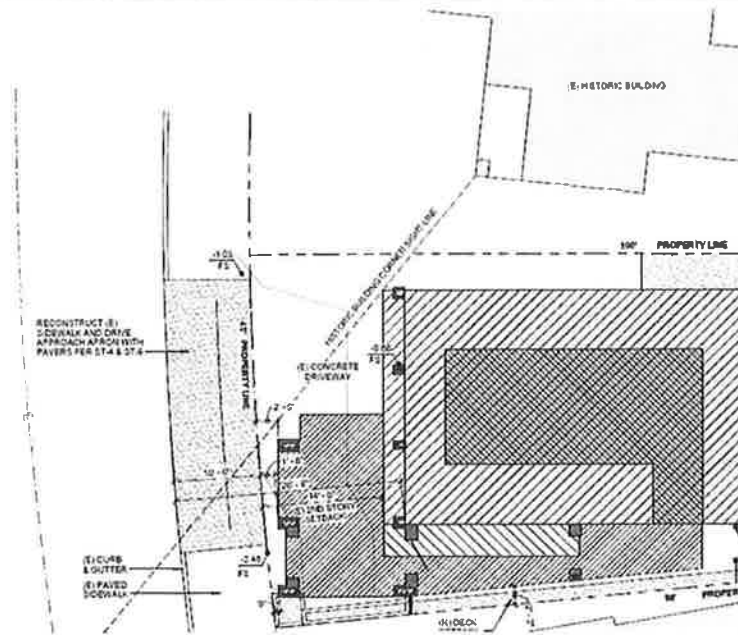
**ANALYSIS:**

- Per Zoning Ordinance 17.56.020, Architectural Overlay District, the architectural overlay's purpose is to signify a visually distinct district in San Clemente, containing structures characterized by two significant design orientations: 1) the City's traditional architectural style, Spanish Colonial Revival, and 2) a pedestrian orientation. The goals for areas with this designation are as follows:
  1. To maintain and enhance the unique "Spanish-Village-by-the-Sea" character of specific areas of the City;
  2. To maintain a high quality of design consistent with the City's history;
  3. To require that new and renovated buildings within the overlay district be designed to reflect the City's Spanish Colonial Revival heritage in accordance with the urban design element and design guidelines;
  4. To require site and structural development that exemplifies the Ole Hanson era, and, at the same time, allow creative interpretation of Spanish Colonial Revival architecture;
  5. To provide for the development of commercial and mixed-use (integrating commercial with residential) districts characterized by a high level of pedestrian activity;



- 6. To require that structures located in these areas be sited and designed to enhance pedestrian activity along sidewalks.
- The remodel of the faux modern Spanish building towards a more traditional Spanish design would enhance the unique Spanish-Village-by-the-Sea character of the area. The project also brings the development closer to the public right-of-way which may enhance the pedestrian atmosphere. Design features that improve the pedestrian orientation include: decorative Catalina tiles (to be approved by the City Planner prior to installation) on the new entry element adjacent to the sidewalk, decorative light fixture, and landscaping.
- However, the project is adjacent to historic resources and massing impacts of the proposed project needs to be taken into consideration.
- Given the Fireside Room is located across the street, staff does not anticipate massing impacts on that resource. The adjacent historic home however could be impacted by massing. To analyze potential impacts, the applicant created an exhibit showing line of sight impacts. The applicant designed the proposed balcony to not intensify massing impacts by keeping it from breaching the existing sight line. See Exhibit 3 below.

**Exhibit 3- Massing Study and Sight line of Adjacent Historic Resource**



- The following findings are applicable to the requested MCHP:
  1. The architectural treatment of the project complies with the San Clemente General Plan;
  2. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc.;
  3. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines;

4. The general appearance of the proposal is in keeping with the character of the neighborhood; and
  5. The proposal is not detrimental to the orderly and harmonious development of the City.
  6. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish Village.
  7. The proposed project will not have negative visual or physical impacts upon the historic structure.
- The project complies with the goals for the Del Mar and Downtown Core outlined in the City's General Plan which states " Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of the residents and visitors" in that the project improves the development to be consistent with the Architectural Overlay and incorporates new elements that create Pedestrian scale improvements by utilizing the driveway space for something other than paving.
  - However, there is a concern about the project meeting finding number four, concerning the project as it relates the existing character of the neighborhood.
  - Further up Del Mar the majority of the developments are constructed on the front property line. However, in this stretch of Del Mar, the developments are setback from the front property line. See Exhibit 4 for details (project site has a blue star for reference).

#### **Exhibit 4- Existing Setback of the Surrounding Area**



- The project is located in the center of various developments that have approximately 12-20 foot front yard setbacks. The setback area mainly provides driveways.

- As stated previously, the project is located in the Mixed-Use zoning district which permits zero front yard setbacks. Based on the development standards it could be anticipated that all developments in the area could be developed with a zero front yard setback, and this is just the first development in the immediate area to do so.
- Since this is the first development, the streetscape in the immediate area will change over time as other properties re-develop.

**DESIGN REVIEW SUBCOMMITTEE REVIEW:**

- The Design Review Subcommittee (DRSC) reviewed this project on three separate occasions. Their last review was on January 27, 2016 and they had the following comments on the proposed design:
  - Discussed architectural options to help simplify the design of the proposed deck.
  - Requested a tile sample be provided when reviewed by the Zoning Administrator.
  - Expressed concern as to how close the deck was to the sidewalk, but noted that the project is within the development standards of the Mixed Use zone and no exceptions are being requested.
  - Concurred that the project should remain in the Zoning Administrator purview and did not recommend it be reviewed by Planning Commission.
  - Concurred the project should move forward to Zoning Administrator after the modifications are made.
- The applicant removed a portion of the trellis to simplify it and will provide a sample of a tile at the Zoning Administrator meeting.

**CONCLUSION:**

- The project is located in the Architectural and Central Business District Overlay which promote pedestrian oriented developments. Driveways are not pedestrian oriented, however, without a complete teardown of the development the driveways will remain.
- The applicant has incorporated a balcony that will provide an outdoor living space. The balcony support and entry feature incorporate pedestrian scaled architectural details, as discussed above, to enhance the pedestrian orientation of the development. The location of the balcony is placed to not impact the visibility of the adjacent historic resource.
- Staff's position is that the applicant has modified the building to meet the goals of the Mixed Use zoning district, the Architectural Overlay, the Central Business District, and the Minor Cultural Heritage Permit. They comply with all development standards and have not increased massing impacts to the adjacent historic property.
- Staff believes that finding number four can be supported based on the General Plan goals for Del Mar and that this is the first re-development in the immediate area that is implementing recently approved Mixed-use development standards.

**RECOMMENDATION**

STAFF RECOMMENDS THAT the Zoning Administrator approve MCHP 15-055, Cyr Remodel, subject to the attached Resolution and Conditions of Approval.

**Attachments:**

1. Resolution ZA16-010  
    Exhibit 1      Conditions of Approval
2. Location Map
3. Historic Resource Report Fireside Room
4. Historic Resource Report 251 Avenida Del Mar
5. Design Review Subcommittee Report and Minutes of September 23, 2015
6. Design Review Subcommittee Report and Minutes of November 11, 2015
7. Design Review Subcommittee Report and Minutes of January 27, 2016  
Plans

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR  
ZONING ADMINISTRATOR MEETING  
April 6, 2016**

**1. CALL TO ORDER**

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on April 6, 2016 at 3:00 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, California, by Zoning Administrator Jim Pechous

Staff Present: Jim Pechous, Zoning Administrator (ZA); Amber Gregg, Senior Planner; John Ciampa, Associate Planner; Cliff Jones, Associate Planner; and Meredith Scott, Administrative Assistant

**2. MINUTES**

The minutes of the Zoning Administrator meeting of March 2, 2016 were approved.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARINGS**

**A. 253 Avenida Del Mar – Minor Cultural Heritage Permit 15-055 – Cyr Remodel (Gregg)**

Public Hearing to consider a request to consider a façade remodel, new covered balcony, and a roof deck to the front of an existing triplex.

Senior Planner Amber Gregg summarized the staff report.

Applicant Cyr stated that he feels the project meets all setback and zoning requirements. Applicant feels that currently, the building is an unattractive big box, and that they will be making the building much more attractive in a Spanish revival style. Applicant's goal as owner/occupant unit is to have outdoor space. Applicant feels that the current design is a good solution that accounts for the historical building, look, feel and architecture of the building.

ZA Pechous opened the public hearing.



Larry Culbertson stated that he feels this project should be a Cultural Heritage Permit and not a Minor Cultural Permit due to his perceived effect on a historic resource, compatibility with respect to mass and parking ramifications. Mr. Culbertson asked that this project be passed on to the Planning Commission for their review.

ZA Pechous closed the public hearing.

ZA Pechous stated that this project is a unique situation for three reasons that trigger a Minor Cultural Heritage Permit.

1. It is located on Avenida Del Mar, which is one of the more important architectural areas in the City
2. It is next to two historic buildings
3. It is the first standalone residential project that will be using Mixed Use standards

ZA Pechous stated that if the project had only one of those situations, he would be fine approving the project as the Zoning Administrator, but due to the totality of the issues, it is important for the Planning Commission to weigh in on the project. He is concerned with the quality of the architecture and how it would fit in with the downtown area. He stated that it feels out of place.

ZA Pechous recommended that this project be forwarded to the Planning Commission for review. ZA Pechous then asked the applicant if they would be willing to remove the front deck and just have the roof top deck, as he would find the item appropriate for Zoning Administrator review. Applicant Cyr declined and requested Planning Commission review.

Action: Zoning Administrator Pechous recommended Minor Cultural Heritage Permit 15-055 – Cyr Remodel, be forwarded to the Planning Commission for review.

**B. Minor Architectural Permit 16-008 – 211 West Avenida Gaviota, Kandelman Residence**

Public Hearing to consider a request to consider a 753 square foot addition to a nonconforming single family residence. Residential Low Density zoning district and Coastal Zone Overlay (RL-CZ).

Associate Planner Cliff Jones summarized the staff report.

ZA Pechous opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.



## Design Review Subcommittee (DRSC)

Meeting Date: September 23, 2015

**PLANNER:** Amber Gregg, Associate Planner

**SUBJECT:** Minor Cultural Heritage Permit 15-055, Cyr Remodel, a request to add a new covered balcony to the front of an existing triplex located at 253 Avenida Del Mar. The project zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

### **BACKGROUND:**

The proposed project is a two-story, triplex located across the street from the historic Fireside Room of the Community Center, and is adjacent a historic house. The development is a 1960-70's post war modern style, with a three car garage facing the street. Exhibit 1 shows the property today.

### **Exhibit 1**



The applicant is proposing to add a second story balcony to the front of the development that would wrap the entire front of the building. A Minor Cultural Heritage Permit (MCHP) is required for exterior changes to developments in an Architectural Overlay. MCHP projects require Design Review Subcommittee (DRSC) review to evaluate the project's architectural compatibility with the Overlay. The purpose and intent of the Architectural Overlay is to signify a visually distinct district in San Clemente, containing structures

characterized by two significant design orientations: 1) the City's traditional architectural style, Spanish Colonial Revival, and 2) a pedestrian orientation.

Surrounding land uses include the community center located across the street to the north, commercial development to the east, and multifamily developments to the south and west.

**PROJECT DESCRIPTION:**

The applicant is proposing a wrap around front balcony; some portions will be covered with a single barrel tiled roof, with rest being open or lattice. The balcony will be constructed around the existing structure and totals 620 square feet. The existing mansard roof would be removed and replaced with a pitched single barrel tile roof with random mortar packing. The walls of the new structure would be treated with smooth white stucco, and the guardrails are proposed to be wrought iron and glass.

**RECOMMENDATIONS:**

It is a community goal and benefit when developments remodel to Spanish Colonial Revival architectural style in the Architectural overlays. The following recommendations are to help the exterior modifications better meet the goals of the City's Design Guidelines and Architectural Overlay, which are to maintain and enhance the Spanish Village by the Sea character.

1. ***Front and South Elevation, Deck Columns.*** The applicant is proposing thick, ornate columns on the second floor. This is a traditional detail but only when supported structurally and visual with a solid base below it. In this case, there is nothing to support the massing for the two columns above the wide opening which leads to the garage doors. The design is not traditional because the design would not have been feasible to construct with traditional materials. Staff recommends simplifying the design by eliminating the column mass. See detail below for examples of column designs.

**Exhibit 2**



2. **Front Elevation, Columns.** All columns are proposed as half columns. The columns need to be full square columns to be proportionally accurate and traditional in style.
3. **Front Elevation, Garage Doors.** The applicant is not proposing to modify the garage doors. Staff recommends that until such time that the doors are replaced they be painted dark brown to match the wood stain. In the future when the doors are replaced, they require staff review and will need to be of Spanish Colonial Revival style.
4. **Front Elevation, Trellis.** Applicant is proposing 4x4 open trellis members with 6x corbelled end. However the supporting post size is not noted. Staff recommends a minimum of 6x support posts.
5. **South Elevation, Guardrail.** The guardrail is proposed to be glass which not a traditional Spanish detail. Staff recommends utilizing wrought iron on all guardrails for consistency, and compliance with the Architectural overlay and Design Guidelines (wrought iron is used on the front elevation).
6. **North Elevation, Cornice.** The plans show a cornice detail painted dark brown. Staff recommends the detail remain white to blend with the building.
7. **North Elevation, Wing Walls.** The applicant is proposing wing walls along the side corridor. Wing walls are a traditional detail, however, in order to comply with Building Code the wing walls had to be separated from the building. The required separation joint creates a floating wing wall that is not a traditional detail. Staff recommends removing the wing wall all together and maintaining the arched arcade.
8. **Building Stucco.** The applicant is proposes a smooth white stucco on the front 1/3 of the duplex, while maintaining the existing textured stucco over the rest of the structure but painted to match the new stucco.
9. **Lighting.** Lighting is not proposed on the structure. Staff recommends lighting on the front elevation, flanking the garage doors, at the front entrance, and on the balcony. The light fixtures must be Spanish style and there will be a condition of approval requiring the fixture be approved prior to installation.
10. **Windows and Sliding Glass Doors.** The building currently has white vinyl windows and sliding glass doors. Wood or fiberglass windows and sliding glass doors is recommended by staff for the front façade, and staff is supportive of maintaining the existing condition on the side and rear. The applicant is proposing to maintain the windows and sliding glass doors as-is. Keeping the windows on

the front elevation will contrast with the stucco and improvements to the building and look out of place.

Overall the proposed modifications would benefit with more simplistic Spanish Colonial Revival elements. This may help to visually tie the new addition with the building rather than looking like an add-on balcony. In the current design the balcony dominates the building and is not in proportion with the structure. Staff seeks DRSC's comments and welcomes any feedback.

***Attachments:***

1. Location Map
2. Photos of Original Building
3. Photos of Existing conditions



**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
September 23, 2015**

Subcommittee Members Present: Bart Crandell, Jim Ruehlin and Wayne Eggleston

Staff Present: Jim Pechous, Cliff Jones and Sean Nicholas

**1. MINUTES**

Minutes from August 26, meeting were approved.

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

**A. Minor Cultural Heritage Permit 15-055, Cyr Roof Deck (Gregg)**

A request to add a new balcony to the front of an existing triplex located at 253 Avenida Del Mar. The project is zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

Associate Planner Amber Gregg summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- Concurred with all of staff's recommendations as noted in the staff report.
- The garage doors should be updated to match the remodel.
- Recommended squaring off the front deck.
- Recommended stuccoing the entire building versus the front third of the building.
- Requested details on the treatment of the driveway.
- Requested lighting on the building be pedestrian and dark skies friendly.

The Subcommittee recommended the project return to DRSC again due to the number of comments/concerns.

**B. Minor Cultural Heritage Permit 15-273, Bailey Residence (Ciampa)**

A request to remove an original window from a historic house located at 130 Avenida Pelayo within the Residential Medium (RM) zoning district, Assessor's Parcel Number 692-381-45.

Associate Planner John Ciampa summarized the staff report.

The Cultural Heritage Subcommittee (CHSC) made the following comments either individually or as a group:

- Requested the applicant maintain the window to the property because it is a character defining feature of the historic house.
- The window be left in place and the interior of the window be covered to allow the proposed kitchen remodel. This option would preserve the window to the exterior and would allow the kitchen remodel, as proposed.

The Subcommittee recommended the project move forward to Zoning Administrator for consideration.

**C. Cultural Heritage Permit 15-256, Hinsch Residence (Ciampa)**

A request to demolish an existing house and construct a new house, detached garage, and pool house that are adjacent to a historic house. The project is located at 200 Avenida La Cuesta.

Associate Planner John Ciampa summarized the staff report.

A member of the public, Larry Culbertson, requested that additional landscaping be installed to screen the project from the adjacent historic house.

The adjacent property owners, Wendy and Paul Rothenberg, requested the following:

- The project have a harmonious design with the historic house.
- Additional landscaping be installed to screen the project from their historic house.
- Remove the fire pit.
- Omitting the additional driveway as they thought it would be unsafe.
- The new house should be harmonious with the design of their house.

Design Review Subcommittee made the following comments either individually or as a group:

- The roof pitch should be modified to a 3/12.
- The rotunda at the front of the house appears out of proportion and should be modified to be balanced.
- The house design is very ornate and should be simplified to be a traditional Spanish Colonial Revival design.

- The windows should be simplified and vertically oriented. The larger windows should be located on the first floor and the smaller windows on the second floor to be a traditional Spanish Colonial Revival design.
- The inset molding design around the sliding doors on the rear (south) elevation of the house and the doors to the pool house are more decorative than what is typically used in Spanish Colonial Revival architecture. The design would be simplified by inseting the doors and eliminating the molding.
- The balconies should either be designed with wood or wrought iron railings, mixing the materials is not a traditional design.
- The arched bay window on the west elevation appears to intersect the eave. The window height should be lowered to provide adequate clearance from the eaves and roof.
- The existing vinyl fence should be removed and replaced with a traditional material fence or wall that does not have a negative impact on the historic house. Acceptable examples include wrought iron, wood, or a stucco wall.
- Have the traffic division review the additional driveway access point to ensure that it is safe.
- Include a detailed landscape plan that identifies the type of landscaping proposed across the street from the historic house.
- Save the mature tree at the front of the property, if possible.

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

**3. NEW BUSINESS**

None

**4. OLD BUSINESS**

None

**5. ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held October 14, 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: November 11, 2015

**PLANNER:** Amber Gregg, Associate Planner

**SUBJECT:** Minor Cultural Heritage Permit 15-055, Cyr Remodel, a request to add a new covered balcony to the front of an existing triplex located at 253 Avenida Del Mar. The project zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

### **BACKGROUND:**

On September 23, 2015 the DRSC reviewed the proposed project and provided feedback to the applicant. The applicant has incorporated the Subcommittees comments and seeks your review on the modifications.

The proposed project is a two-story, triplex located across the street from the historic Fireside Room of the Community Center, and is adjacent to a historic house. The development is a 1960-70's post war modern style, with a three car garage facing the street. Exhibit 1 shows the property today. For additional background information, please review the DRSC report of September 23, 2015 provided under Attachment 2.

### **PROJECT DESCRIPTION:**

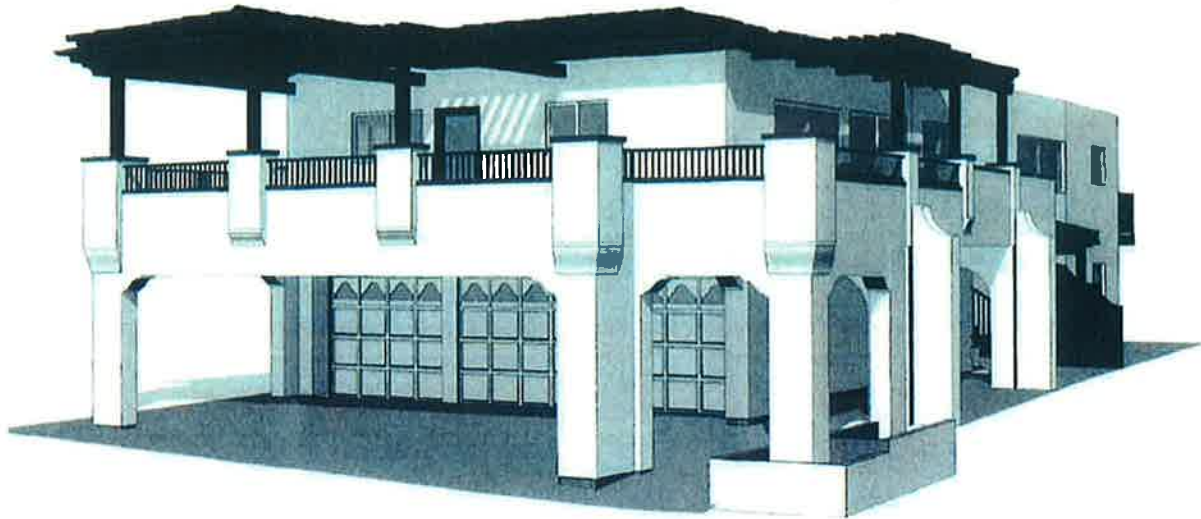
The applicant is proposing a wrap around front balcony; some portions will be covered with a single barrel tiled roof, some with a wood lattice, and the rest being open. The balcony will be constructed around the front of the building and is 620 square feet in area. The existing mansard roof would be removed and replaced with a pitched single barrel tile roof with random mortar packing. The entire duplex would be refinished in a smooth white stucco, and the guardrails are proposed to be wrought iron.

### **MODIFICATIONS AND RECOMMENDATIONS:**

It is a community goal and benefit when developments remodel to Spanish Colonial Revival architectural style in the Architectural overlays. Staff appreciates all the modifications since the previous DRSC review. Any recommendations provided are to help the exterior modifications better meet the goals of the City's Design Guidelines and Architectural Overlay, which are to maintain and enhance the Spanish Village by the Sea character.

The below exhibits show the previous and proposed renderings.

**Exhibit 1- Original Rendering**



**Exhibit 2- Proposed Rendering**



The following table identified the previous comments, how the applicant addressed the concerns, and any additional recommendations staff has regarding the detail.



**Table 1- Modifications and Recommendations**

<b>Detail</b>	<b>DRSC Comment</b>	<b>Proposed Modification</b>
Front- Deck Columns	Simplify the columns and eliminate massing.	<b>Modified as requested.</b> Columns were simplified and look less heavy.
Front-Supporting Columns	Columns are proposed as half columns and need to be full squares to be proportionally accurate and traditional.	<b>Not modified.</b> Renderings and plans still show half columns. Please modify to full square columns.
Front- Garage Doors	Modify the garage doors.	<b>Modified as requested.</b> The applicant has painted the garage doors dark brown to match the trim.
Front - Trellis	Recommended using a minimum of 6x posts.	<b>Modified as requested.</b> Posts are 6x with corbelled ends and 4x trellis members.
South Elevation-Guardrail	Proposing a mix of glass and wrought iron railing, DRSC recommended all wrought iron.	<b>Modified as requested.</b> All glass was removed and changed to wrought iron.
North Elevation-Cornice	Applicant proposed to paint the cornice dark brown, it was recommended it remain white.	<b>Not Modified.</b> Plans still show cornice as being dark brown.
North Elevation-Wing Walls	Not proposed as a traditional detail it was recommended they be removed.	<b>Modified as requested.</b> Wing walls have been eliminated from plans.
Building Stucco	Applicant originally proposed smooth stucco on a portion of the building.	<b>Modified.</b> Applicant has chosen to re-stucco the entire building to a smooth white finish.
Lighting	Decorative lighting should be shown on eh plans.	<b>Modified as requested.</b> Light fixtures have been added to the front elevation. The fixture shall be reviewed and approved by staff with a condition that they be dark skis friendly.
Windows and Doors	Building currently has white vinyl windows, recommendation was for wood or fiberglass windows and doors on the front elevation.	<b>Modified.</b> The applicant has stated that the vinyl windows are the type that can be painted and is proposing to paint all window and door surrounds dark brown to match the trim. Staff recommends that the front windows be modified to wood or fiberglass per City policy and is supportive of painting the windows

***Historic Resource and Massing***

At the previous DRSC review we did not discuss massing of the proposed deck and its effect on surrounding historic resources. There are two resources that abut the project. The Community Center, located across the street, and a historic single-family residence that is now a mixed-use development with a psychic reader.

It is not anticipated the proposed project will have massing impacts on the Fireside Room of Community Center because the project is located across the street, and the Fireside room is set back from the public right of way. Then looking at the Fireside Room, the potential visibility of the addition would be in the peripheral vision.

There are massing impacts to the historic resource located at 251 Avenida Del Mar. The deck will bring the building close to the property line, and reduce the existing sixteen foot front yard setback to approximately two feet. The impacts of the covered deck will not be as severe as a solid structure, but none the less there are impacts.

The General Plan states the following about development near historic resources:

*“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.*

Additions are also categorized as new development. Staff believes reorienting the solid covered portions of the deck away from the resource, and increasing the setback of the deck from the front property line, would reduce massing impacts to the historic resource. The following is a rendering showing the proposed modifications and the adjacent historic resource. For a larger image please see Attachment 5.

**Exhibit 3- Rendering with Historic Resource**



**CONCLUSION**

Staff is very supportive of the remodel of the existing multi-family development, and believes the site improvements and Spanish Colonial style will enhance the streetscape and pedestrian orientation of the development. The proposed architectural modifications result in a more simplistic Spanish Colonial Revival style and overall building cohesiveness. Unifying the architectural details over the entire building helps to visually tie the balcony to the building as opposed to feeling like an addition. The impacts of the deck on the adjacent historic resource are a concern and by relocating massing of the covered deck and reviewing the front setback, staff believes impacts can be minimized. Staff seeks DRSC's comments and welcomes any feedback.

***Attachments:***

1. Location Map
2. September 23, 2015 DRSC Report
3. Photos of Original Building
4. Photos of Existing conditions
5. Rendering with Historic Resource

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
November 11, 2015**

Subcommittee Members Present: Bart Crandell, Jim Ruehlin and Wayne Eggleston

Staff Present: Sean Nicholas and Amber Gregg

**1. MINUTES**

Minutes from October 28, 2015 meeting were approved.

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

**A. Minor Cultural Heritage Permit 15-055, Cyr Deck (Gregg)**

A request to add a new covered balcony to the front of an existing triplex located at 253 Avenida Del Mar. The project is zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

Planner Amber Gregg summarized the staff report and reviewed photo renderings of the proposed addition.

A member of the public, Larry Culbertson, read a letter summarizing his concerns with the scale and mass of the addition. Mr. Culbertson indicated that any addition to the property should attempt to showcase the adjacent historic resource at 251 Avenida Del Mar and not "box it in." A copy of the letter is on file at the Community Development Department.

The Design Review Subcommittee made the following comments either individually or as a group:

- Ensured the applicant was amenable to staff's architectural recommendations; he was.
- Concluded that the proposed deck needed to be setback significantly.
- Concurred the massing impact was too great on the adjacent historic resource.
- Discussed architectural options to help reduce massing and open up the deck visually.
- Concurred that if the design was not modified that they would recommend the Zoning Administrator elevate the application to the Planning Commission for consideration due to its prominent location.

The Subcommittee recommended the project return to Design Review Subcommittee after modifications were made.

**B. Architectural Permit 15-313/Site Plan Permit 15-315, Los Mares Façade Remodel (Nicholas)**

A request for a remodel of an existing commercial/office building located at 635 Camino de Los Mares in the Community Commercial (CC2) Zoning District.

Planner Sean Nicholas summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- Agreed with staff's comments.
- Were ok with no awnings being used if the wood features above the windows were real wood.
- Were open to the idea of using two shades of white to help offset the mass of the project.
- Even though signs are not a part of the project, recommended the applicant start looking at realistic locations and approaches to signs in order to not negatively impact the architecture.

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

**3. NEW BUSINESS**

None

**4. OLD BUSINESS**

None

**5. ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held December 9, 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: January 27, 2016

**PLANNER:** Amber Gregg, Senior Planner

**SUBJECT:** Minor Cultural Heritage Permit 15-055, Cyr Remodel, a request to add a new covered balcony and roof deck to the front of an existing triplex located at 253 Avenida Del Mar. The project zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

### **BACKGROUND:**

On September 23, 2015, the DRSC reviewed the proposed project and provided feedback to the applicant. On November 11, 2015, the DRSC reviewed the modified design and potential massing impacts on the adjacent historic property and provided feedback. The applicant believes they have incorporated the Subcommittee's comments and seeks DRSC review of the modifications.

The proposed project is a two-story, triplex located across the street from the historic Fireside Room of the Community Center, and is adjacent to a historic house. The development is a 1960-70's post war modern style development, with a three car garage facing the street. Exhibit 1 shows the property today. For additional background information, please refer to the DRSC reports and minutes of September 23, 2015 and November 11, 2015 provided under Attachments 2 through 5.

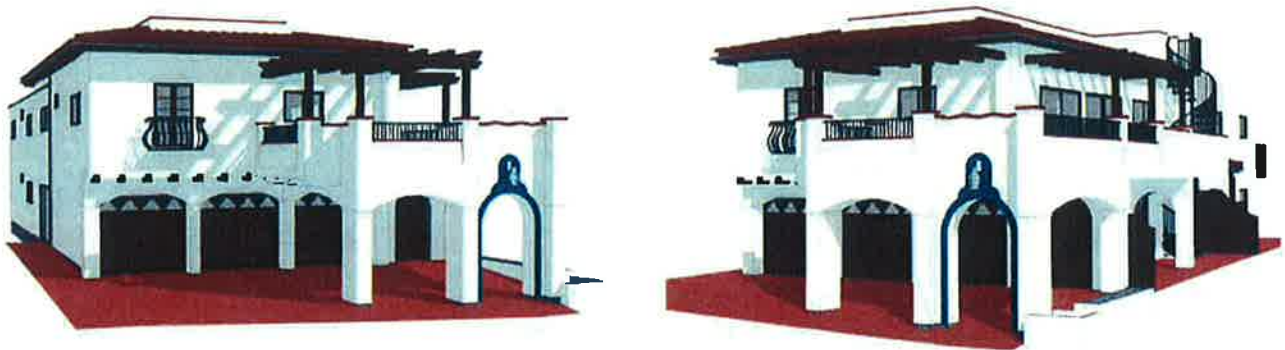
### **Exhibit 1- The Triplex Today**



**PROJECT DESCRIPTION:**

The applicant is proposing a wrap around front balcony covered by two pergolas, along with a roof deck. The balcony will be constructed around the front of the building and is 433 square feet in area (previous design was 620 square feet.) The roof deck is 450 square feet, and is accessed by a spiral staircase along the south-side of the building. The existing mansard roof would be removed and replaced with a pitched single barrel tile roof with random mortar packing. The entire duplex would be refinished in a smooth white stucco, and the guardrails are proposed to be wrought iron. Exhibit 1 is a rendering of the current design.

**Exhibit 1- Current Design**

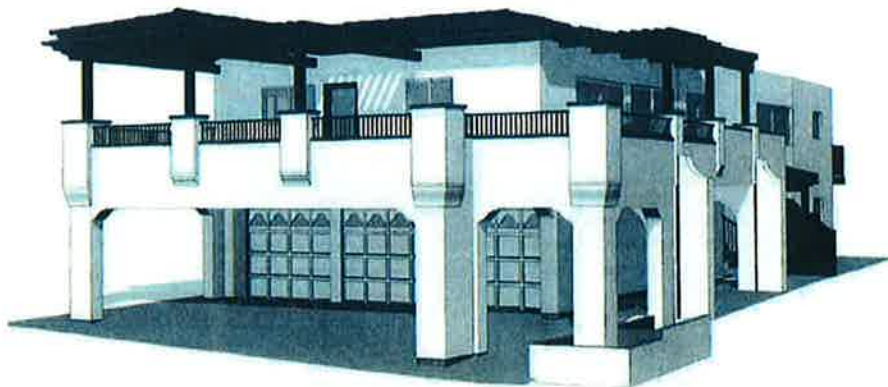


**MODIFICATIONS AND RECOMMENDATIONS:**

It is a community goal and benefit when developments remodel to Spanish Colonial Revival architectural style in the Architectural overlays. Staff appreciates all the modifications since the previous DRSC review.

The below exhibits show the previous renderings.

**Exhibit 2- Original Design**





**CONCLUSION**

Staff is supportive of the remodel of the existing multi-family development, and believes the site improvements and Spanish Colonial style will enhance the streetscape and pedestrian orientation of the development. The proposed architectural modifications result in a more simplistic Spanish Colonial Revival style and overall building cohesiveness. Unifying the architectural details over the entire building helps to visually tie the balcony to the building as opposed to feeling like an addition. The sight analysis and reduction of massing at the front of the building preserves views of the adjacent historic resource from the public right-of-way. Staff seeks DRSC's comments and welcomes any feedback.

***Attachments:***

1. Location Map
2. September 23, 2015, DRSC Report
3. September 23, 2015, DRSC Minutes
4. November 11, 2015, DRSC Report
5. November 11, 2015, DRSC Minutes
6. Photos of Original Building

Plans

These minutes were approved at the DRSC meeting of March 09, 2016.

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
January 27, 2016**

Subcommittee Members Present: Bart Crandell, Wayne Eggleston, Jim Ruehlin

Staff Present: Cliff Jones, Sean Nicholas, Amber Gregg

**1. MINUTES**

The minutes of the Design Review Subcommittee meeting of January 13, 2016 were approved.

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

**A. 429 North El Camino Real – Minor Cultural Heritage Permit 15-291 – Sonny’s Pizza Roof Screening (Nicholas)**

A request to consider roof screen walls to conceal roof equipment for Sonny’s Pizza located at 429 North El Camino Real within the Mixed-Use zoning designation with a Central Business District and Architectural overlay (MU3-CB-A).

Associate Planner Sean Nicholas summarized the staff report and clarified the materials to be used for the roof screening.

The Design Review Subcommittee inquired whether the equipment would be fully screened. Planner Nicholas confirmed that the equipment would be fully screened.

The Subcommittee expressed support for the project, with the modifications recommended by staff, and recommended it move forward to the Zoning Administrator for consideration.

**B. 253 Avenida Del Mar – Minor Cultural Heritage Permit 15-055 – Cyr Deck (Gregg)**

A request to add a new covered balcony and roof deck to the front of an existing triplex located at 253 Avenida Del Mar. The project is zoned Mixed-Use and is in the Architectural, Pedestrian, Central Business District, and Coastal Zone Overlays (MU3-A-P-CB-CZ).

Senior Planner Amber Gregg summarized the staff report. A member of the public, Larry Culbertson, read a letter summarizing his concerns with the scale and mass of the addition. Mr. Culbertson also had concerns



regarding the properties use as a vacation rental and parking impacts on the neighborhood. A copy of the letter is on file at the Community Development Department.

The Design Review Subcommittee made the following comments either individually or as a group:

- Discussed architectural options to help simplify the design of the proposed deck.
- Requested a tile sample be provided when reviewed by the Zoning Administrator.
- Expressed concern as to how close the deck was to the sidewalk, but noted that the project is within the development standards of the Mixed Use zone and no exceptions are being requested.
- Concurred that the project should remain in the Zoning Administrator purview and did not recommend it be reviewed by Planning Commission.
- Concurred the project should move forward to Zoning Administrator after the modifications are made.

The Subcommittee recommended the project move forward for Zoning Administrator for consideration.

**C. 602 Avenida Victoria – Minor Cultural Heritage Permit 15-341 – Utility Coffee (Jones)**

A request to consider exterior changes to accommodate a coffee shop at 602 Avenida Victoria. The property is located in the Pier Bowl Specific Plan in the Pier Bowl Core – Mixed Use area (MU4.1-P-A).

Associate Planner Cliff Jones summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- Lighting should be shielded and dark sky compliant.
- A fresh coat of paint should be considered for the entire building.
- Expressed support for continuing the improvements to the lower level office space as well.
- A color & materials board and/or product cut sheets of the architectural details should be provided for Zoning Administrator consideration.

The Subcommittee expressed support for the project and recommended it move forward to the Zoning Administrator for consideration.

**D. 101 Avenida Calafia – Conditional Use Permit 15-071/Site Plan Permit 15-072/Architectural Permit 15-073 – Raya’s Paradise (Jones)**

A request to consider a 40 unit assisted living facility at 101 Avenida Calafia. The property is located in the Community Commercial (CC3) Zone and the Coastal overlay.

Associate Planner Cliff Jones summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- The tower proportions are acceptable, given the constraints of the elevators and stairs that dictate the exterior dimensions of the tower.
- Details and/or product cut sheets related to the lights, tiles, awnings, spires, and the fountain should be provided for staff and Planning Commission consideration.
- A condition of approval should be added to require the owner to install landscape to screen the south community deck wall in the event that landscape on the adjacent property is removed or no longer screens the white stucco wall. A potential solution is to install vines on the south community deck wall that cascade downward along the subject wall.
- Outdoor furniture should be provided at the front of the building.
- An ornate wrought-iron design is acceptable on Juliet balconies.

The Subcommittee expressed support for the project and recommended it move forward to the Planning Commission for a recommendation to the City Council.

**3. NEW BUSINESS**

None

**4. OLD BUSINESS**

None

**ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held February 10, 2016 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

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**Bart Crandell, Chair**

**Attest:**

---

**Cliff Jones, Associate Planner**

These minutes were approved at the DRSC meeting of March 09, 2016.

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
January 27, 2016**

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Senior Planner Amber Gregg summarized the staff report. A member of the public, Larry Culbertson, read a letter summarizing his concerns with the scale and mass of the addition. Mr. Culbertson also had concerns

regarding the properties use as a vacation rental and parking impacts on the neighborhood. A copy of the letter is on file at the Community Development Department.

The Design Review Subcommittee made the following comments either individually or as a group:

- Discussed architectural options to help simplify the design of the proposed deck.
- Requested a tile sample be provided when reviewed by the Zoning Administrator.
- Expressed concern as to how close the deck was to the sidewalk, but noted that the project is within the development standards of the Mixed Use zone and no exceptions are being requested.
- Concurred that the project should remain in the Zoning Administrator purview and did not recommend it be reviewed by Planning Commission.
- Concurred the project should move forward to Zoning Administrator after the modifications are made.

The Subcommittee recommended the project move forward for Zoning Administrator for consideration.

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- Lighting should be shielded and dark sky compliant.
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- A color & materials board and/or product cut sheets of the architectural details should be provided for Zoning Administrator consideration.



The Subcommittee expressed support for the project and recommended it move forward to the Zoning Administrator for consideration.

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- The tower proportions are acceptable, given the constraints of the elevators and stairs that dictate the exterior dimensions of the tower.
- Details and/or product cut sheets related to the lights, tiles, awnings, spires, and the fountain should be provided for staff and Planning Commission consideration.
- A condition of approval should be added to require the owner to install landscape to screen the south community deck wall in the event that landscape on the adjacent property is removed or no longer screens the white stucco wall. A potential solution is to install vines on the south community deck wall that cascade downward along the subject wall.
- Outdoor furniture should be provided at the front of the building.
- An ornate wrought-iron design is acceptable on Juliet balconies.

The Subcommittee expressed support for the project and recommended it move forward to the Planning Commission for a recommendation to the City Council.

**3. NEW BUSINESS**

None

**4. OLD BUSINESS**

None

**ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held February 10, 2016 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

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Bart Crandell, Chair

Attest:

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Cliff Jones, Associate Planner

# ATTACHMENT 11

November 11, 2015

To: San Clemente Design Review Subcommittee

From: Larry Culbertson, San Clemente Historical Society

RE: Minor Cultural Heritage Permit 15-055 Balcony addition at 253 Avenida Del Mar

A major goal of the San Clemente Historical Society is the preservation of our historic resources. As the Staff Report points out, this project is an addition which is categorized as new development. The General Plan requires new development abutting an historic resource to be compatible with the historic resource in terms of scale and massing. This project does not meet that requirement. Staff acknowledges that there are massing impacts to the historic resource at 251 Avenida Del Mar. But suggests that those impacts could be minimized by relocating the massing of the covered deck and reviewing the front setback. That will not solve the problem.

The problem is that the mass and scale of the existing triplex greatly overwhelms 251 ADM. Adding more mass will just make a bad situation worse.

How do we determine whether a project is "compatible with the historic resource in terms of scale and massing"? Visually the project certainly appears to be out of scale. What about the FARs. The Ole Hanson house is 1300 sq. ft. on a 4500 sq. ft. lot. That is an FAR of 0.29. The triplex is 3221 sq. ft. on 3960 sq. ft. That is an FAR of 0.81. So the triplex has an FAR almost three times that of the Ole next door. And that is before you add 600 sq. ft. of deck.

The incompatibility of the scale and massing between these two buildings is intensified by the location of the triplex on the lot. The front of the building is just seventeen feet from the sidewalk. The one story element of the historic house that is nearest to the triplex is set back 28 feet from the sidewalk. The visual impact of the eleven foot setback difference is magnified by the height differential of the two buildings. Further incursion into the setback by the addition of a deck would further hide the recessed porch and beautiful arches of the Ole.

251 ADM is arguably one of the more important of our 204 historic resources. It is one of only two of the Ole Hanson Era homes still extant on Avenida Del Mar. And it is the oldest and least altered. This historic house is probably the best example of our Ole Hanson homes that most visitors will see. We need to protect and showcase it, not further box it in.

This triplex could not be built here today. The lot is 3960 sq. ft. and would only be permitted for two units. But two units with the required four parking spaces would probably be a larger building than what is there now. I doubt you would allow that in view of the impact it would have on the surrounding historic resources.

We appreciate property owners willing to spend money to improve some of the horrible projects that were allowed in the past. It would be nice if this project could downsize. A small, open, uncovered balcony. Maybe 6 feet by 4 feet. Centered or away from 251. Cantilevered, or all wrought iron, attached to the building. Visually unobtrusive yet still usable.

I believe this project should be a Cultural Heritage Permit and not just a Minor Cultural Heritage Permit because of the great potential to adversely affect an historic resource.

Thank You

January 27, 2016

To: San Clemente Design Review Subcommittee

From: Larry Culbertson

The questions I raised on November 11, 2015 have not be answered. Staff has pointed out that this project is an addition which is categorized as new development. The General Plan requires that new development abutting an historic resource be compatible with the historic resource in terms of scale and massing.

As my letter explained, the existing building greatly overwhelms the historic resource at 251 ADM. Adding more mass will just make a bad situation worse. The existing building is currently almost three times the size of the abutting Ole. The incompatibility of the scale and massing between these two buildings is magnified by the fact that the Ole is set back 28 feet from ADM. The triplex is set back only 17 feet. Any incursion into that 17 foot setback will obviously add to the massing of the triplex. It is impossible to add anything without negatively affecting the Ole with respect to scale and massing.

The "Line of Sight Analysis" fails to acknowledge the adverse visual impact to the Ole when approaching from the opposite direction. Attention and focus would be drawn away from the Ole to the mass of arches created by the deck addition and room deck wall.

At Nov. 11 DRSC, the applicant was told that the deck" needed to be set back significantly," according to the minutes. I thought I heard Commissioner Crandell say he could go for a 6-8 foot deck if pulled away from the ocean. I thought the consensus was that a cover was not necessary. The proposal before you still has the deck going almost to the sidewalk and with a cover. They have even thrown in a roof deck. This project is a slap in the face of the Ole.

In addition to my concerns regarding the potential adverse effect of massing, I have concerns regarding vacation rentals and parking in the neighborhood.

This triplex currently has two of the three units registered as vacation rentals. This is a legal use. The City Council and Planning Commission are presently wrestling with how to control what many consider to be an out of control situation. This triplex has seven bedroom and four bathrooms. It will accommodate lots of people with lots of cars. Does the City want to permit two additional party decks and help invite more vehicles to an under parked property? If approved, this project needs lots of conditions.

Finding parking on Avenida Del Mar is often incredibly difficult. The City needs to push development in the direction of providing adequate parking, not providing methods for development to get around parking requirements. This triplex is a legal non-conforming property. According to our Municipal Code regarding Nonconforming Structures, "The City encourages improvements to Nonconforming Structures to increase their compatibility with surrounding properties, enhance the quality of development, and to have the structures and land uses become conforming over time." If you permit this addition, not only would there be a negative impact on parking, but you would be ensuring that it will be even longer before the building is replaced by a conforming one.

This project should not go forward, but if it does, it needs to be approved by the full Planning Commission. And not just for design.

Larry Culbertson  
240 Avenida Rosa  
San Clemente, CA 92672

February 1, 2016

Planning Commission  
City of San Clemente

Re: Minor Cultural Heritage Permit 15-005

Dear Commissioners,

On January 27, 2016, Design Review Subcommittee (DRSC) recommended that Minor Cultural Heritage Permit 15-005 proceed on to the Zoning Administrator for approval. I believe this project would be detrimental to the neighborhood and to San Clemente as a whole. Specifically the project would be detrimental to the historic structure located at 251 Avenida Del Mar, be detrimental to parking in the neighborhood, and be detrimental to the City's goal of bringing non-conforming buildings into conformity over time.

This project first appeared to the public at the September 23, 2015 DRSC as a 620 square foot balcony addition to a legal non-conforming triplex. The Staff report stated, "the balcony dominates the building and is not in proportion with the structure." DRSC concurred with Staff and recommended the project return after changes were made.

The project returned to DRSC on November 11, 2015. The applicant proposed several small changes to the design, but it would still be a 620 square foot balcony addition. The Staff report stated, "At the previous DRSC review we did not discuss massing of the proposed deck and its effect on surrounding historic resources." And, "There are massing impacts to the historic resource located at 251 Avenida Del Mar. The deck will bring the building close to the property line, and reduce the existing sixteen foot front yard setback to approximately two feet." The report quoted the General Plan requirement that new development, which this would be, is required to be compatible in terms of scale and massing with adjacent historic resources. Staff recommended that increasing the setback of the deck from the front property line would reduce the massing impact to the historic resource. The DRSC unanimously agreed that the massing impact as proposed would indeed be too great on the adjacent historic resource. They recommended the deck protrude from the building "no more than six to eight feet." This was stated at the meeting but did not find its way into the Minutes.

On January 27, 2016 the project came back to DRSC. The applicants' solution to the massing problem was to pull the deck away from the historic resource but to leave it projecting almost to the sidewalk, as had all previous renditions. It would still far out mass the historic resource. A 450 square foot roof deck was added to the proposal. DRSC voted to allow the project to go on to the Zoning Administrator.

As I pointed out in my November 11, 2015 letter to DRSC (copy attached), the historic resource at 251 Avenida Del Mar is arguably one of the more important of our 204 historic resources. It is one of only two of the Ole Hanson Era homes still extent on Avenida Del Mar. And it is the oldest and least altered. Because of its prominent location on this heavily traveled block of

Avenida Del Mar, this historic house is probably the best example of our Ole Hanson homes that most visitors will ever see. We need to protect and showcase it, not further box it in.

In 1971 matching triplexes were allowed to be built on either side of the historic resource at 251 ADM. Each had only one garage space per unit. The one story element of the historic house is set back 28 feet from the sidewalk. The triplexes are set back only 17 feet. So the existing situation is that the historic resource is set far back in a canyon created by the hulking masses on either side. I contend that it would be impossible to add anything to the front of either of those triplexes without exacerbating a situation already out of compliance with our Design Guidelines.

It is important to note that the existing building is already more building than current code would allow to be built. Current Code would allow only two residential units and each would need two parking spaces. I doubt that a new project would be allowed to be as massive in scale as the existing building in view of current Design Guidelines with respect to proximity to a historic resource.

Another issue that should be considered is that of vacation rentals. Two of the three units in this building are registered as vacation rentals. This is currently a legal use. I am concerned because we have a property that is of high density (seven bedrooms, four bathrooms) and sub-standard parking. Vacation rentals encourage a large number of people for short periods of time. That can equate to lots of noise and the need for lots of parking. Two large new party decks will make the rentals more desirable for large groups and lucrative for the owner but more of a menace to the community.

The argument that Planning has put forth in support of this project is that we have an ugly triplex and that it would be a benefit to the community to beautify it by making it appear more traditional Spanish Colonial Revival. But the price we pay for that benefit must not be greater than the value of the benefit. The historic resource has been denigrated far too much in the past, it needs no more.

A goal of our City, as stated in Municipal Code 17.72.010, Nonconforming Structure and Uses, is to see that Nonconforming Structures "become conforming over time." That may mean replacement. Every time a nonconforming building is allowed to be altered in a way that does not make it more conforming, or even worse, makes it less conforming, it extends into the future the time at which that building stops detracting from the City.

I request that this project go before the Planning Commission for a full public hearing.

Thank You,

Larry Culbertson





# Memorandum Planning

4/20/2016

**To:** Planning Commissioners  
**From:** Cliff Jones, Associate Planner  
**Subject:** Study Session: Stand-Alone Residential Uses in Downtown  
Mixed-Use Zones

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The purpose of this study session is to inform the Planning Commission of how the mixed-use development standards are applied to stand-alone residential uses located in the Downtown mixed-use zones (MU3.1 and MU3.3), which are the areas located outside of the Downtown Central Business District overlay (MU3-CB). Staff will provide a PowerPoint that will show the character of the neighborhoods where the standards apply, review the standards, and provide examples of recent development projects that have applied the standards. Attachment 1 shows the zoning of the Downtown area. Below is background information on the subject and a description of the development review process for stand-alone residential projects.

## Background:

The code amendment to allow stand-alone residential uses in the mixed-use zones did not change the development standards applicable in the subject zone. The reason the development standards were not changed is that the development standards, particularly the allowance for zero foot setbacks, enabled new development to accurately reflect the setbacks and character of adjacent properties and the surrounding neighborhood. Since the adoption of the ordinance, staff has received multiple applications for new or remodeled stand-alone residential buildings in the Downtown. Staff and the Design Review Subcommittee (DRSC) decided it would be beneficial to inform the Planning Commission of the review process involved in determining the recommended setback for these projects.

## Development Review Process

During the review of an application for a new stand-alone residential project, staff makes a recommendation on the appropriate setbacks, as well as other development standards, based upon an evaluation of the setbacks of adjacent buildings and the character of development in the neighborhood.

Staff's intent is to ensure the new development is consistent with the necessary finding that "The general appearance of the proposal is in keeping with the character of the neighborhood." Staff recommendations are forwarded to the DRSC for review and DRSC comments/recommendations are forwarded to the appropriate decision making body; typically the Zoning Administrator or Planning Commission. This process allows staff and DRSC input on the appropriate setback, and other development standards, to ensure new development is "in keeping with the character of the neighborhood." In most cases, staff and DRSC input will result in Planning Commission review of a project that meets this necessary finding for approval. In rare cases, the Planning Commission may be asked to review an application where staff and/or DRSC does not recommend approval of a project because the setbacks are not in character with the neighborhood and the necessary findings cannot be made.

#### Conclusion

Staff is responsible for providing the necessary planning and zoning laws of the State and ordinances of the City to Planning Commissioners and educating them about planning processes. The purpose of the study session, and the information contained in this memorandum, is meant to inform the Commissioners the process of how the mixed-use development standards are applied to stand-alone residential buildings located in the Downtown mixed-use zones (MU3.1 and MU3.3).