



## Design Review Subcommittee (DRSC)

Meeting Date: October 12, 2016

**PLANNER:** John Ciampa, Associate Planner *JC*

**SUBJECT:** HPPA 16-311, Mohr Residence, a request for a Mills Act agreement for a historic house located at 120 Avenida San Pablo.

### **BACKGROUND:**

This is a request to enter into a Historic Property Preservation Agreement (HPPA) with the City for a historic house located at 120 Avenida San Pablo. Approval of an HPPA is expected to reduce the applicant's property taxes to fund repairs and improvements for the historic structure. The estimated tax savings for the property in the first year would be approximately \$5,000.

The historic house was built in 1928 and is located in the Residential Low (RL) zoning district. The historic resource was modified over the years with a roof extension at the back of the house to create an enclosed porch area at the back of the house of approximately 200 square feet that was approved in 1956 and a second story addition of 374 square feet over the garage that was approved in 1979. A thorough analysis of the modifications made over the years and the recommended rehabilitation improvements are provided in the analysis section of the staff report.

The property was surveyed by the Historic Resources Group in 2006. The survey stated the integrity of the resource is good and identified the structure as a contributor to a potential local historic district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development. The character defining features of the house include: 1) the asymmetrically aligned front elevation with window bays on either side of the entry, 2) original wood windows, and 3) deep recessed front door. More information on the property's historic significance is provided as Attachment 2.

The Cultural Heritage Subcommittee (CHSC) is required to review the application to ensure the proposed restoration/rehabilitation improvements are consistent with the Secretary of the Interior's Standards and to make a recommendation to the City Council.

### **ANALYSIS**

Staff inspected the property to evaluate the condition of the historic resource and determine if any restoration improvements are necessary to rehabilitate the historic resource. Following staffs visit, it was determined that the resource has had some exterior modifications that are not historically accurate or compatible with the historic resource and should be included in the rehabilitation list. Items identified as restoration/rehabilitation improvements include: new paint, fence repairs, replace light fixtures, replace balcony railings, and install a new

garage door and modify or replace non-traditional doors and windows. Restoration/rehabilitation improvements are proposed to ensure the modifications and the general condition of the building is architecturally compatible and, if feasible, historically accurate. The applicant has indicated that they are committed to completing the necessary restoration/rehabilitation improvements and they would like to place the more costly improvements towards the end of the 10 year agreement. The applicant agreed to the recommended restoration/rehabilitation improvements and the dates of when the improvements should be completed. Annotated photographs of the areas of concern are included as Attachment 3. The following are staff's recommended improvements and their scheduled improvement date:

Complete by end of 2017

1. Paint all exterior wood eaves and trim to match existing.
2. Paint and repair fence.
3. Replace and repair missing glass panes to the original light fixture located on the left corner of the house adjacent to the garage.

Complete by end of 2019

4. Repair damaged concrete driveway with concrete or Ole Hanson tile pavers.

Complete by end of 2020

5. Replace the upstairs balcony railing with a wrought iron railing.

Complete by end of 2022

6. Replace the aluminum garage door with a Spanish Colonial Revival garage door to be architecturally compatible with the historic resource.

Complete by end of 2025

7. Replace the nontraditional wood windows with historically accurate replacements.

Complete by end of 2026

8. Replace or modify the back porch glass panel doors and the side door to the garage with a traditional true divided lite design.

**RECOMMENDATION**

It is staff's position that the recommended restoration improvements will restore the historic house and be architecturally compatible. Staff seeks DRSC concurrence with the above recommendations and any additional comments on the proposed Mills Act.

***Attachments:***

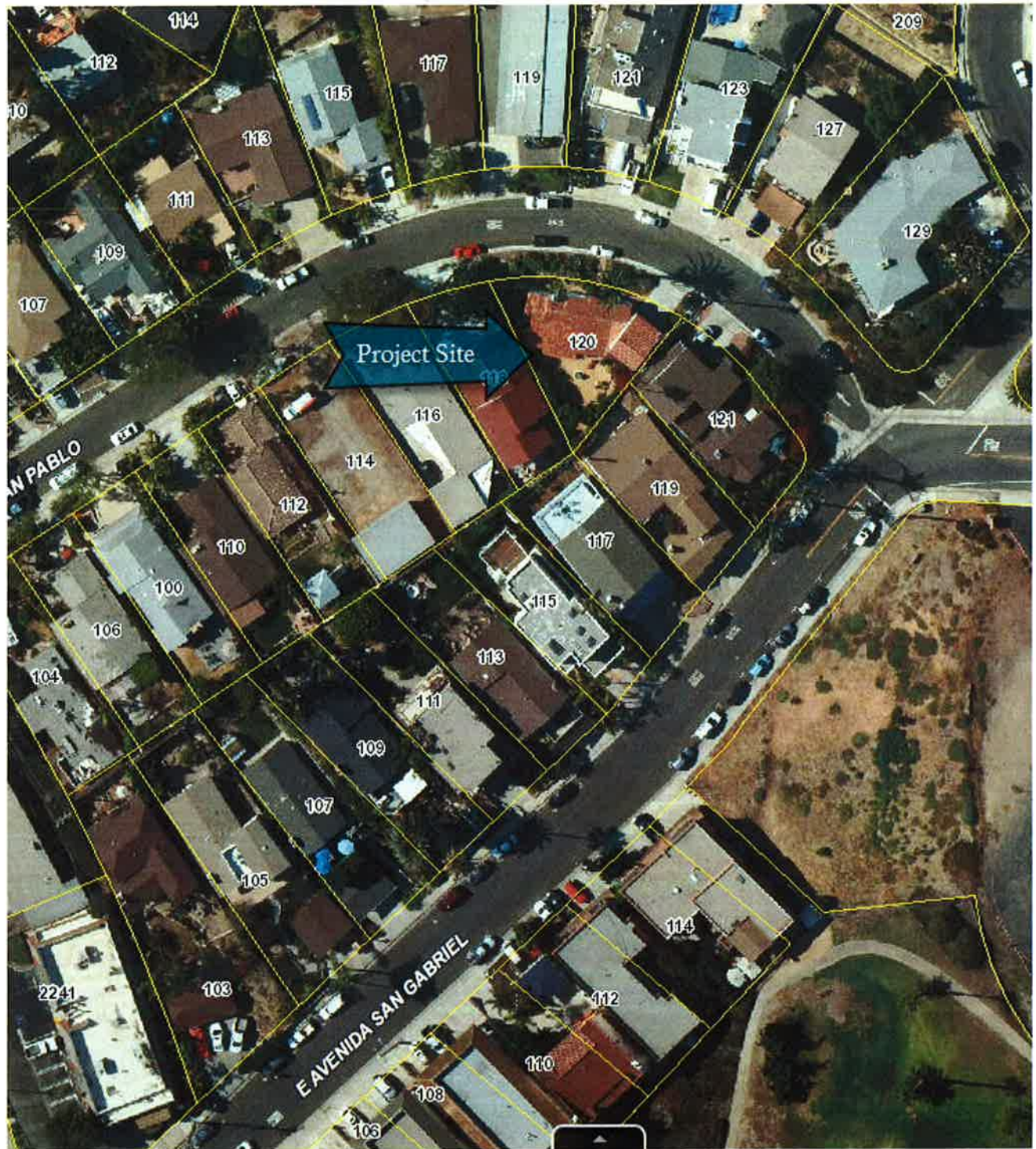
1. Location Map
2. DPR Form
3. Annotated Photographs of Proposed Restoration Improvements
4. Secretary of the Interior's Standards
5. HPPA Background Information
6. Photographs





# LOCATION MAP

HPPA 16-311, Mohr Residence  
120 Avenida San Pablo





# PRIMARY RECORD

Other Listings

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

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Resource Name or #: 120 AVENIDA SAN PABLO

**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 120 Avenida San Pablo City San Clemente Zip 92672

d. UTM: Zone ; mE/ mN

e. Other Locational Data: Assessor Parcel Number: 690-423-15

**P3a. Description:**

The property contains a one-story single family residence with a rectangular plan and wood-frame construction. Designed in the Spanish Colonial Revival style, it has a low-pitch side-gable roof with clay tiles. The exterior walls are clad with original smooth stucco. The primary (north) elevation includes the entrance to the residence, featuring an original recessed door within a decoratively carved opening. A shed roof is above the entryway. The primary elevation is asymmetrically aligned, with the bays on either side of the entryway featuring fenestration of varying sizes and spacing. A low stucco chimney extends just beyond the roofline at the western end of the north elevation and is capped. Exposed rafter tails are another element of the Spanish Colonial Revival style of the building. The fenestration consists of original wood casement windows throughout the residence. Alterations include either the addition of the second story over the garage, or the entire garage structure. 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/Sources:**

Historic  Both  
 Prehistoric

1928 (E) Tax Assessor

**P7. Owner and Address:**

Van Thillo, Kris & Van Thillo, Grace  
28845 Raintree Dr, Menifee Ca 92584- 7707

**P8. Recorded by:**

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

**P9. Date Recorded:** 9/21/2006

**P10. Survey Type:**

City of San Clemente Historic  
Resources Survey Update

**P11. Report Citation:** None.

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

# BUILDING, STRUCTURE, AND OBJECT RECORD

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NRHP Status Code 3D

Resource Name or #: 120 AVENIDA SAN PABLO

B1. Historic Name: (Unknown)

B2. Common Name: (Unknown)

B3. Original Use: Single-family residential

B4. Present Use: Single-family residential

B5. Architectural Style: Spanish Colonial Revival

B6. Construction History:

B7. Moved?  No  Yes  Unknown

Date: Original Location:

B8. Related Features:

B9a. Architect: (Unknown)

b. Builder: (Unknown)

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

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

This one-story single family residence was built in 1928. This property is a typical example of the Spanish Colonial Revival style as represented in San Clemente. This property appears eligible as a contributor to a potential National Register district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development. It also appears eligible at the local level as a contributor to a potential historic district. It is recommended for retention on the Historic Structures List.

B11. Additional Resource Attributes: 02 Single Family Property

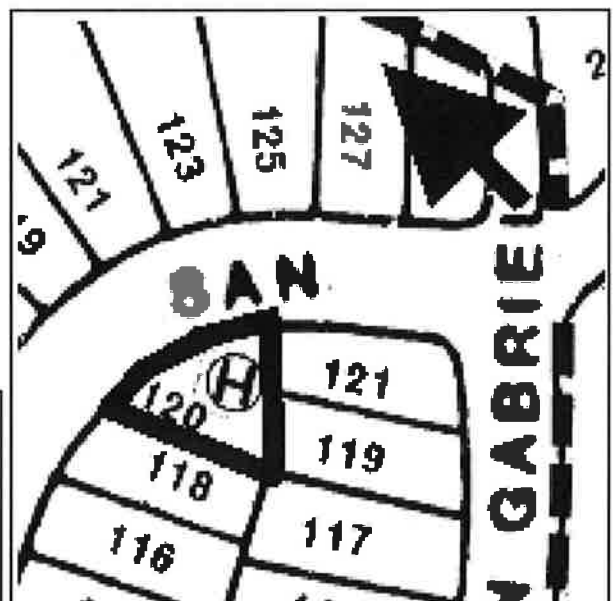
B12. References: Orange County Tax Assessor Records; Historic Resources Survey, Leslie Heumann and Associates, 1995.

B13. Remarks: (none)

B14. Evaluator: Historic Resources Group, Hollywood, CA

Date of Evaluation: 9/21/2006

(This space reserved for official comments.)



# CONTINUATION SHEET

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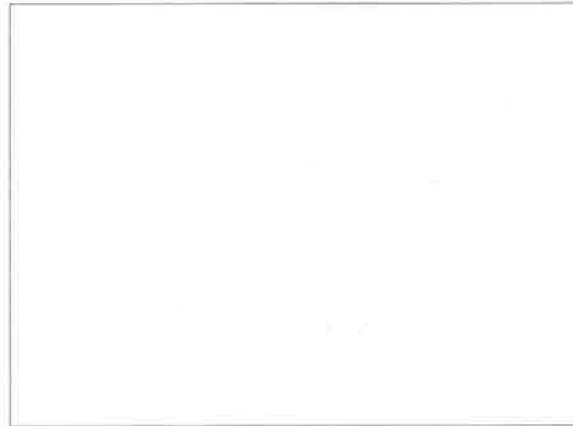
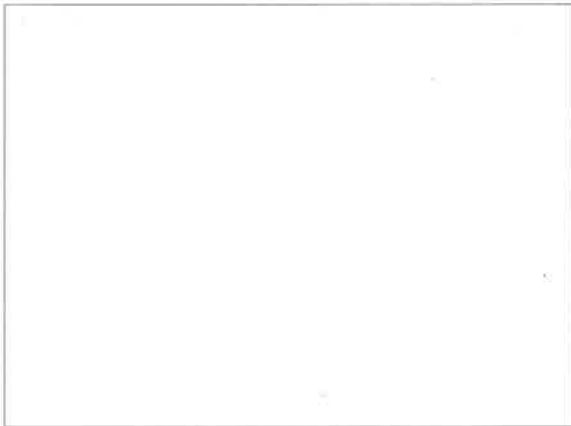
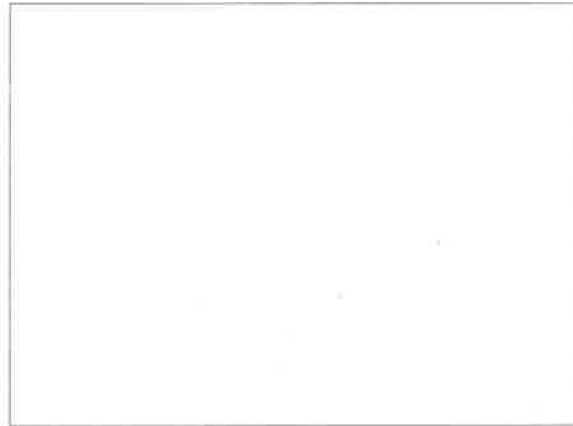
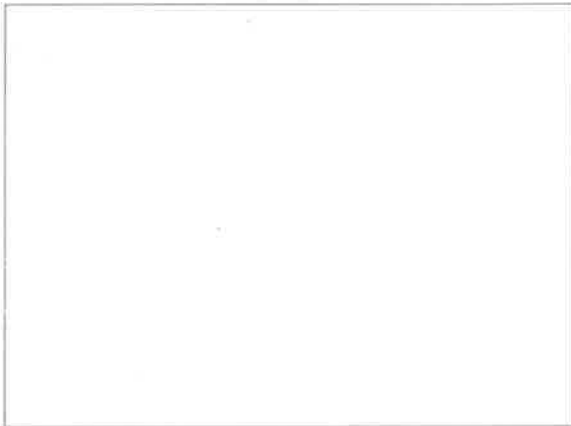
Resource Name or #: 120 AVENIDA SAN PABLO

Recorded by: Historic Resources Group

Date: 9/21/2006

Continuation  Update

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





# Historic Property Preservation Agreement

Mohr Residence  
October 12, 2016

JOHN CIAMPA  
ASSOCIATE PLANNER

## Project Site – 120 Avenida San Pablo



The historic house was built in 1928 and is located within the Residential Low (RL) zoning district.



## 120 Avenida San Pablo (circa 1930s)

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3

## 120 Avenida San Pablo (Today)

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4

## Complete 2017

Paint all exterior wood eaves and trim to match existing .

\*Photos Taken 2016



## Complete 2017

Paint and repair fence.



## Complete 2017



Replace and repair missing glass panes to the original light fixture located on the left corner of house adjacent to the garage.



7

## Complete 2019

Repair damaged concrete driveway with concrete or Ole Hanson tile pavers.



8

## Complete 2020

Replace the upstairs balcony railing with wrought iron railing.



9

## Complete 2022



Replace the aluminum garage door with a Spanish Colonial Revival garage door to be architecturally compatible with the historic resource.

10



## Complete 2025

Replace the nontraditional wood windows with historically accurate replacements.



11

## Complete 2026

Replace or modify the back porch glass panel doors to a traditional true divided lite design.



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**SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT  
OF HISTORIC PROPERTIES**

***Rehabilitation (making possible a compatible use for a property through repair, alterations and additions while preserving portions/features that convey its historical, cultural or architectural values)***

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

***Preservation (applying measures necessary to sustain the existing form, integrity and materials)***

1. A property will be used as it was historically or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing conditions of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

***Restoration (accurately depicting the form, features, and character of a property as it appeared at a particular period of time)***

1. A property will be used as it was historically or be given a new use which reflects the property's restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
10. Designs that were never executed historically will not be constructed.

***Reconstruction (depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object at a specific time period in its historic location)***

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
2. Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.

3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will recreate the appearance of the non-surviving historic property in materials, design, color and texture.
5. A reconstruction will be clearly identified as a contemporary re-creation.
6. Designs that were never executed historically will not be constructed.



## **Purpose of the Mills Act Program**

Economic incentives foster the preservation of residential neighborhoods and the revitalization of downtown commercial districts. The Mills Act is the single most important economic incentive program in California for the restoration and preservation of qualified historic buildings by private property owners.

Enacted in 1972, the Mills Act legislation grants participating local governments (cities and counties) the authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief.

## **Benefits to Local Governments**

The Mills Act allows local governments to design preservation programs to accommodate specific community needs and priorities for rehabilitating entire neighborhoods, encouraging seismic safety programs, contributing to affordable housing, promoting heritage tourism, or fostering pride of ownership. Local governments have adopted the Mills Act because they recognize the economic benefits of conserving resources and reinvestment as well as the important role historic preservation can play in revitalizing older areas, creating cultural tourism, building civic pride, and retaining the sense of place and continuity with the community's past.

A formal agreement, generally known as a Mills Act or Historical Property Contract, is executed between the local government and the property owner for a minimum ten-year term. Contracts are automatically renewed each year and are transferred to new owners when the property is sold. Property owners agree to restore, maintain, and protect the property in accordance with specific historic preservation standards and conditions identified in the contract. Periodic inspections by city or county officials ensure proper maintenance of the property. Local authorities may impose penalties for breach of contract or failure to protect the historic property. The contract is binding to all owners during the contract period.

## **Benefits to Owners**

Owners of historic buildings may qualify for property tax relief if they pledge to rehabilitate and maintain the historical and architectural character of their properties for at least a ten-year period. The Mills Act program is especially beneficial for recent buyers of historic properties and for current owners of historic buildings who have made major improvements to their properties.

Mills Act participants may realize substantial property tax savings of between 40% and 60% each year for newly improved or purchased older properties because valuations of Mills Act properties are determined by the Income Approach to Value rather than by the standard Market Approach to Value. The income approach, divided by a capitalization rate, determines the assessed value of the property. In general, the income of an owner-occupied property is based on comparable rents for similar properties in the area, while the income amount on a commercial property is based on actual rent received. Because rental values vary from area to area, actual property savings vary from county to county. In addition, as County Assessors are required to assess all properties annually, Mills Act properties may realize slight increases in property taxes each year.

## **Qualified Historic Property**

A qualified historic property is a property listed on any federal, state, county, or city register, including the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, and locally designated landmarks. Owner-occupied family residences and income-producing commercial properties may qualify for the Mills Act program, subject to local regulations.

## **OHP's Role**

OHP provides technical assistance and guidance to local governments and property owners. OHP maintains a current list of communities participating in the Mills Act program and copies of Mills Act ordinances, resolutions, and contracts that have been adopted. OHP does not participate in the contract negotiations and is not a signatory to the contract.





