



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: July 19, 2017

PLANNER: David Carrillo, Community Development Technician

SUBJECT: **Cultural Heritage Permit 16-444, Rosa Duplex**, a request to consider the construction of a new duplex on a vacant lot located at 100 Avenida Rosa (APN: 058-091-19) in the Residential Medium Zoning District and Architectural and Coastal Zone Overlays (RM-A-CZ).

REQUIRED FINDINGS

The following findings shall be made 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.

Cultural Heritage Permit (CHP), Section 17.16.100, to allow the construction of a new duplex within the Architectural Overlay District.

- a. The architectural treatment of the project complies with the San Clemente General Plan;
- b. The architectural treatment of the project complies with the Zoning Code 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; and
- f. The proposed project preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish Village

BACKGROUND

The vacant lot is 4,277 square feet, similar in size to surrounding residential lots and is one of three vacant lots on Avenida Rosa between South El Camino Real and South Ola Vista. Surrounding land uses include single and multi-family residential dwellings and a preschool to the north of the property. Exhibit 1, below, shows existing conditions of the site.

Exhibit 1 – Existing Conditions***Development Management Team Meeting***

The City's Development Management Team (DMT) reviewed the project and recommends approval with conditions shown on Attachment 1, Exhibit A.

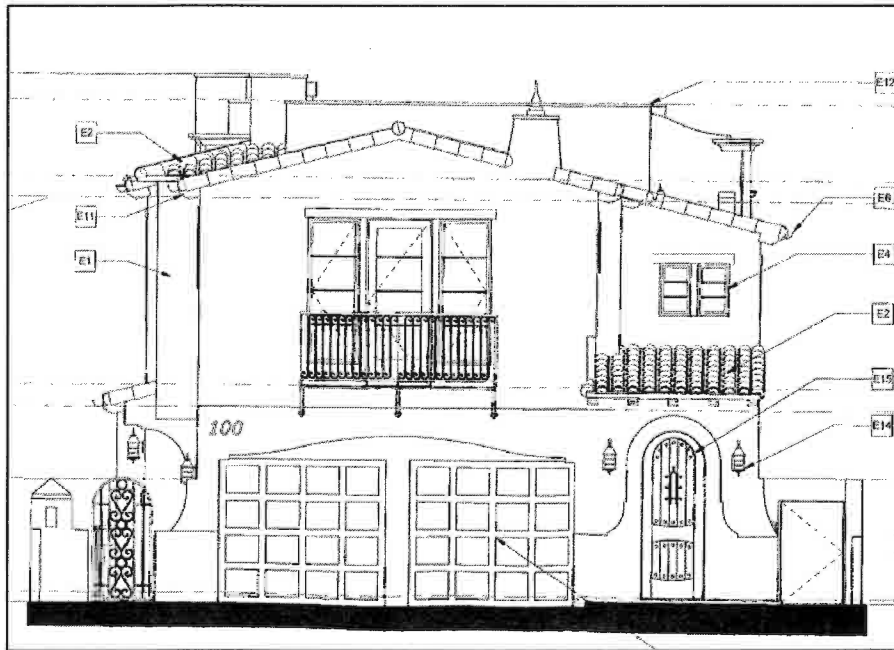
Noticing

Public notices were distributed and posted per City and State requirements. Staff has not received any public comments on this item to-date.

PROJECT DESCRIPTION

The applicant proposes to construct a two-story 4,557 square-foot duplex. There is living space on the first and second levels with private access to their own garage on the first level. Each residential unit contains three bedrooms and a rooftop deck for private open space. Unit A has 1,639 square feet of living space with a 338 square foot roof deck. Unit B has 1,476 square feet of living space with a 376 square foot deck. Additionally, one tandem parking garage is provided for each unit for a total of four covered on-site parking spaces as required by the Zoning Code. The duplex is designed in the Spanish Colonial Revival style of architecture, and incorporates design elements such as, smooth white stucco exterior, dark brown wood corbels, low-pitch mortar-packed two-piece clay tile roofing, exposed rafter tails, and recessed window openings. A portion of the front, second story elevation steps back beyond the first story and includes a balconette on the front elevation to improve pedestrian orientation. Exhibit 2 shows the proposed project as viewed from Avenida Rosa.

Exhibit 2 – Proposed Front Elevation



PROJECT ANALYSIS

Development Standards

The project meets development standards and other requirements, as shown in Table 1 below.

Table 1 – Development Standards

	Development Standard	Proposed	Complies with standards
Density:	2 Units	2 Units	Yes
Height (Maximum)	25'	24'-11"	Yes
Setbacks (Minimum):			
Front	15'	15'	Yes
Garage	18'	22'	Yes
Side Yard	5'	5'-1"	Yes
Rear Yard	5'	5'	Yes
Lot Coverage (Maximum)	55%	54%	Yes

	Development Standard	Proposed	Complies with standards
Required Parking (Minimum):	4 spaces	4 spaces (2 tandem garages)	Yes
Front Yard Landscaping Req. (Minimum):	Any area other than driveways or walkways shall be covered with drought tolerant plants	Areas other than driveways or walkways are landscaped.	Yes

Landscaping

Per Chapter 17.68, "Landscape Standards" of the San Clemente Zoning Ordinance, residential development other than single-family development is required to landscape and maintain all setback areas visible from the public street with the exception of entry walkways and driveways. Conceptual landscape plans demonstrate landscaping in the required areas. Condition of approval No. 6 requires the applicant to submit and obtain City Planner approval of landscape plans prior to the issuance of building permits.

Cultural Heritage Permit

A Cultural Heritage Permit (CHP) is required for new development within the Architectural Overlay District. Applications are reviewed by the Design Review Subcommittee to ensure projects are compatible and harmonious with the surrounding neighborhood, and consistent with the Design Guidelines of the Architectural Overlay.

The project is consistent with the required findings in that:

1. The project is designed in the Spanish Colonial Revival architecture to reflect the City's heritage consistent with Design Guidelines
2. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color, etc., in that the project complies with development standards for the Residential Medium Zone and is consistent with the requirements of the Architectural Overlay District.
3. The project is a two-level duplex under the maximum height limit of 25 feet in a neighborhood with single and multi-story residential buildings.
4. The scale, mass, form, setbacks, and materials are compatible with adjacent structures and in character with the pattern of development in the neighborhood;

Design Review Subcommittee Review

The Design Review Subcommittee (DRSC) reviewed the project on April 12, 2017, and supports the project as proposed with design changes summarized in Table 2 below.

Table 2 – DRSC Comments

Recommendation	Applicant Response
1. Lower the height of the "tower feature" located on the left side of the front elevation to not exceed the maximum height of six feet.	Modified. The "tower feature" is six feet high in conformance with the Zoning Ordinance.
2. Lower the height of the wood fence located in the front yard setback area to not exceed the maximum height of three feet, six inches.	Modified. The wood fence is proposed at a maximum of three feet, six inches in conformance with the Zoning Ordinance.
3. Revise elevation plans to indicate that the garage door is to be stained wood.	Modified. Note added on elevation plans to indicate "Wood roll-up garage door with dark brown stain".

GENERAL PLAN CONSISTENCY

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

Table 3 - General Plan Consistency

Policies and Objectives	Consistency Finding
1. <u>LU-1.05</u> , Multi-Family Residential Uses. <i>"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".</i>	Consistent. The project is designed in the Spanish Colonial Revival style of architecture with high quality materials to improve the aesthetic condition of the neighborhood.

Policies and Objectives	Consistency Finding
<p>2. <u>UD-5.05</u>, Architectural Overlay District. <i>“We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival Architecture, per the Architectural Overlay District and Design Guidelines.”</i></p>	<p>Consistent. The project is designed in the Spanish Colonial Revival architecture to reflect the City’s heritage consistent with Design Guidelines.</p>
<p>3. <u>UD-5.10</u> Scale and Massing. <i>“We require that the scale and massing of the development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan”.</i></p>	<p>Consistent. The project is a two-story duplex under the maximum height limit of 25 feet in a neighborhood with single and multi-story residential buildings. The project complies with development standards.</p>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA)

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is Categorical Exempt from of the CEQA pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures) because the project is a new duplex in an urbanized area.

CALIFORNIA COASTAL COMMISSION REVIEW

The project does not require Coastal Commission review. The project site is exempt from Coastal Commission review per Categorical Exclusion Order No. E-82-1.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and approve the proposed project.

This is the recommended action. This action would result in the adoption of the attached Resolution PC 17-021, approving the project per required findings and conditions of approval. The Commission can take this action if they determine the request meets all required findings shown in Attachment 1.

2. The Planning Commission, at its discretion, may change the project's design or conditions of approval.

This action would result in any modifications to the project or conditions of approval. For example, conditions could be modified to require design changes that improve the project's consistency with required findings. This may include changes to architectural details, finishes, massing, site design, etc.

3. The Planning Commission can deny the proposed project.

This action would result in not allowing the project, requiring this item to be continued so staff can draft a new resolution. The Commission should cite reasons for not being able to meet required findings.

These actions may be appealed by the applicant to the City Council or be called up by the City Council for review and action.

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 CEQA pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures); and
2. Adopt Resolution PC 17-021, approving Cultural Heritage Permit 16-444, Rosa Duplex, subject to the attached Resolution and conditions of approval.

Attachments:

1. Resolution No. PC 17-021
Exhibit A - Conditions of Approval
2. Location Map
3. Design Review Subcommittee Reports and Minutes of April 12, 2017
4. Site Photographs

ATTACHMENT 1

RESOLUTION NO. PC 17-021

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 16-444, ROSA DUPLEX, A REQUEST TO CONSTRUCT A NEW DUPLEX ON A VACANT, LOCATED AT 100 AVENIDA ROSA

WHEREAS, on December 23, 2016, an application was submitted, and completed on February 16, 2017, by Mark Roshanee, 33471 Galleon Way, Dana Point, CA, 92629, for Cultural Heritage Permit (CHP) 16-444; a request to construct a new duplex on a vacant lot located at 100 Avenida Rosa in the Residential Medium Zoning District and Architectural and Coastal Zone Overlay (RM-A-CZ). The site's legal description is Lot 35, Block 8 of Tract 779, and Assessor's Parcel Number is 058-091-19; 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 is Categorical Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). This is recommended because the project involves the construction of a duplex in an urbanized area; and

WHEREAS, on January 12, 2017, the City's Development Management Team (DMT) reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on April 12, 2017, the City's Cultural Heritage Subcommittee (CHSC) considered the project and supported it with minor recommended modifications to the design; and

WHEREAS, on July 19, 2017, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties.

NOW, THEREFORE, The Planning Commission of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

Section 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project

is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15303(b) (Class 3: New Construction or Conversion of Small Structures).

The Class 3 exemption specifically exempts from further CEQA review the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The use of this exemption is limited to one duplex or similar multi-family residential structure totaling no more than four dwelling units, or no more than six dwelling units in an urbanized area. Here, this project is a new duplex in an urbanized area. Thus, the project qualifies for the Class 3 exemption.

Furthermore, none of the exceptions to the use of the Class 3 categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project is not located in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern. The project is on a vacant lot in a developed residential area. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. The project has reached the maximum density allowed by the Zoning Ordinance for the subject lot and no additional projects of the same type will be able to occur. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. There are no sensitive resources such as endangered species or wetlands on the project site since the project site is in a developed area. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. There are no scenic resources within close proximity of the project site. The project site is surrounded with residential and mixed-use buildings. The project does not include any hazardous waste sites, and the project will not cause a substantial adverse change in the significance of a historical resource. The project is a residential development with no historical resource significantly near the project site. Thus, the Class 3 exemption applies, and no further environmental review is required.

Section 3. Cultural Heritage Permit Findings

With respect to Cultural Heritage Permit (CHP) 16-444, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that:
 1. The project is designed in the Spanish Colonial Revival style of architecture with high quality materials to improve the aesthetic condition of the neighborhood, consistent with goals of the Architectural Overlay and Land Use Element Policy LU-1.05, which requires 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”*;
 2. The project is designed in the Spanish Colonial Revival architecture to

reflect the City's heritage consistent with Design Guidelines and Urban Design Element Policy UD-5.05. Architectural Overlay District: *"We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival Architecture, per the Architectural Overlay District and Design Guidelines."*; and

3. The neighborhood consists of one story single-family homes and two/three level single-family and multi-family buildings. The project is a two-level duplex under the maximum height limit of 25 feet consistent with Urban Design Element UD-5.10. Scale and Massing: *"We require that the scale and massing of the development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan"*.
- B. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color, etc., in that the project complies with development standards for the Residential Medium Zone and is consistent with the requirements of the Architectural Overlay District.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that:
1. The project is a two-level duplex under the maximum height limit of 25 feet in a neighborhood with single and multi-story residential buildings,
 2. The second story mass is broken into separate components with multiple roof lines and varied wall planes,
 3. Separate building components create shadow and recess thereby adding architectural interest to the building,
 4. Building forms, materials, colors and architectural details follow the Spanish Colonial Revival style; and
 5. Defined outdoor patio spaces are provided by a private roof deck for each unit.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:
1. The project is a two-level duplex under the maximum height limit of 25 feet in a neighborhood with single and multi-story residential buildings,
 2. The scale, mass, form, setbacks, and materials are compatible with adjacent structures and in character with the pattern of development in the neighborhood;

3. The mass, density, and scale are consistent with the intent of the Residential Medium Zoning District and Architectural Overlay Zone; and
 4. The project improves walkability in the neighborhood by providing a new ADA compliant sidewalk per Engineering standards.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that:
1. The project is proposed on a site in an urban area and will be required to meet the California Building Code and Orange County Fire Authority regulations,
 2. The proposed duplex has high quality architecture consistent with Design Guidelines,
 3. The project is a two-level duplex under the maximum height limit of 25 feet in a neighborhood with single and multi-story residential buildings; and
 4. The project improves walkability in the neighborhood by providing a new ADA compliant sidewalk per Engineering 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:
1. The project is designed in the Spanish Colonial Revival architecture to reflect the City's heritage consistent with Design Guidelines,
 2. The project incorporates Spanish Colonial Revival design elements, including a smooth white stucco exterior, dark brown wood corbels, low-pitch mortar-packed two-piece clay tile roofing, exposed rafter tails, and recessed window openings; and
 3. The project improves walkability in the neighborhood by providing a new ADA compliant sidewalk per Engineering standards.
- G. The proposed project complies with the purpose and intent of the Architectural Overlay District, in that:
1. The new duplex is characterized by a Spanish Colonial Revival architectural style,
 2. A portion of the front, second level elevation steps back beyond the first level and includes a balconette on the front elevation to improve pedestrian orientation; and

- 3. The project improves walkability in the neighborhood by providing a new ADA compliant sidewalk per Engineering standards.

Section 4. Planning Commission Approval.

Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of San Clemente Planning Commission approves Cultural Heritage Permit 16-444, Rosa Duplex subject to the above Findings, and the Conditions of Approval set forth in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Planning Commission on July 19, 2017.

_____ Chair

CERTIFICATION:

I HEREBY CERTIFY this Resolution was adopted at a regular meeting of the City of San Clemente Planning Commission on July 19, 2017, carried by the following roll call vote:

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

Secretary of the Planning Commission

CONDITIONS OF APPROVAL
CULTURAL HERITAGE PERMIT 16-444, ROSA DUPLEX

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 July 19, 2017, subject to these Conditions of Approval.

Any deviation from approved submittals shall require that, prior to the issuance of building permits, the owner or designee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Planning Commission, as appropriate. (PInG.)_____

2. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)_____

3. The owner or designee shall have the right to request an extension CHP 16-444 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval in

- accordance with Section 17.16.160 of the Zoning Ordinance. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____
4. CHP 16-444 shall become null and void if the use is not commenced within three (3) year from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)_____
 5. A use shall be deemed to have lapsed, and CHP 16-444 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.)_____
 6. Prior to issuance of grading and/or building permits, the owner or designee shall submit for review and approval by the Community Development Director and Director, Beaches, Parks and Recreation or designees, a detailed landscape and irrigation plan incorporating drought tolerant plants, for all required landscaped areas, prepared by a registered landscape architect, and in compliance with all pertinent requirements. *[Citation - Section 17.68.020.B.2 of the SCMC]* (PIng.)_____ (B,P&R) _____
 7. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following: (PIng.)_____
 - A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. *[Citation - City of San Clemente Design Guidelines, November 1991]*
 - B. Stucco walls with a 'steel, hand trowel' (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. *[Citation - City of San Clemente Design Guidelines, November 1991]*
 8. All exterior details shall be reviewed and approved by the Planning Division prior to purchase and installation. ■ ■ (PIng.)_____
 9. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural,

- mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. (Bldg.)_____
- [S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]*
10. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check. (Bldg.)_____
- [S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]*
11. 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]*
12. 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]*
13. Underground utilities required. Overhead wiring shall not be installed outside on private property. All utility services located within any lot to be installed underground if the property is to be developed with a new or relocated main building. (Bldg.)_____
- [S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]*
14. Any motor, machinery, pump, etc. associated with heating, ventilation and air conditioning (HVAC) equipment or with the operation of any pool, spa, fountain, etc. shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance in accordance with Section 8.48.050. Submission of written proof that said equipment complies with the standards prescribed in Section 8.48.050 may be required by the City. (Bldg.)_____
- [S.C.M.C – Title 15 – Chapter 15.08]*
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 issuance of building permits, the owner or designee shall submit a copy of

the City Engineer approved soils and geologic report, prepared by a registered geologist and/or soil engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports. (Bldg.)_____

[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]

17. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building foundations conform to the front, side and rear setbacks are in conformance to the approved plans. (Bldg.)_____

[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]

18. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. (Bldg.)_____

[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]

19. Fire sprinkler system required throughout as follows:
- i. All new Group R occupancies, including the attached garages;
 - ii. All existing Group R occupancies and U-1 garages when the total floor area is increased by 50% of the existing area over a 2-year period;
 - iii. All existing Group R occupancies and U-1 garages when the total area is increased by 750 square feet or more over a 2-year period;
 - iv. All existing Group R occupancies and U-1 garages when an additional story is added to the structure regardless of the area involved;
 - v. An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the alteration or combination of an Addition and Alteration, within any two year period, is 50% or more of area of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Building/Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building;
 - vi. Any addition to existing building that has fire sprinklers installed.

[S.C.M.C – Title 15 – Chapter 15.08] (Bldg.)_____

Prior to the review of grading plans, soils report and documents, the owner or designee shall deposit a minimum of \$5,000.00 for plan check. (Eng.)_____

[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]

20. Prior to issuance of the building permit, the owner shall pay all applicable development fees, which may include, but are not limited to, City Attorney review, development, water and sewer connection, parks, drainage, grading, RCFPP, transportation corridor, etc. *[Citation – Fee Resolution No. 08-81& S.C.M.C. Title*

15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72] (Eng.)_____

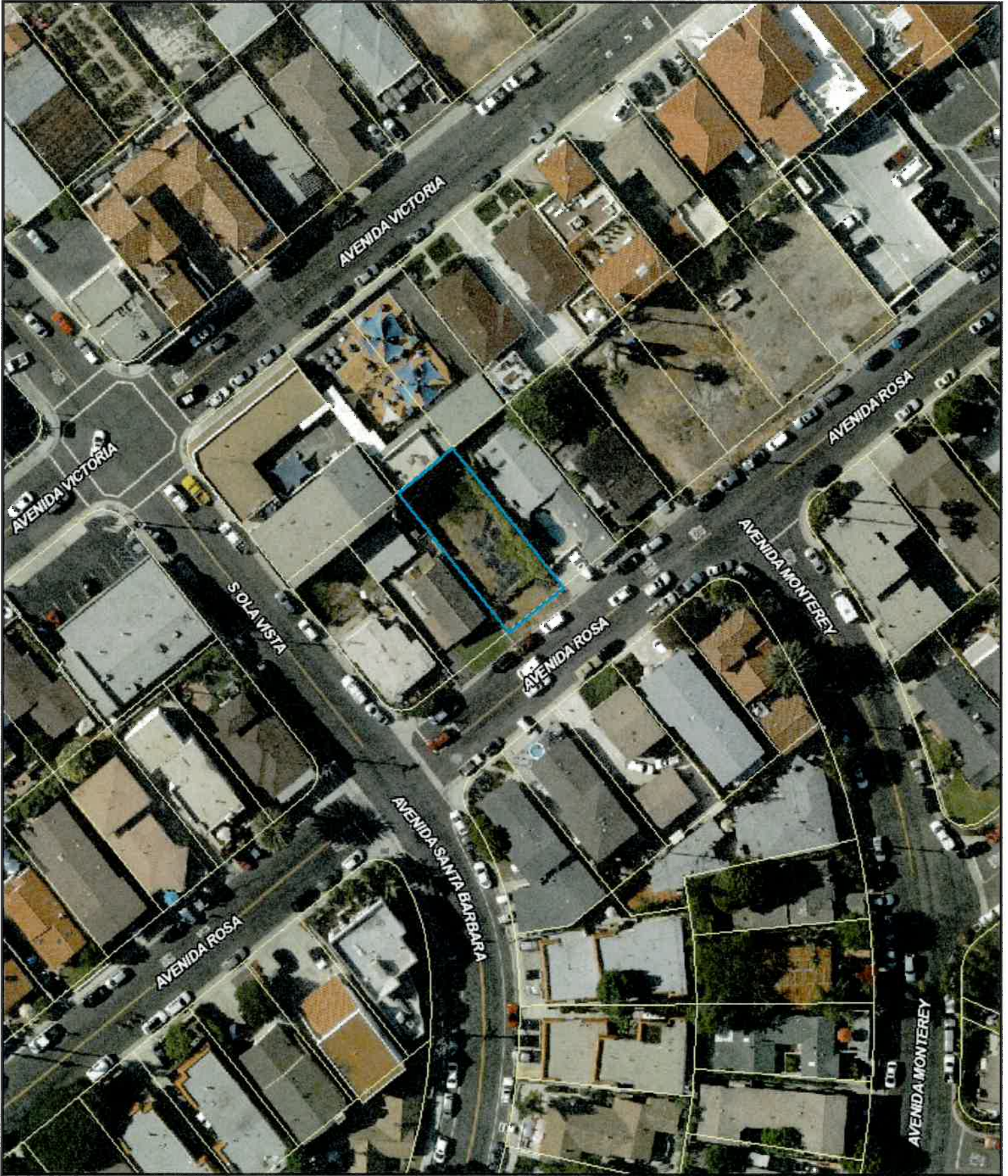
21. Prior to the issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
22. Prior to the issuance of any permits, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, treatment of cut and fill, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
23. Prior to the issuance of any permits, the owner or designee shall submit for review, and obtain the approval of the City Engineer, a grading plan, prepared by a registered civil engineer, showing all applicable onsite improvements, including but not limited to, grading, drainage devices, exterior retaining wall systems, water system, erosion control devices, etc., as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
24. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for 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 replace damaged curb/gutter and construct sidewalk along the property frontage, unless a waiver is obtained. This includes construction of compliant sidewalk up and around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way is approximately 5 feet behind the curbface a sidewalk easement is anticipated to be required to be granted to the City.
 - B. In the event that areas of sidewalk or other street improvements are disturbed or damaged during the construction project, the applicants shall be responsible for replacing said sidewalk or other street improvements prior to the finalization of any Engineering or Building Permits.
 - C. Since the project includes finish floor elevations below the street grade, unless waived by the City Engineer, the project shall prove

that the site is not subject to run-on drainage from the street.

25. Prior to issuance of any permit, the owner shall demonstrate to the satisfaction of the City Engineer that the project meets all requirements of the Orange County National Pollutant Discharge Elimination System (NPDES) Storm Drain Program, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The owner shall submit for review, and shall obtain approval of the City Engineer for, plans for regulation and control of pollutant run-off by using Best Management Practices (BMP's).
[Citation – Section 13.40 of the SCMC] (Eng.)_____
26. Prior to issuance of grading permits, the owner shall provide separate improvement surety, bonds, or irrevocable letters of credit, as determined by the City Engineer for 100% of each estimated improvement cost, as prepared by a registered civil engineer as approved by City Attorney/City Engineer, for the following: grading improvements; exterior retaining walls, drainage devices; water lines; erosion control, etc.. In addition, the owner shall provide separate labor and material surety for 100% of the above estimated improvement costs, as determined by the City Engineer or designee. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

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

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



City of San Clemente

Project: CHP 16-444, Rosa Duplex

Address: 100 Avenida Rosa (APN: 058-091-19)





Design Review Subcommittee (DRSC)

Meeting Date: April 12, 2017

PLANNER: David Carrillo, Community Development Technician

SUBJECT: **Cultural Heritage Permit 16-444, Rosa Duplex** a request to construct a 4,557 square foot duplex on a vacant lot located at 100 Avenida Rosa, Assessor's Parcel Number 058-091-19, in the Residential Medium zoning district and Architectural and Coastal Overlays (RM-A-CZ).

BACKGROUND:

The vacant lot is 4,277 square feet, which is similar in size to surrounding residential lots. The site is one of three vacant lots on Avenida Rosa between South El Camino Real and South Ola Vista. Surrounding land uses include single-family and multi-family residential dwellings and a preschool to the north of the property.

Project Description

The applicant proposes to construct a new two level 4,557 square foot duplex with street access through a new drive apron and driveway. Each unit contains three bedrooms and a rooftop deck for private open space. Unit A has 1,639 square feet of living space with a 338 square foot roof deck and Unit B has 1,476 square feet of living space with a 376 square foot deck. Additionally, one tandem parking garage is provided for each unit for a total of four covered on-site parking spaces. Both units contain living space on the first and second stories with private access to their own garage on the first level.

Why DRSC Review is Required

A Cultural Heritage Permit is required because the project is a new structure in the Architectural Overlay. The DRSC is tasked to ensure development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood, and review the project for consistency with the Design Guidelines. DRSC comments will be forwarded to the Planning Commission.

ANALYSIS:

Development Standards

Table 1 outlines how the project complies with the development standards of the Residential Medium Zone.

Table 1 – Development Standards

	Zoning Ordinance	Proposed	Complies with the Code
Parking (Minimum)	4 spaces	4 spaces	Yes
Setbacks (Minimum)			
Front	15'	15'	Yes
Front to Garage	18'	22'	Yes
Left Side	5'	5.5'	Yes
Right Side	5'	5'	Yes
Left Side Entry to Unit	8'	8'	Yes
Rear	5'	5'	Yes
Lot Coverage (Maximum)	55%	54%	Yes
Height (Maximum)	25'	24.9'	Yes
Density (Maximum)	2 units	2 units	Yes
Landscape	45% of front yard setback shall be permeable. One 15-gallon tree per 25 lineal feet of street frontage is required.	Landscape plans need to be reviewed by City Landscape Consultant	Unknown

Architecture

The project site is located within the Architectural Overlay, which requires new structures to reflect the Spanish Colonial Revival architectural style and comply with the City's Design Guidelines in order to achieve a design that maintains the "Spanish-Village-by-the-Sea" character. The duplex is Spanish Colonial Revival architecture style and utilizes traditional design elements. The design includes smooth white stucco finish, single barrel tile roofing with random mortar packing, solid wrought-iron railing, and

recessed wood windows and doors. The duplex has a two-car tandem garage which gives the building the appearance of having a single-family two-car garage.

Design Guidelines Consistency

The CHP findings require the project comply with the Design Guidelines. Below is an analysis of the most relevant Design Guidelines:

Table 2 – Design Guidelines

Design Guideline	Project Consistency
<p><u>DG II.B.3.</u> Building scale, mass, and form compatible w/ adjacent development.</p>	<p>Consistent. The neighborhood consists of one story single-family homes and two/three level single-family and multi-family homes. The project is a two-level duplex under the maximum height limit of 25 feet.</p>
<p><u>DG II.C.3.b</u> Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components.</p>	<p>Consistent. The second story mass is broken into separate components with multiple roof lines and varied wall planes.</p>
<p><u>DG II.C.3.b</u> Articulate building forms and elevations by dividing building mass into smaller-scale components.</p>	<p>Consistent. Separate building components create shadow and recess thereby adding architectural interest to the building.</p>
<p><u>DG II.C.3.b</u> Varied roof heights are encouraged.</p>	<p>Consistent. Multiple roof lines and varied roof heights add architectural interest to the building.</p>
<p><u>DG II.C.2.</u> Building and site design should follow basic principles of Spanish Colonial Revival (SCR) architecture</p>	<p>Mostly consistent. Building forms, materials, colors and architectural details generally follow SCR style. Recommendations to improve the design of the building are provided within the Recommendations section below.</p>
<p><u>DG II.C.3.</u> Incorporate defined outdoor spaces, including courtyards, patios, plazas and courtyards</p>	<p>Consistent. Defined outdoor patio spaces are provided by a private roof deck for each unit.</p>
<p>Henry Lenny Design Guidelines; Wall Openings. Windows and doors should be set toward the interior allowing the wall thickness to be revealed on the exterior of the building. Walls should be no thinner than 12". An 18" wall is</p>	<p>Unclear. The windows and doors should be recessed a minimum six inches for windows and eight inches for doors on the front elevation. Windows and doors on the side elevations should be recessed a minimum of four inches.</p>

Design Guideline	Project Consistency
ideal.	

General Plan Consistency

Below are applicable General Plan policies that should be considered when reviewing the project. The project is consistent with related General Plan policies as shown in Table 3 below.

Table 3 – General Plan Policies

Policy	Project Consistency
<p>1. <u>UD-5.01</u>. Outdoor Spaces. For multi-family residential, mixed use and commercial development, we require integration of outdoor spaces into the architectural and site designs by encouraging the use of courtyards, patios, paseos, plazas, gardens, covered walkways, rooftop terraces, verandas and other outdoor spaces enclosed by architectural or landscape elements, and encourage the same for other types of development.</p>	<p>Consistent. The size of the lot does not allow for the use of courtyards; however the applicant has incorporated rooftop decks for both units.</p>
<p>2. <u>UD-5.05</u>. Architectural Overlay District. We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival architecture, per the Architectural Overlay District and Design Guidelines.</p>	<p>Consistent. The project is designed in the Spanish Colonial Revival architectural style. The analysis of the project’s consistency with the Design Guidelines is provided in Table-2 above.</p>
<p>3. <u>UD-5.10</u>. Scale and Massing. We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan.</p>	<p>Consistent. The neighborhood consists of one story single-family homes and two/three level single-family and multi-family homes. The project is a two-level duplex under the maximum height limit of 25 feet.</p>

Policy	Project Consistency
<p>Historic Preservation, Standards & Regulations Goal.</p> <p>Ensure the preservation, rehabilitation, restoration and adaptive reuse of buildings, sites, places, and districts with archaeological, historical, architectural, or cultural significance to San Clemente.</p>	<p>Consistent. The project is consistent with the Spanish Colonial Revival architectural style prescribed within the Architectural Overlay.</p>

RECOMMENDATIONS:

Staff supports the overall design of the project but does have the following additional recommendations to improve the architecture of the building and the project’s compliance with the Design Guidelines

1. A sample of the wood windows/doors is needed for staff evaluation. Windows and doors should contain divided lites. The windows and doors should be recessed a minimum of six inches for windows and eight inches for doors on the front elevation. Windows and doors on the side elevations should be recessed a minimum of four inches.
2. Lighting types are not depicted on elevations. Traditional wrought-iron lighting should be utilized and shown on elevation drawings.
3. Gutter details need to be provided. Detail needs to be provided regarding the location of gutters, downspouts, and any applicable filters.
4. Garage door material is not specified. Wood garage doors are recommended.
5. A six foot high wood fence is proposed in the required front yard setback. The Code allows a maximum fence height of three feet, six inches in the required front yard setback. The applicant is required to modify plans to comply with Section 17.24.090 of the Zoning Ordinance.

CONCLUSION

Staff seeks DRSC concurrence with the above recommendations and welcomes additional input. DRSC comments on the project’s design will help ensure the highest quality project.

Attachments:

1. Location Map
2. Site Photographs
Plans

SITE PHOTOGRAPHS



Street view of subject lot



Aerial view of subject and neighboring lots

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW SUBCOMMITTEE
April 12, 2017**

Subcommittee Members Present: Bart Crandell, Wayne Eggleston and Zhen Wu

Staff Present: Associate Planner Cliff Jones, Community Development Technician David Carrillo and Aeryn-Donnelly Terry, Park Planner

1. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS:

Cultural Heritage Permit 16-444, Rosa Duplex (Carrillo)

A request to construct a 4,557 square foot duplex on a vacant lot located at 100 Avenida Rosa, Assessor's Parcel Number 058-091-19, in the Residential Medium zoning district and Architectural and Coastal Overlays (RM-A-CZ).

Community Development Technician David Carrillo summarized the staff report.

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

- Agreed with staff's recommendations.
- Expressed support for the project.
- Requested the tower feature above the block wall be lowered to the code requirement of six feet.
- Suggested the applicant consult with staff to ensure landscape plans are in compliance with landscape requirements.

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

Cultural Heritage Permit 16-434 Silk Residence Addition (Jones)

A request to consider a remodel to the first floor garage, an addition to the second floor, and replacement of an existing deck in the rear of the property to a historic structure located at 404 Monterey Lane in the Residential High Zone and Coastal Zone Overlay (RH-CZ).

Associate Planner Cliff Jones summarized the staff report.

Larry Culbertson, Historical Society, expressed concern regarding the negative massing impacts that the proposed addition would have. Indicated that the project is not compatible in size, scale or massing with the historic resource.

Written comments from Mr. Culbertson are on file at the Community development Offices.

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

- Concluded that the addition would address the required Mills Act condition that requires the existing roof of the garage to be modified.
- To reduce mass a front gable should be provided over the family room and master bedroom and a side gable should be provided over the closet and master bath.
- Expressed concern about the height of the new wall surrounding landscape area. Recommended a hedge or open wrought-iron rail if a Minor Exception Permit is not proposed for the wall.
- Clarified that a Minor Exception Permit is necessary for the addition to encroach in the required setback area.
- Recommended that balcony be removed from the three dimensional drawings if it is not proposed.

The Subcommittee recommended the project return to the CHSC after the recommended modifications are incorporated.

Minor Architectural Permit 16-306, Vista Bahia Park Restroom Rehabilitation (Donnelly-Terry)

A request to allow new public restroom building at Vista Bahia Park. Vista Bahia Park is located at 402 Calle Bahia in the Open Space Zone and Coastal Zone Overlay (OS1-CZ).

Park Planner Aeryn Donnelly-Terrey summarized the staff report.

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

- Agreed with staff's recommendations.
- Recommended that no foam be used in the construction of the potential scallop detail near the eaves.
- Recommended that staff speak to the baseball user groups at Vista Hermosa Sports Park about the vandalism of the park restrooms.
- Recommended that staff research alternative methods and materials for construction of the scallop detail on the pre-fabricated structure, such as using a barge board, or thicker scratch brown coat in the stucco application.
- In the event that the scallop detail cannot be accomplished in a cost effective and durable manner, it was recommended to eliminate it.

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

3. NEW BUSINESS

None

4. OLD BUSINESS

None

ADJOURNMENT

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held April 26, 2017 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,

Bart Crandell, Chair

Attest:

Cliff Jones, Associate Planner



SITE PHOTOGRAPHS

CHP 16-444, Rosa Duplex

100 Avenida Rosa



3-D aerial view of subject lot and abutting properties



Street view of subject lot from Avenida Rosa