AGENDA ITEM: 8-A



Date: January 16, 2019

PLANNER: Katie Crockett, Associate Planner

SUBJECT: Cultural Heritage Permit 15-028, Yap Duplex, a request to construct a

residential duplex at 236 West El Portal. The property is in the Residential Medium Density zoning district and the Coastal Zone overlay (RM-CZ),

and abuts a historic structure.

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 [Table 17.16.100] is required to construct a duplex on a property that abuts a historic resource.

- 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 the Zoning Code in areas including, but not limited to, height, setback, color, etc.:
- c. The architectural treatment of the project complies with 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 will not have negative visual or physical impacts upon the historic structure.

BACKGROUND

In 2006, the Planning Commission approved a Cultural Heritage Permit (CHP) for the construction of a two-story duplex at 236 West El Portal abutting a historic structure. CHPs expire after a period of time set forth in the resolution or three years if no expiration date is specified in the approval. The resolution approving the CHP established a two-year expiration date. In 2008, the applicant applied for and received Planning Commission approval of a time extension of the CHP for an additional two years. However, building permits were not obtained prior to the established expiration, and the approval expired. Since then, the property was sold. The current owner and applicant, Mr. Calvin Yap, requests to develop a duplex similar to the project approved in 2008.

The project site is a vacant 5,223 square-foot lot located in the Residential Medium-Density zoning district and Coastal Zone overlay (RM-CZ). The lot slopes significantly upward from the street. The neighborhood includes a mix of single and multi-family residential development with one and two stories. The site is one lot removed from the rear property line of the Las Palmas elementary school. The project site abuts a historic structure to the east at 234 West El Portal, as shown in Figure 1 below.



The adjacent historic structure is a two-story residential building developed in approximately 1928. A detached in-the-bank garage was constructed in 1942 at the front of the site and reconstructed in 1993 due to fire damage and is not considered a historic resource. The garage has a large roof deck. The historic two-story primary dwelling is located further to the rear of the lot, on the hill above the garage. The City's 2006 historic resource survey found the building's condition and integrity was good, and appeared to be 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. Refer to Attachment 3 for the most recent historic resource survey of the structure's historical significance, condition, and character defining features.

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project several times, most recently on October 18, 2018, and determined the project meets City standards and requirements. The DMT recommended conditions of approval included in the attached draft resolution (Attachment 1).

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 proposed project is a Spanish Colonial Revival style duplex with two stories of living space and decks above a four-car tandem garage built into the slope. No subdivision map is proposed as a part of this project so the units could not be sold separately at this time. The duplex has 4,175 total square feet of living space with three bedrooms in each unit. The front dwelling unit (Unit A) is 1,946 square feet and the rear unit (Unit B) is 2,229 square feet. The two dwelling units are accessed from a stairway on the east side of the building and elevators located in a vestibule at the rear of the garages. Each unit includes balconies and a roof deck. The lot is 40feet in width. The Zoning Ordinance permits tandem parking on narrow lots less than 50 feet wide. Therefore, the property qualifies for a tandem parking configuration.

Drought tolerant landscaping is proposed at the front of the lot. A trash enclosure is proposed on the west side of the driveway to screen trash from the street, as required by the Municipal Code. The enclosure has three-foot, six-inch stucco walls and a stained wood door and cover. Figure 2 below is a rendering of the project.



Figure 2 – Project Rendering

PROJECT ANALYSIS

Cultural Heritage Permit

Zoning Ordinance Table 17.16.100B requires the applicant to obtain a CHP subject to Planning Commission approval because the project abuts a property containing a historic resource. The purpose of the CHP is to ensure the project is compatible with historic

resources, consistent with design guidelines, and in character with the neighborhood. The structure is not located in an Architectural Overlay district where projects are required to utilize Spanish Colonial Revival architecture. When a project is outside the Architectural Overlay, it is reviewed for consistency with other Design Guidelines that address general design principals such as site planning, architecture, neighborhood compatibility, and landscaping. The project is consistent with Design Guidelines and the General Plan and meets all development standards as discussed in the sections below. Furthermore the project is compatible with the abutting historic home since it incorporates Spanish Colonial Revival architecture and has a mass and scale consistent with the historic structure and the neighborhood where the structures are stepped to follow the natural topography of the land.

Development Standards

Table 1 outlines the project's consistency with Residential Medium (RM) Density development standards. The landscaping plan has been reviewed by the City's landscape consultant and found to be compliant with standards.

<u>Table 1 – Development Standards</u>

	Development Standard	Proposed	Complies with standards
Density:	1 unit per 1,800 square feet lot area	2 units	Yes
Height (Maximum)	25'	24'	Yes
Setbacks (Minimum):			
Front	15'	15'	Yes
Garage	18'	18'	Yes
West side yard	5'	5'	Yes
East side yard with	5' to building/8' to	5' to building/8' to	Yes
entrances	entry	entries	Yes
Rear yard	5'	7'-9"	
Lot coverage (Maximum)	55%	54%	Yes
Required parking (Minimum):	4 spaces with 2 covered	4 tandem covered spaces	Yes*
Front yard landscaping (Minimum):	Drought tolerant plants where paving isn't needed for access, Two 15- gallon trees	Drought tolerant plantings and two 24-inch box trees	Yes

^{*}Tandem is allowed on lots narrower than 50 feet.

Design Review Subcommittee

This project was reviewed by the Design Review Subcommittee (DRSC) on November 28, 2018. The DRSC supported the project with no recommended design changes. The minutes (excerpted) from the November 28, 2018 DRSC meeting are included for reference as Attachment 4. For a detailed Design Guidelines consistency analysis, see Attachment 5.

General Plan Consistency

The project is consistent with General Plan goals and policies for historic preservation, architectural quality, and neighborhood compatibility. The project meets development standards, including density, height, and setbacks. The architecture is high quality with proportions, materials, and details that are consistent with the City's Design Guidelines. The front elevation has proportions that mimic the garage and roof deck at the front of the adjacent historic structure.

The project has adequate articulation with upper levels set back and decks on the front and side elevations and varied rooflines. The duplex steps up the slope of the site with a portion of the duplex built into the hillside below original grade. This would reduce the apparent scale and mass of the proposed building and its visual impact on the historic structure. Also, the site plan provides a larger side yard setback between the buildings than what is required. On the east of the site adjacent to the historic structure, the proposed duplex is set back 8 feet from the property line where a 5-foot setback is required. This building setback would provide space between the buildings that ranges from 12 to 21 feet to reduce visual impacts on the historic structure. For a more detailed General Plan analysis, see Attachment 6.

ENVIRONMENTAL REVIEW

The Planning Division completed an initial environmental assessment for this project pursuant to the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303 (Class 3 – New Construction). The Class 3 exemption applies to the construction of new small structures, including duplexes or other multi-family structures with six or fewer dwelling units in urbanized areas where all public services and facilities are available for development permitted in the General Plan.

CALIFORNIA COASTAL COMMISSION REVIEW

This project is categorically excluded from California Coastal Commission (CCC) review pursuant to CCC Categorical Exclusion Order No. E-82-1 because it is in the exclusion area and duplexes are a category of development which are excluded from CCC review.

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 Resolution No. PC 19-001, allowing the project as proposed subject to the conditions of approval. The Commission can take this action if they determine the request meets all required findings listed on Page 1 of this report and as enumerated in Attachment 1 (Draft Resolution of Approval).

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

This action would result in any modifications being incorporated into the project, such as architectural detail, finish, massing changes or modifications to conditions of approval.

3. The Planning Commission can deny the project.

This action would result in not allowing the project as proposed. This action would require 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.

RECOMMENDATION

Staff recommends that the Planning Commission:

- 1. Determine the project is Categorically Exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303 (Class 3 New Construction); and
- 2. Adopt Resolution PC 19-001, approving Cultural Heritage Permit 15-028, Yap Duplex, subject to the Conditions of Approval.

Attachments:

- Draft Resolution No. PC 19-001
 Exhibit A Conditions of Approval
- 2. Location Map
- 3. Historic survey detail for 234 W El Portal
- 4. DRSC minutes (excerpt)
- 5. Design Guidelines Consistency analysis
- 6. General Plan policy analysis
- 7. Plans

RESOLUTION NO. PC 19-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 15-028, YAP DUPLEX, A REQUEST TO CONSTRUCT A RESIDENTIAL DUPLEX AT 236 WEST EL PORTAL ADJACENT TO A HISTORIC STRUCTURE IN THE RESIDENTIAL MEDIUM DENSITY ZONING DISTRICT AND COASTAL ZONE OVERLAY.

WHEREAS, on January 23, 2015, an application was submitted by Calvin Yap, 24202 Paseo Del Campo, Laguna Niguel, CA 92677, for Cultural Heritage Permit (CHP) 15-028, Yap Duplex, and deemed complete on December 17, 2018; a request to construct a residential duplex at 236 West El Portal adjacent to a historic structure in the Residential Medium Density Zone and Coastal Zone Overlay, the legal description being Lot 26, Block 5, Tract 794, Assessor's Parcel Number 692-062-18; and

WHEREAS, the Planning Commission finds and determines the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303(a) (Class 3: New Construction or Conversion of Small Structures) because the project involves the construction of a residential duplex in a residential zone; and

WHEREAS, the property is within the exclusion area identified in Categorical Exclusion Order No. E-82-1, and the project consists of development excluded by the California Coastal Commission from the requirement of a Coastal Development Permit or any further review by the California Coastal Commission; and

WHEREAS, the City's Development Management Team (DMT) has reviewed the proposed project several times, most recently on October 18, 2018, for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on November 28, 2018, the City's Design Review Subcommittee (DRSC) considered the project and supported it with no suggested modifications; and

WHEREAS, on January 16, 2019, 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 CEQA Guidelines Section 15303 (Class 3 - New Construction).

The Class 3 exemption specifically exempts from further CEQA review the construction and location of limited numbers of new, small structures, including single family residences, duplexes, and other multi-family structures with six or fewer dwelling units in urbanized areas where all public services and facilities are available. 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 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 will not result in a cumulative impact from successive projects of the same type in the same place, over time. The project site is a vacant parcel on a developed street. There are no unusual circumstances surrounding the project that result in a reasonably possibility of a significant effect on the environment. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. The project site is abutting a property containing a historic residence. However, the development is limited to an undeveloped lot, and will not physically impact or encroach onto the property associated with the adjacent historic residence. 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. Thus, the Class 3 exemption applies, and no further environmental review is required.

<u>Section 3.</u> Cultural Heritage Permit Findings

With respect to Cultural Heritage Permit (CHP) 15-028, 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 will not have a negative visual or physical impact to the historic resources as described in findings shown in Subparagraph F below, consistent with Historic Preservation Element Policy HP-2.06. New Development: "We require that all new single-family and multi-family residential development abutting historic resources, and new commercial and multi-family development of three or more units within a 300-foot radius from a historic resource be compatible with the historic resource in terms of scale, massing, building materials and general architectural treatment." The project is consistent with General Plan Policy HP-2.06 in that the site plan

and architecture are compatible with the historic structure. The front elevation has proportions that mimic the garage and roof deck at the front of the adjacent historic structure. A portion of the duplex would be built into the hillside below original grade to reduce the apparent scale and mass of the proposed building and its visual impact on the historic structure. On the east side, where the proposed building is closest to the historic structure, the dwelling units are set back 8 feet from the property line where the zone requires a minimum setback of five feet. This building setback would provide space between the buildings that ranges from 12 to 21 feet;

- 2. The Land Use Element Residential Land Uses Goal states: "Achieve a mix of residential neighborhoods and housing types that meets the diverse economic and physical needs of residents, that is compatible with existing neighborhoods and the surrounding environmental setting, and that reflects community expectations for high quality." The proposed project meets development standards and has a design, mass, and scale that is in character with the neighborhood;
- 3. Land Use Element Policy LU-1.05. Multi-Family Residential Uses states: "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..." The project is consistent with Policy LU-1.05 in that the project has a high quality, attractive design expected to improve the aesthetic condition of the property and neighborhood;
- 4. Land Use Element Policy LU-1.06. Residential Infill states: "We require that new residential development be compatible with adjacent structures and land uses and we require: ... b) use of complementary building materials, colors, and forms, while allowing flexibility for distinguished design solutions." The project meets setback standards to provide space and buffers between land uses. The project has a design and materials that are high quality. The building's scale and massing is in character with and compatible with adjacent properties;
- 5. Urban Design Element Policy UD-5.10. Scale and Massing states: "We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan." The project is consistent with Policy UD-5.10 in that the project's scale and size is in character with the surrounding neighborhood, consisting of a mix of one- and two-story single-family and multi-family residential buildings with a comparable scale and massing built into the sloped lots on both sides of the street; and
- 6. Urban Design Element Policy UD-5.18. Drought Tolerant/Native Species Landscaping states: "Ornamental plantings in new, non-residential development should consist primarily of drought tolerant and California native species. Only in small areas and special public locations, such as

high-use areas of parks, should lawns or other high water use vegetation be used." The project is consistent in that a preliminary landscape plan has been approved and reviewed by the City's landscape architect consultant, Summers Murphy Partners, who has found the plans in compliance with requirements. Detailed irrigation plans are required prior to issuance of building permits.

- B. The architectural treatment of the project complies with any applicable specific plan and the Zoning Code in areas including, but not limited to, height, setback, color, etc. in that:
 - The project complies with development standards for the Residential Medium Density zoning district with regard to height, setbacks, lot coverage, and landscaping;
 - 2. The project is not regulated by a specific plan; and
 - 3. The project is not required by the Zoning Code to be any particular color, but is proposed to be a color that is in conformance with the Design Guidelines and in that it is consistent with Spanish Colonial Revival Architecture and is in character with other structures in the neighborhood.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that:
 - The scale, mass, form, setbacks, and materials are compatible with adjacent structures and in character with the pattern of development in the neighborhood. There are one-and-two story single- and multi- family residential buildings in the neighborhood built into the slopes on both sides of the street;
 - 2. The building and site design follow basic principles of Spanish Colonial Revival (SCR) architecture. While not required because this project is not in the architectural overlay, the proposed duplex has attractive SCR style architecture, and utilizes materials and details consistent with SCR style including traditional wood plank garage doors, smooth hand-troweled stucco, exposed rafter tails, single-barrel clay-tile roofing, recessed fiberglass windows with divided lights and mullions, wrought iron guardrails, and wood trellises;
 - 3. The building is sited and designed to reduce the perceived height and bulk of by dividing the building mass into smaller scale components. The scale and mass of the duplex is reduced consistent with other residential structures on the block by having the garage built into the slope and the living areas stepped up to follow the topography. A portion of the building mass and height is located below original grade. The massing is also broken up with recesses, building offsets, and details, including decks and building setbacks at the front on each upper level;

- 4. The project design creates visual balance in the relation between dimensions of buildings and their parts by utilizing a scale, articulation, massing, and materials that are in character with SCR architecture; and
- 5. The project utilizes varied roof heights and orientations and architectural elements and building offsets to create articulation providing strong shadow and visual interest.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:
 - 1. The scale, mass, form, setbacks, and materials are compatible with adjacent structures and in character with the pattern of development in the neighborhood. There are one- and two-story single family and multi-family residential buildings, which are built into the slope and stepped up with the topography on both sides of the street. Additionally, the side setback abutting the historic residence is larger than required;
 - 2. The mass, density, and scale are consistent with the intent of the Residential-Medium Density zoning district. The maximum lot coverage and height are below the limits of the zoning district; and
 - 3. The building has a high quality SCR-style architecture consistent with General Design Guidelines.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that:
 - The project is proposed on a developed site in an urban area and will be required to meet the California Building Code and Orange County Fire Authority regulations;
 - 2. The proposed building has a high quality SCR-style architecture consistent with General Design Guidelines;
 - The proposed duplex is of a size and mass that is in character with the neighborhood, which includes one- and two-story buildings with garages built into the slope and the living areas stepped up with the topography;
- F. The proposed project will not have negative visual or physical impacts upon the historic structure.
 - The proposed building has high quality SCR-style architecture and uses natural materials and colors consistent with General Design Guidelines such as wood plank garage doors, smooth hand-troweled stucco, exposed rafter tails, single-barrel clay-tile roofing, recessed fiberglass windows with divided lights and mullions, wrought iron guardrails, and wood trellises;

- 2. The proposed single-family residence is of a size and density that is in character with the neighborhood, which includes one- and two-story buildings stepped up with the topography;
- 3. The development is limited to an undeveloped lot, and will not physically impact or encroach onto the properties associated with the adjacent historic residence, and maintains an 8-foot side building setback abutting the property with the historic residence where 5 feet is required, providing space between the proposed duplex and the historic structure that ranges from 12 to 21 feet;
- 4. The project's front elevation has proportions that mimic the garage and roof deck at the front of the adjacent historic structure. The living areas above are set back and step up with the topography in a similar manner to the way the historic property is sited, as well as other residential structures on the street.

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 15-028, Yap Duplex, subject to 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 January 16, 2019.

Chair

CERTIFICATION:

I HEREBY CERTIFY this Resolution was adopted at a regular meeting of the City of San Clemente Planning Commission on January 16, 2019, 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 15-028 YAP DUPLEX

1.0 GENERAL CONDITIONS OF APPROVAL

1.1 Within 30 days of approval of this application, the applicant shall submit to the City Planner a signed acknowledgement concurring with all conditions of approval on a form to be provided by the City. Failure to submit this acknowledgement may be grounds to revoke this approval.

Planning

1.2 The applicant shall defend, indemnify, and hold harmless the City of San Clemente and its officers, employees, and agents from and against any claim, action, proceeding, fines, damages, expenses, and attorneys' fees, against the City, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the City Council, Planning Commission, or City Planner. Applicant shall pay all costs, The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter. If the applicant fails to so defend the matter, the City shall have the right, at its own option, to do so and, if it does, the applicant shall promptly pay the City's full cost of the defense.

Planning

1.3 Use and development of this property shall be in substantial conformance with the approved plans, material boards and other applicable information submitted with this application, and with these conditions of approval.

Planning

1.4 The applicant shall comply with all applicable current and future provisions of the San Clemente Municipal Code, adopted ordinances, and state laws.

ΑII

1.5 Use of the subject property shall conform to all occupancy requirements, including posting of signs related to the maximum occupancy limitations.

Code Comp

Non-standard Conditions

1.6 Within 48 hours of project approval the applicant shall submit to the Planning Division a check made payable to the Orange County Clerk-

Planning

Recorder in the amount of \$50 for filing the Notice of Exemption.

3.0 PRIOR TO ISSUANCE OF GRADING PERMITS

3.2 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, landslide treatment, treatment of cut and fill, slope stability, soils engineering, and surface and subsurface drainage, and recommendations for further study. (SCMC Chapter 15.36)

Public Works

The applicant shall submit, and the City Engineer shall approve, a precise grading plan as required by the City Grading Manual and Ordinance. (SCMC Chapter 15.36)

Public Works

Financial Security

3.9 The applicant 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 Engineer, for the following applicable items: grading improvements; frontage improvements; sidewalks; sewer lines; water lines; onsite storm drains; and erosion control. 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. (SCMC Chapter 15.36)

Public Works

Improvements

- 3.10 The applicant shall submit, and the City Engineer shall approve, frontage improvement plans. The applicant shall be responsible for the construction of all required frontage improvements as approved by the City Engineer including but not limited to the following:
 - A. Sidewalk, including construction of compliant sidewalk around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists.
 - B. In the event that areas of street improvements are disturbed or damaged during the construction project, the applicant shall be responsible for replacing or repairing the street improvements prior to the finalization of any Engineering or Building Permits.

(SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050)

Landscape Plans

3.11 The applicant shall submit, and the City Planner shall have approved, a detailed landscape and irrigation plan incorporating drought tolerant plants, prepared by a registered landscape architect, and in compliance with all pertinent requirements including, zoning requirements, Design Guidelines, and General Plan policies. (SCMC Section 17.68.020)

Planning

NPDES

3.14 The applicant shall demonstrate to the satisfaction of the City Engineer or designee that the project meets all requirements of the San Diego Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) Municipal Separate Strom Sewer Permit, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The applicant shall submit for review, and shall obtain approval of the City Engineer, plans for regulation and control of pollutant run-off by utilizing Best Management Practices (BMPs). (SCMC Chapter 13.40)

Public Works

Non-standard Conditions

3.20 Prior to the review of grading plans, soils report and documents, the applicant shall deposit a minimum of \$5,000 for plan check.

Public Works

3.21 Prior to the issuance of grading permits, the applicant shall submit for review, and shall obtain the approval of the City Engineer or designee, 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. (SCMC Chapter 15.36)

Public Works

4.0 PRIOR TO ISSUANCE OF BUILDING PERMITS

4.1 The working drawings shall include within the first four pages a list of all conditions of approval included in this resolution.

Planning

NPDES

4.7 The applicant shall demonstrate to the satisfaction of the City Engineer or designee that the project meets all requirements of the San Diego Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) Municipal Separate Strom Sewer Permit, and Federal, State, County and City

Public Works

guidelines and regulations, in order to control pollutant run-off. (SCMC Chapter 13.40)

Non-standard Conditions

Prior to the issuance of building permits, the applicant 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 Construction. corridor. Pata transportation Avenida La Supplemental Road Fee and school fees, etc. (S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72)

Public Works Building

4.14 Prior to issuance of building permits the applicant shall demonstrate on the plans compliance with the requirement of fire sprinklers to be installed in all new Group R occupancies including attached garages. (SCMC Chapter 15.08)

Building

5.0 PRIOR TO FINAL INSPECTION

Engineering

5.4 The applicant shall demonstrate to the satisfaction of the City Engineer and City Maintenance Manager that all street improvements have been completed and accepted and that any damage to new or existing street right-of-way during construction has been repaired/replaced. (SCMC Title 12)

Public Works

Landscaping

5.5 The applicant shall submit, and the City Planner shall approve, a letter from a registered landscape architect confirming that landscaping and irrigation have been installed in accordance with the approved plans.

Planning

Surveys

Prior to approval to pour foundations, the applicant shall submit, and the City Planner and Building Official shall approve, a survey prepared by a registered civil engineer that is licensed to do surveying or a land surveyor confirming that the building foundations conform to the required setbacks as set forth on the approved plans.

Planning Building

5.9 Prior to approval of the framing inspection, the applicant shall submit, and the City Planner and Building Official shall approve, a

Planning Building survey prepared by a registered civil engineer that is licensed to do surveying or a land surveyor confirming that the height of all structures conforms to the dimensions set forth on the approved plans.

6.0 PRIOR TO RELEASE OF FINANCIAL SECURITY

6.7 The waste debris enclosure shall be of appropriate size to accommodate bins for recyclable materials, organic waste (food and landscape trimmings) and trash. For residential projects, all waste bins must be substantially hidden from view from any public street or alley. (SCMC Chapter 8.28)

Utilities

ATTACHMENT 2



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

Primary # HRI#

ATTACHMENT 3

PRIMARY RECORD

Trinomial

NRHP Status Code 3D

Other Listings

Review Code Reviewer Date

Page 1 **of** 3

Resource Name or #: 234 W EL PORTAL

P1. Other Identifier:

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

T; R; 1/4 of 1/4 of Sec; b. USGS 7.5' Quad Date **c. Address** 234 W El Portal **City** San Clemente **Zip** 92672

d. UTM: Zone; mE/

e. Other Locational Data: Assessor Parcel Number: 692-062-17

P3a. Description:

The property contains a two-story single family residence with a rectangular plan and wood-frame construction. Designed in the Spanish Colonial Revival style, it has a low-pitch hip roof with clay tiles and exposed rafter tails. The exterior walls are clad with smooth stucco. The primary (north) facade is dominated by a forward-projecting two-car garage. The garage is capped by a flat roof with a stepped stucco roofline balustrade, and features a side staircase. The residence features wood-frame windows flanked by decorative wood shutters. An upper level projecting balcony features a shed roof with a wood balustrades and porch supports. The residence is in good condition. Its integrity is good.

P3b. Resources Attributes:

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



P11. Report Citation: None.

P5b. Description of Photo:

South elevation, north view. May 2006.

P6. Date Constructed/Sources:

□ Both ☐ Prehistoric

1928 (E) Tax Assessor

P7. Owner and Address:

Smith, Douglas G. 210 N El Camino Real

P8. Recorded by:

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

P9. Date Recorded: 9/18/2006

P10. Survey Type:

City of San Clemente Historic Resources Survey Update

Attachments:	□ NONE	☐ Location Map	☐ Sketch Map	■ Continuation	Sheet X	Building, Structu	ure, and Object Record
☐ Archaeological	Record	☐ District Reco	rd 🔲 Linear F	eature Record	☐ Milling S	Station Record	☐ Rock Art Record
☐ Artifact Record	I ☐ Phot	tograph Record	Other:				
DPR 523A (1/95) H	IRG						

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

Primary # HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 3 NRHP Status Code 3D

Resource Name or #: 234 W EL PORTAL

B1. Historic Name: (Unknown) **B2.** Common Name: (Unknown)

B3. Original Use: Single-family residence **B4.** Present Use: Single-family residence

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)

This two-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

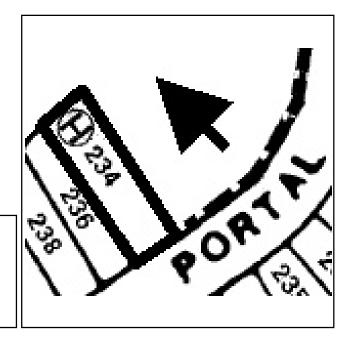
B12. References: Orange County Tax Assessor Records; Historic Resources Survey, Leslie Heumann and Associates, 1995.

B13. Remarks: (none)

B14. Evaluator: Historic Resources Group, Hollywood, CA

Date of Evaluation: 9/18/2006

(This space reserved for official comments.)



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

CONTINUATION SHEET

Primary # HRI# Trinomial

Page 3 of 3 Resource Name or #: 234 W EL PORTAL

Recorded by: Historic Resources Group

Date: 9/18/2006

☐ Update

Photographs of the Subject Property, Continued:

These minutes will be considered for approval at the DRSC meeting of December 12, 2018

CITY OF SAN CLEMENTE MINUTES OF THE REGULAR MEETING OF THE DESIGN REVIEW SUBCOMMITTEE NOVEMBER 28, 2018

Subcommittee Members Present: Jim Ruehlin, Bart Crandell, Jason Talley

Staff Present: Senior Planner Stephanie Roxas, Associate Planner II Chris

Wright, Assistant Planner David Carrillo, Assistant Planner

Veronica Morones

1. MINUTES

The Subcommittee approved the minutes from the November 14, 2018 meeting with various changes.

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS:

Cultural Heritage Permit 15-028, 236 W El Portal, Yap Duplex (Wright)

A request to allow the construction of a new residential duplex at 236 West El Portal. The site abuts a historic structure.

Associate Planner II, Christopher Wright, summarized the staff report and presented a materials board. The applicant's designer, Victor Bejarano, was present for questions.

The Design Review Subcommittee (DRSC) discussed the project, and made the following comments either individually or as a group:

- Concurred with staff's analysis that the project is consistent with the design guidelines, meets development standards, and is consistent with the general plan in terms of design issues and historic preservation.
- Indicated that while the project is not traditional Spanish Colonial Revival (SCR) architecture in some aspects, the site is not in the Architectural Overlay so traditional SCR is not required.
- Requested clarification from staff regarding the building which steps up the slope with a portion in-bank and below original grade.
- Stated a portion of the building's side elevation will be screened from the street by the adjacent historic building and topography.

The Subcommittee supports the design of the project as proposed and recommended the project proceed to a Planning Commission public hearing for consideration.

ATTACHMENT 5

Analysis: Design Guidelines

Table 1 below is an analysis of the project's consistency with the Design Guidelines. The site in not in the Architectural Overlay so the project isn't required to have Spanish Colonial Revival (SCR) architecture, but the project should have high-quality design consistent with general design guidelines.

<u>Table 1 – Design Guidelines Analysis</u>

Design Guideline	Project Consistency
Design Guidelines II.B.3, Scale, Mass, and Form. 'Design buildings to be compatible in scale, mass and form with adjacent structures and the pattern of the neighborhood."	Consistent. The building has setbacks between adjacent uses and the project's scale and size are in character with existing buildings in the commercial center.
2. Design Guidelines II.C.2, Basic Principles of 'Spanish Colonial Revival' Architecture. 'Building and site design should follow basic principles of Spanish Colonial Revival (SCR) architecture."	Consistent. The proposed duplex has attractive Spanish Colonial Revival architecture. Traditional wood plank garage doors are also proposed. The exterior finishes would be consistent with other traditional materials found on Spanish Colonial Revival architecture, namely, single-barrel clay-tile roofing, exposed rafter tails, smooth hand-troweled stucco, recessed fiberglass windows with divided lights and mullions, wrought iron guardrails, and wood trellises.
3. Design Guidelines II.C.3.b, Building Form and Massing. "Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components."	Consistent. The buildings' scale and mass are consistent with the neighborhood. Similar to the proposed project, several properties in the block have garages built into a slope and one or two stories of living space above that is stepped up to follow the topography. The site's slope would be graded so a portion of the building mass and height is located below original grade. The massing of project would also be divided into smaller parts with recesses, building offsets, and details, including decks and building setbacks at the front on each upper level.

	Design Guideline	Project Consistency	
4.	Design Guidelines II.C.3.b, Building Form and Massing. "Avoid long and unrelieved wall planes. As a general principle, relieve building surfaces with recesses that provide strong shadow and visual interest."	Consistent. There are architectural elements and building offsets on the elevations to break up building surfaces.	
5.	Design Guidelines II.C.3.b, Building Form and Massing. "Varied roof heights are encouraged."	Consistent. There are several roof elements with varied heights and roof orientations.	
	Design Guidelines II.C.3.c, Proportion and Scale. "Create a visual balance in the relation between dimensions of buildings and their parts."	Consistent. The proposed building has a scale, articulation, massing, and materials that are in character with SCR architecture.	
7.	Design Guidelines II.C.3.d. Building Materials, Color, and Texture. White, off white, or earth tone cement plaster/stucco finishes are encouraged along with whitewashed brick or adobe; windows should be wood framed or non-corrosive metal finish; awnings are encouraged; dark and reflective glass are discouraged.	Consistent. The recommended materials are proposed.	
8.	Design Guidelines II.F, Building Equipment and Services. "Locate and design building equipment to minimize visual impact on public streets and neighboring properties."	Consistent. The trash enclosure has materials and a design in character with the duplex that would provide adequate screening from the street.	

ATTACHMENT 6

Analysis: General Plan Policies

Below is an analysis of the project's consistency with General Plan policies that should be considered.

<u>Table 1 – General Plan Analysis</u>

	Policy	Project Consistency
1.	Historic Preservation Element Policy HP-2.06, New Development: "We require that all new single-family and multi- family residential development abutting historic resources, and new commercial and multi-family development of three or more units within a 300-foot radius from a historic resource be compatible with the historic resource in terms of scale, massing, building materials and general architectural treatment."	Consistent. The proposed site plan and architecture are compatible with the historic structure. The front elevation has proportions that mimic the garage and roof deck at the front of the adjacent historic structure. A portion of the duplex would be built into the hillside below original grade to reduce the apparent scale and mass of the proposed building and its visual impact on the historic structure. On the east side, where the proposed building is closest to the historic structure, the dwelling units are set back 8 feet from the property line where the zone requires a minimum setback of five feet. This building setback would provide space between the buildings that ranges from 12 to 21 feet.
2.	Land Use Element Residential Land Uses Goal: "Achieve a mix of residential neighborhoods and housing types that meets the diverse economic and physical needs of residents, that is compatible with existing neighborhoods and the surrounding environmental setting, and that reflects community expectations for high quality."	Consistent. The project meets development standards and has a design, mass, and scale that is in character with the neighborhood.
3.	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"	Consistent. The project has a high quality, attractive design expected to improve the aesthetic condition of the property and neighborhood.

	Policy	Project Consistency
4.	LU-1.06. Residential Infill: "We require that new residential development be compatible with adjacent structures and land uses and we require: b) use of complementary building materials, colors, and forms, while allowing flexibility for distinguished design solutions."	Consistent. The project meets setback standards to provide space and buffers between land uses. The project has a design and materials that are high quality. The building's scale and massing is in character with and compatible with adjacent properties.
5.	UD-5.10., Scale and Massing. "We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan."	Consistent. The project's scale and size is in character with the surrounding neighborhood, consisting of a mix of one-and two- story single-family and multi-family residential buildings with a comparable scale and massing built into the sloped lots on both sides of the street.
6.	UD-5.18, Drought Tolerant/Native Species Landscaping. "Ornamental plantings in new, non-residential development should consist primarily of drought tolerant and California native species. Only in small areas and special public locations, such as high-use areas of parks, should lawns or other high water use vegetation be used."	Consistent. A preliminary landscape plan has been provided and reviewed by the City's landscape architect consultant, Summers Murphy Partners. The plans are in compliance with requirements. Detailed irrigation plans are required prior to issuance of building permits.



LEGAL DESCRIPTION

TRACK NO. 794 BLK. 5 LOT - 26 SAN CLEMENTE CA. ORANGE COUNTY, CALIFORNIA

OWNER

LAGUNA NIGUEL, CA 92677

DESIGNER

VICTOR M. BEJARANO 2011 S. EL CAMINO REAL STE "A" SAN CLEMENTE CA 92G72 (949) 369-8580 E-MAIL: VMBDESIGN@AOL.COM

BUILDING DATA

CODE DATA

RM____ZONING

OCCUPANCY GROUP

RESIDENCE R-3

TYPE OF CONSTRUCTION

AS PER CITY OF SAN CLEMENTE ORD.

NUMBER OF STORIES

BASEMENT GARAGES & 2-STORIES

TABULATIONS:

LIVING AREA

LAND AREA 5223.00 SQ. FT.

FRONT UNIT "A"

FIRST FLOOR 1086.00 SQ. FT. SECOND FLOOR 860.00 SQ. FT. TOTAL LIVING AREA 1946.00 SQ. FT. FIRST FLOOR DECK 159.50 SQ. FT. SECOND FLOOR DECK 191.63 SQ. FT. DECK AREA 351.33 SQ. FT.

ROOF DECK AREA 254.00 SQ. FT.

REAR UNIT "B"

FIRST FLOOR 1154.00 SQ. FT. SECOND FLOOR 1075.00 SQ. FT. TOTAL LIVING AREA 2229.00 SQ. FT.

FIRST FLOOR DECK 77.00 SQ. FT SECOND FLOOR DECK 197.60 SQ. FT

DECK AREA 274.00 SQ. FT ROOF DECK AREA 307.00 SQ. FT.

GROUND LEVEL GARAGE 4 VESTIBULE 1331.76 SQ. FT. COMMON AREA STAIRS # LANDING 120.00 5Q. FT.

TOTAL LIVING AREA

COVERAGE COVERAGE ALLOWED

55 %

INDEX TO DRAWINGS

I SITE PLAN
ENSTING TOPOGRAPHIC SURVI
GARAGE LEVEL FOOR PLAN
PRIST LEVEL FLOOR PLAN
I SECOND LEVEL FLOOR PLAN
EXTERIOR ELEVATIONS
EXTERIOR ENTERIOR EXPOUT
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I STREETECAPE
SITE ELEVATIONS
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SITE PICTORES

KEYED & GEN. CONST. NOTES

INTERNATIONAL BUILDING CODE (IBC). CALIPORNA PLUMBING CODE (CPC) BASED ON THE 2016 PLUMBING CODE (UPC)

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SCOPE OF WORK:

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FIN.FL. ELEV 113.16 LOT 26

BLOCK 5

10

2-CAR GARAGE

5 8 60

DOOR ACCESS TO FIRST LEVEL FLOOR

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GARAGE

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DRIVEWAY

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ALL DIMENSIONS SHALL BE VERSITED BEYORE ANY CONSTRUCTION IS BEGUN. ANY DISCREPANCIES SHALL BE BROUGHT TO DESIGNERSY CONTRACTORS. ATTENTION PRIOR TO THE START OF ANY WORK.

THIS KEYED NOTES APPLY TO SHEET A-1

PRINTING CONCEPTS CHES AND GUTTER

2. NEW CONCRETE WALK - AS FER CITY OF SAN CLEMENTE

3. PROVIDE NEW CMU RETAINING WALL 42' HIGH MAX, WITH STUCCO

4. NEW DRIVEWAY APPROACH - AS PER CITY OF SAN CLEMENTE ENGINEERING DIVISION

5. NEW CONCRETE DRIVEWAY - NOT TO EXCEED 10% MAX. GRADE CONCRETE STARS - 7 I/IP HIGH RISERS MAX. X12" WIDE TREADS STEPS UP TO PRONT ENTRANCE GATE WITH TERRA-COTA PAVER PHISH SURFACE.

CONCRETE STAIRS WITH TERRA-COTA PAVER PINISH SURFACE UP TO PIRST LEVEL PROHIT DOOR ENTRANCES TO UNITS

S. LINE OF NEW DITERIOR WALL
 SHITRANCE TO UNITS

5

10. LINE OF GARAGE RETAINING WALL BELOW

12. UNE OF SECOND FLOOR EXTERIOR WALL STRUCTURE ABOVE

15. LOW RETAINING CMU WALL STEPFED UP WITH CONCRETE STEPS &
GRADE NOT TO EXCEED 42" HIGH - AS PER GRADING PLAN
16. CONTINUOUS CONCRETE CURB, 8" WIDE X 2" ABOVE GRADE.

17. CONCRETE LANDING WITH 12" X 12" TERRA-COTA PAVERS Complete Language with 12" x 12" total-color Nations
 Colorodo States Accepts To Each UnitT, Each Floor And Roof DECKS FROM GARAGE LEVEL.
 LANDSCAPING BY OTHERS

20. ENTRANCE TO UNIT W

21. ENTRANCE TO UNIT ME

24. DECORATIVE PRONT ENTRANCE WEOLIGHT IRON GATE.

PROVIDE 42" HIGH WROUGHT IRON KALING WITH 1/2" X 1/3" VERTICALS AN AND 11/2" X11/3" FRAMES NOT TO EXCEED 4" OPENINGS ANCHORED TO CONCRETE SIAB + CAU WALLS.

29. PROVIDED AREA NEXT TO ACCESS CONCRETE STARS AND PLANTER WITH 42' HIGH CALL WALLS FOR TRACH ENCLOSURE WITH STAINED WOOD DOORS AND STAINED WOOD COVER.

-Line of Existing Historical residence -Line of Existing garage

front and rear Line of Existing stairs up to residence

236 W. EL PORTAL

4

SITE PLAN

BEJARANO ASSOCIATES Z.g

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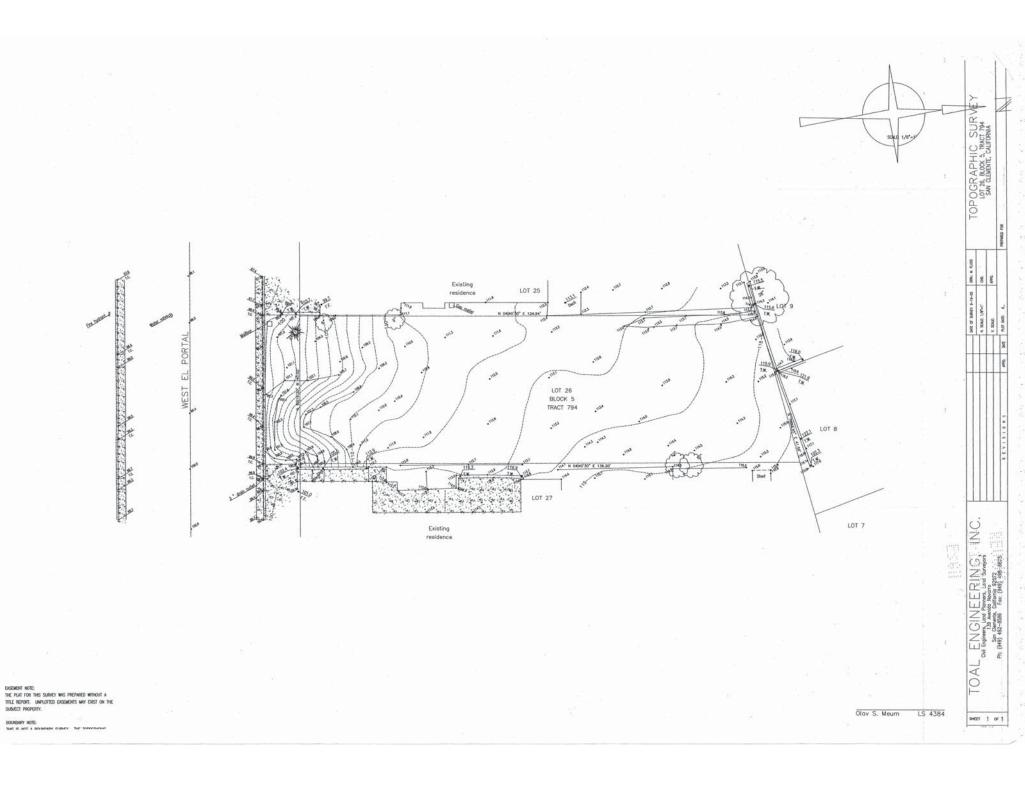
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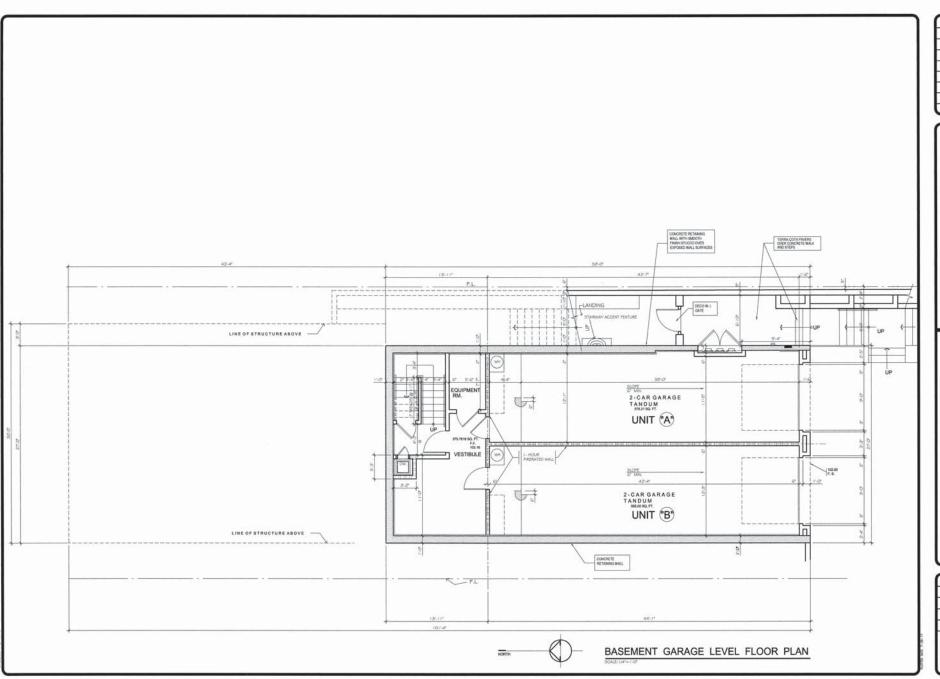
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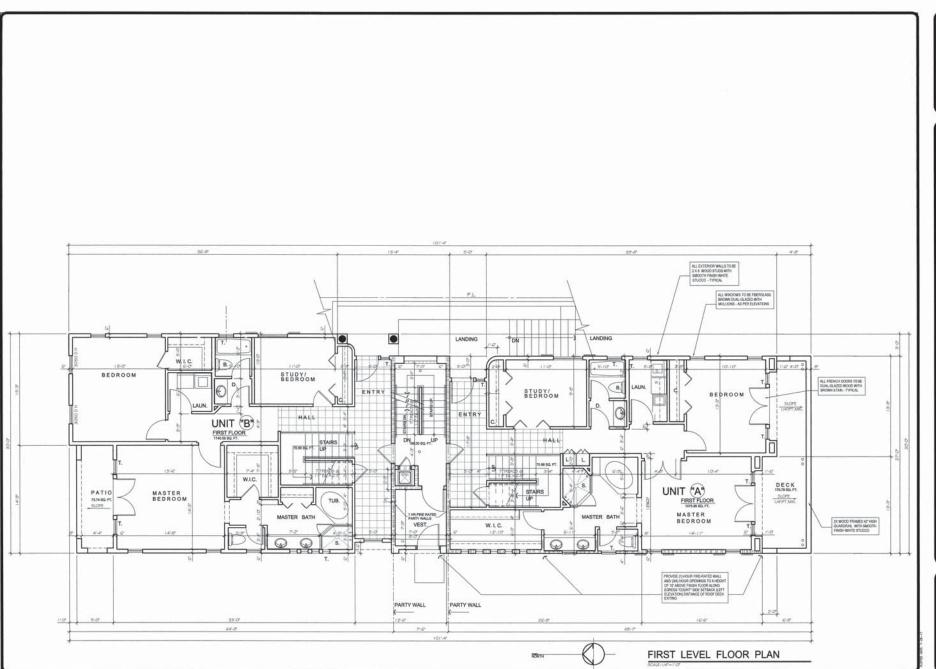


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WICTOR M. BEJARANO ASSOCIATES

NEW DUPLEX PROJECT
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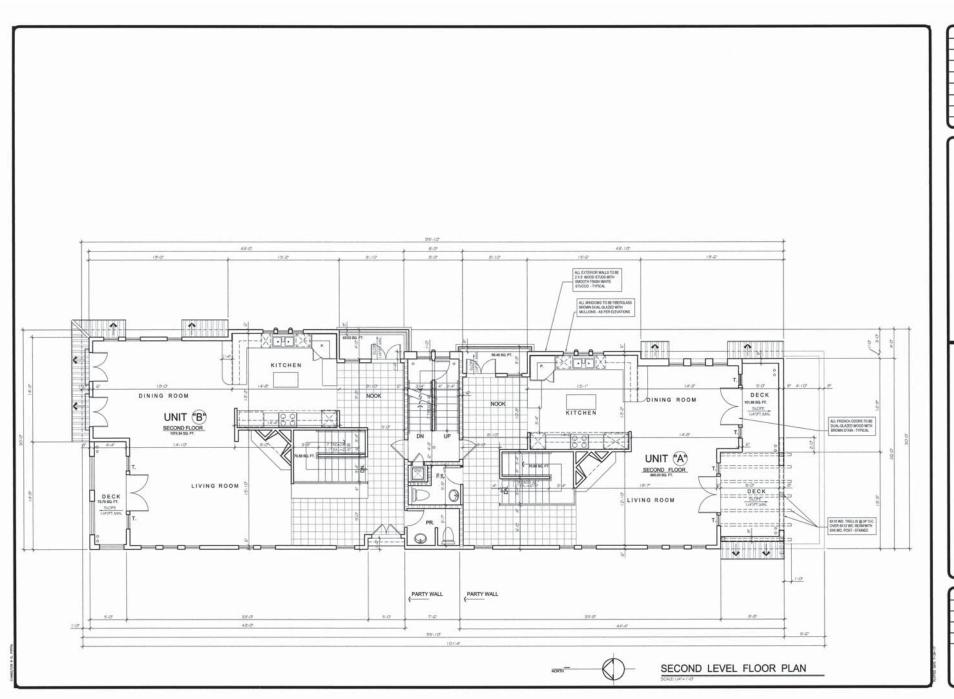




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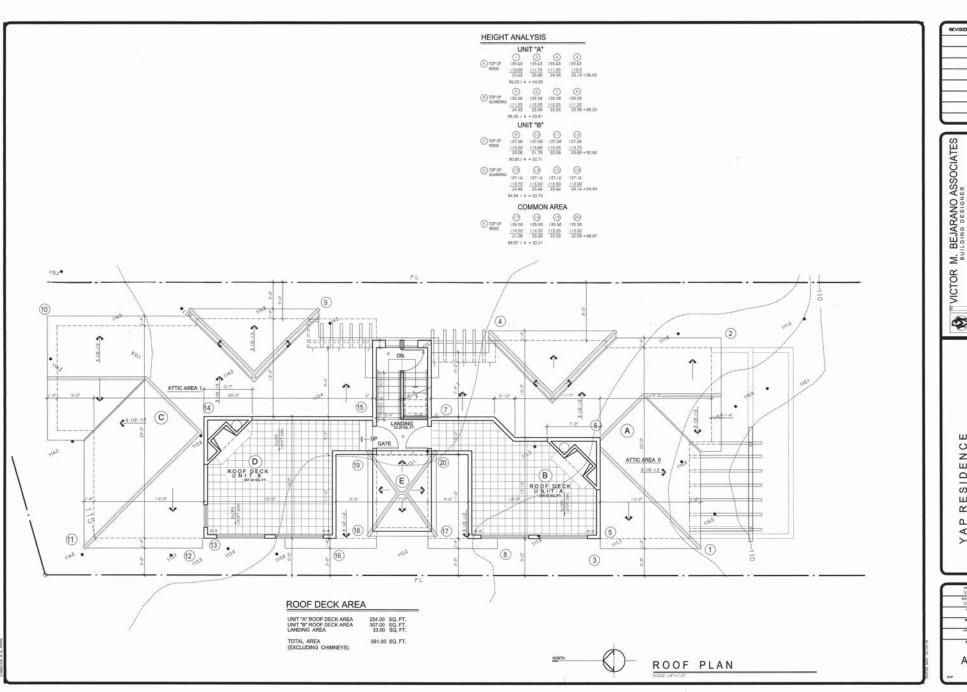
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YAP RESIDE NEW DUPLE 238 W. EL PORTAL



WICTOR M. BEJARANO ASSOCIATES

YAP RESIDENCE
NEW DUPLEX PROJECT
239 W. EL PORTAL SW CLAMPITE, CA.



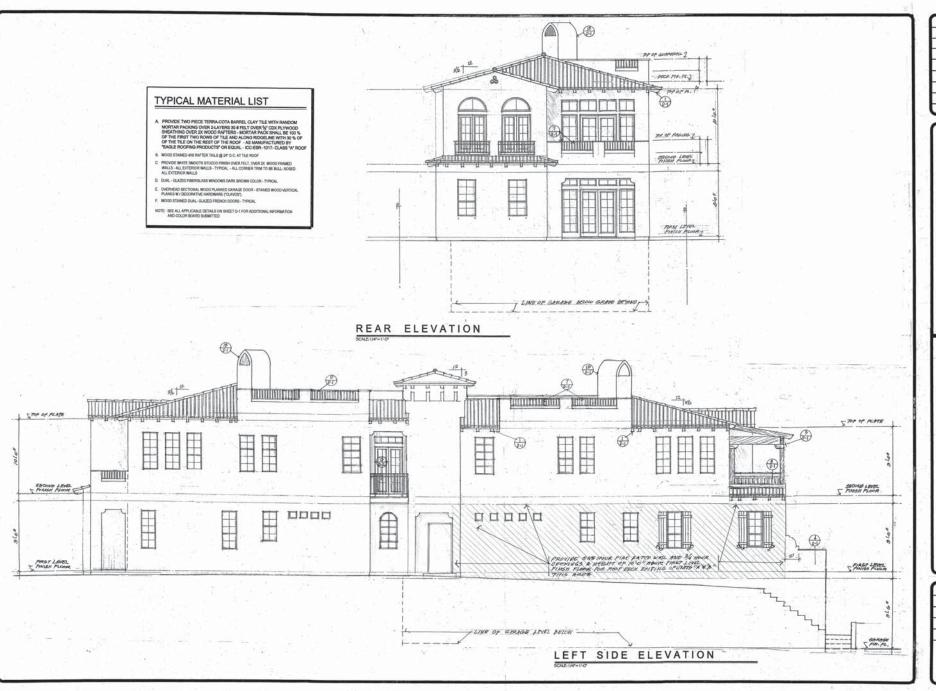
YAP RESIDENCE
NEW DUPLEX PROJECT
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VICTOR M. BEJARANO ASSOCIATES

YAP RESIDENCE
NEW DUPLEX PROJECT
208 W, EL PORTAL
SAN CLEMENTE, CA.

VMB.



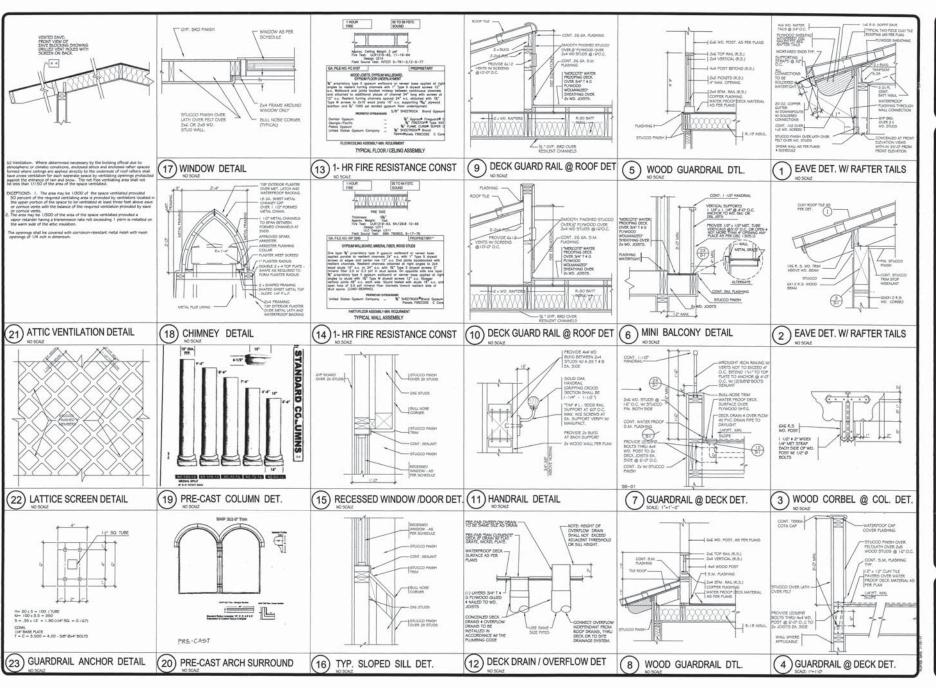
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VICTOR M. BEJARANO ASSOCIATES
BUILDING DESIGNER

Residential .

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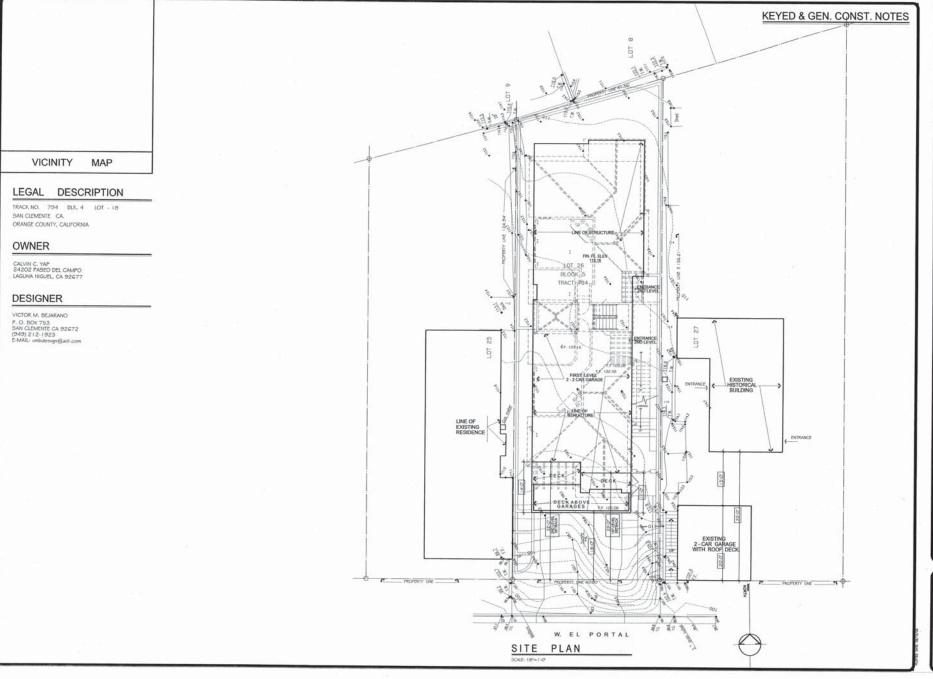
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VICTOR M. BEJARANO ASSOCIATES
BUILDING DESIGNER
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Residential Commercial P. O. Commercial Processing Section 19 Comm

NEW DUPLEX PROJECT
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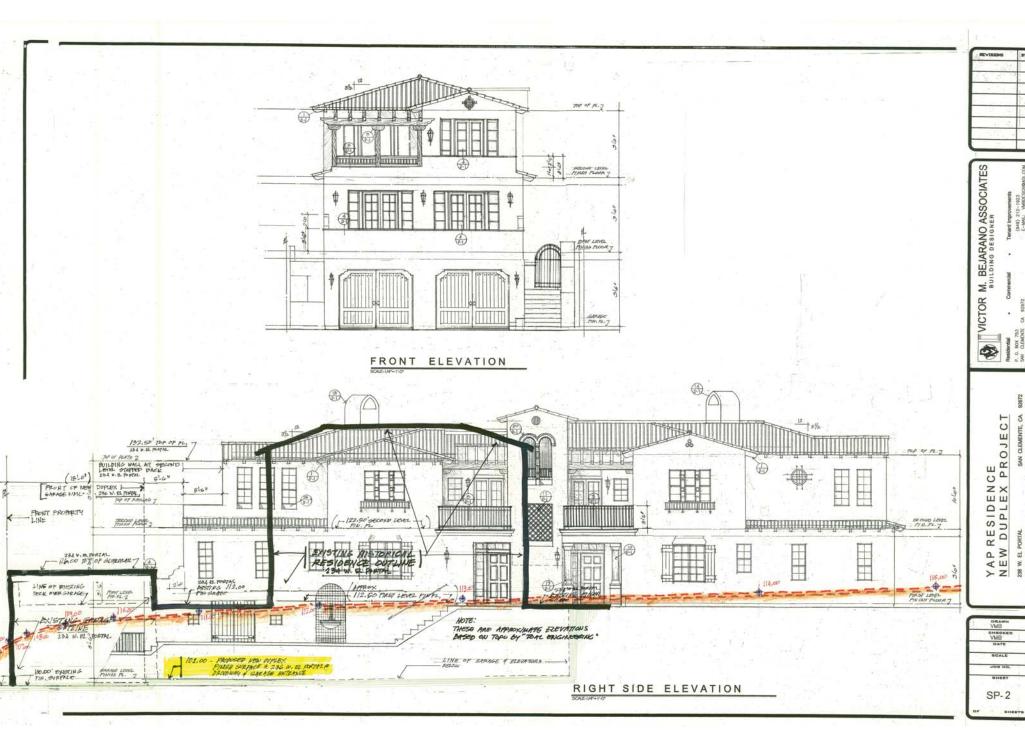


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> ICE PROJECT EN DUPLE α YAP R NEW 236 W. EL POF

SP-1





236 W. EL PORTAL · STREETSCAPE

WICTOR M. BEJARANO ASSOCIATES BUILDING DESIGNER

NEW DUPLEX PROJECT 238 W. B. PORTAL SW. CLABOTE, CA.

SS-1



VIEW EAST TO HISTORICAL









VIEW OUT FROM PROPERTY TO EL PORTAL



VICTOR M. BEJARANO ASSOCIATES

P RESIDENCE W DUPLEX PROJECT