

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 200 Oceangate, Suite 1000  
 Long Beach, CA 90802-4302  
 (562) 590-5071



Filed: 7/28/99  
 49th Day: 9/15/99  
 180th Day: 1/24/99  
 Staff: MV-LB  
 Staff Report: 9/22/99  
 Hearing Date:  
 Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER: 5-99-279****APPLICANT: Joan & Jack Thomson****AGENT: Louis K. Glasbrenner, Architect****PROJECT LOCATION: 326 Boca Del Canon, San Clemente, Orange County**

**PROJECT DESCRIPTION:** Remodel and addition of 1360 square feet to an existing 2777 square foot, 23 feet high above finished grade, single family residence. The proposed addition is an expansion below and within the footprint of the main floor. Also proposed is 183 cubic yards of cut, landscaping and hardscape improvements.

Lot Area:	5917 square feet
Building Coverage:	2777 square feet
Pavement Coverage:	520 square feet
Landscape Coverage:	2620 square feet
Parking Spaces:	3
Ht above final grade	23 feet above finished grade 15 feet above centerline of frontage road

**LOCAL APPROVALS RECEIVED: City of San Clemente Approval in Concept**

**SUBSTANTIVE FILE DOCUMENTS:** City of San Clemente certified Land Use Plan; Coastal Development Permit Nos. 5-98-227 (Genovese); 5-96-194 (Woodbridge).

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project subject to two special conditions requiring 1) conformance with geotechnical recommendations and 2) identification of the location of the disposal site for the excess cut material. If the disposal site is located in the coastal zone an amendment to this permit or a new coastal development permit may be required.

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

**II. STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. SPECIAL CONDITIONS

#### 1. Conformance with Geotechnical Recommendations

- A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Update to the Referenced Geotechnical Report prepared by Earthworks on July 16, 1999. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### 2. Disposal of Cut Material

Prior to issuance of the coastal development permit the applicant shall submit, for the review and approval of the Executive Director, a letter identifying the location of the disposal site of the excess cut material. If the disposal site is in the coastal zone, a coastal development permit may be required.

### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

#### A. Project Description and Location

The applicants propose to add 1360 square feet to an existing 2777 square foot, 23 feet high above finished grade, 15 feet above centerline of frontage road, single family residence. The addition will be located beneath the main floor of the existing residence. The proposed addition will expand the existing 732 square foot lower story by 1360 square feet (see exhibit G). No change is proposed to the height of the structure. Grading of 183 cubic yards of cut are proposed to accommodate the lower level expansion. The proposed development also includes landscaping and hardscape.

The subject site is located between the sea and the first public road. However, additional development exists between the subject site and the beach. Immediately seaward of the

subject site is a dirt road, possibly an access road to service the adjacent concrete drainage swale and/or adjacent sewer line. The sewer line exists within an easement that runs along the rear 8 feet of the subject property. Seaward of the dirt road is the aforementioned concrete drainage swale. Seaward of the drainage swale is the Orange County Transportation Authority railroad line. The rail road line is protected on its seaward side by rip rap. Seaward of the rip rap lies the beach and ocean.

In 1996 a coastal development permit was approved for the proposed development under permit No. 5-96-194 (Woodbridge). Coastal development permit No. 5-96-194 was approved with three special conditions: 1) removal of excess cut material; 2) conformance with the geotechnical recommendations; and 3) an assumption of risk deed restriction. All conditions were met and the permit was issued. However, that permit expired. The assumption of risk special condition was required because the site was believed to be a bluff top lot. However, after a site visit by staff and review of the geotechnical report it is clear that the site is not a bluff top lot. The site is located on fill placed in the 1960's within the mouth of a canyon. No ground water or seepage was encountered during site explorations by the geotechnical consultant. In addition, flooding was not identified by the geotechnical consultant as a hazard potentially expected at the site. Therefore the assumption of risk deed restriction has not been imposed under the current coastal development permit.

#### **B. Geologic Stability**

Section 30253 of the Coastal Act addresses geologic stability and safety. It states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

An Update to the Referenced Geotechnical Report was prepared for the proposed project by Earthworks on July 16, 1999. The original Report of Geotechnical Exploration prepared by Earthworks dated May 30, 1996 was also submitted. The Geotechnical Report included onsite observation, excavation, logging and sampling of two test holes and laboratory analysis of samples taken from the test holes. The report states that prior to development of the subdivision, the area had been the mouth of a canyon. Fill was placed in the canyon to create level building pads in the early 1960s.

The proposed development consists of excavating beneath the footprint of the existing main level and expansion of the existing lower level of the single family residence.

Construction of the addition will require excavation beneath and temporary support for the existing residence. Soil grouting, underpinning and/or shoring will be necessary to provide structural support during construction.

The Geotechnical Report contains recommendations for temporary stabilization of the structure, excavation, and foundation footings. The report concludes with this statement:

It is Earthworks opinion that where the recommendations in Earthworks report are properly implemented during the design and construction and where the site is properly maintained that the site will be suitable for the proposed development described herein.

The Geotechnical report states that the conclusions and recommendations of the geologic report are preliminary because of the absence of final construction plans, which are dependent upon the consulting geologist's recommendations. Therefore, the consulting geologist includes recommendations pertaining to grading, foundation and footing design, design of retaining walls and site drainage. Incorporation of these recommendations into the foundation plans will ensure structural integrity, geologic stability, and minimize risks from geologic hazards.

Therefore, as a condition of approval the applicant shall submit, for the review and approval of the Executive Director, foundation, grading and drainage plans which have been reviewed and stamped by the consulting geologist. Only as conditioned for conformance with the geologic recommendations, can the Commission find that the proposed development conforms with the geologic safety provisions of Section 30253 of the Coastal Act.

In addition, the applicant has proposed 183 cubic yards of cut to accommodate the expansion of the existing understory. In order to ensure that the excess cut material will not be improperly disposed of or be placed elsewhere in the coastal zone without a permit, the permit has been conditioned to require the applicant to provide, in writing, a statement indicating where the excess cut dirt will be deposited.

### **C. Public Access and Recreation**

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the nearest public road and the sea include a specific finding that the development is in conformance with the public access and recreation policies of Chapter 3 of the Coastal Act. The proposed development is located between the sea and the first public road.

Section 30212 of the Coastal Act states, in relevant part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (2) adequate access exists nearby.

Sections 30210, 30211 and 30212 of the Coastal Act require that new development provide maximum public access and recreation, not interfere with the public's right of acquired access, and provide public access from the nearest public roadway to the shoreline and along the coast except under certain circumstances.

The subject site is located in the La Ladera locked gate community between the sea and the first public road. The La Ladera community is small, only one block long. Although no formal public access is available through the locked gate community, staff observed members of the public walking past the unguarded gate, through the edge of the community, to the beach. In addition, adjacent to the community, is a sloping vacant lot across which access is informally available. Public parking is available on the streets just outside the community. The distance between the on street parking and the beach is approximately one block. In addition, staff observed members of the public strolling on the dirt road located between the subject site and drainage swale. No signs or fences inhibited public access across the locked gate community, the vacant lot or the dirt road.

In addition to the informal public access, formal access exists at "T" Street approximately a quarter mile to the north and Lost Winds approximately a half mile to the south

The proposed development, addition to an existing single family residence, will not create new adverse impacts on coastal access and recreation. Therefore, the Commission finds that the proposed development does not pose significant adverse impacts on existing public access and recreation and is consistent with Section 30212 of the Coastal Act.

#### **D. Local Coastal Program**

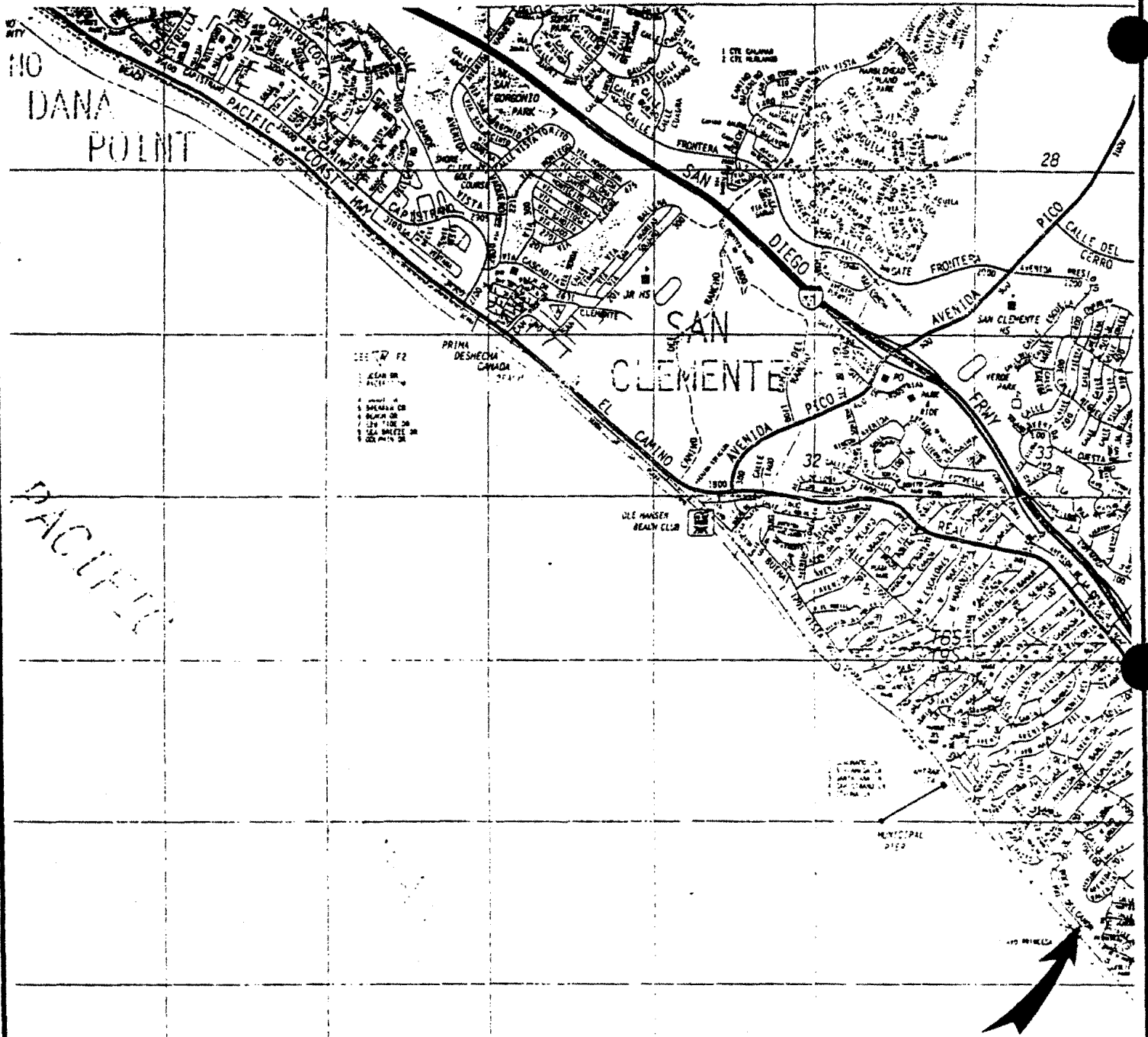
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.


The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On April 10, 1998 the Commission certified with suggested modifications the IP portion of the Local Coastal Program. The City did not accept the suggested modifications within six months and therefore the Commission's approval of the IP portion of the LCP is no longer effective. As conditioned, the proposed development is consistent with the policies contained in the certified Land Use Plan regarding enhancement of native vegetation, and geological stability. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

**E. California Environmental Quality Act**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the geologic hazard policies of Section 30253 of the Coastal Act. Mitigation measures, in the form of special conditions which require conformance with geologic recommendations and identification of the location of the disposal site for excess cut material, will minimize all adverse effects. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified effects, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



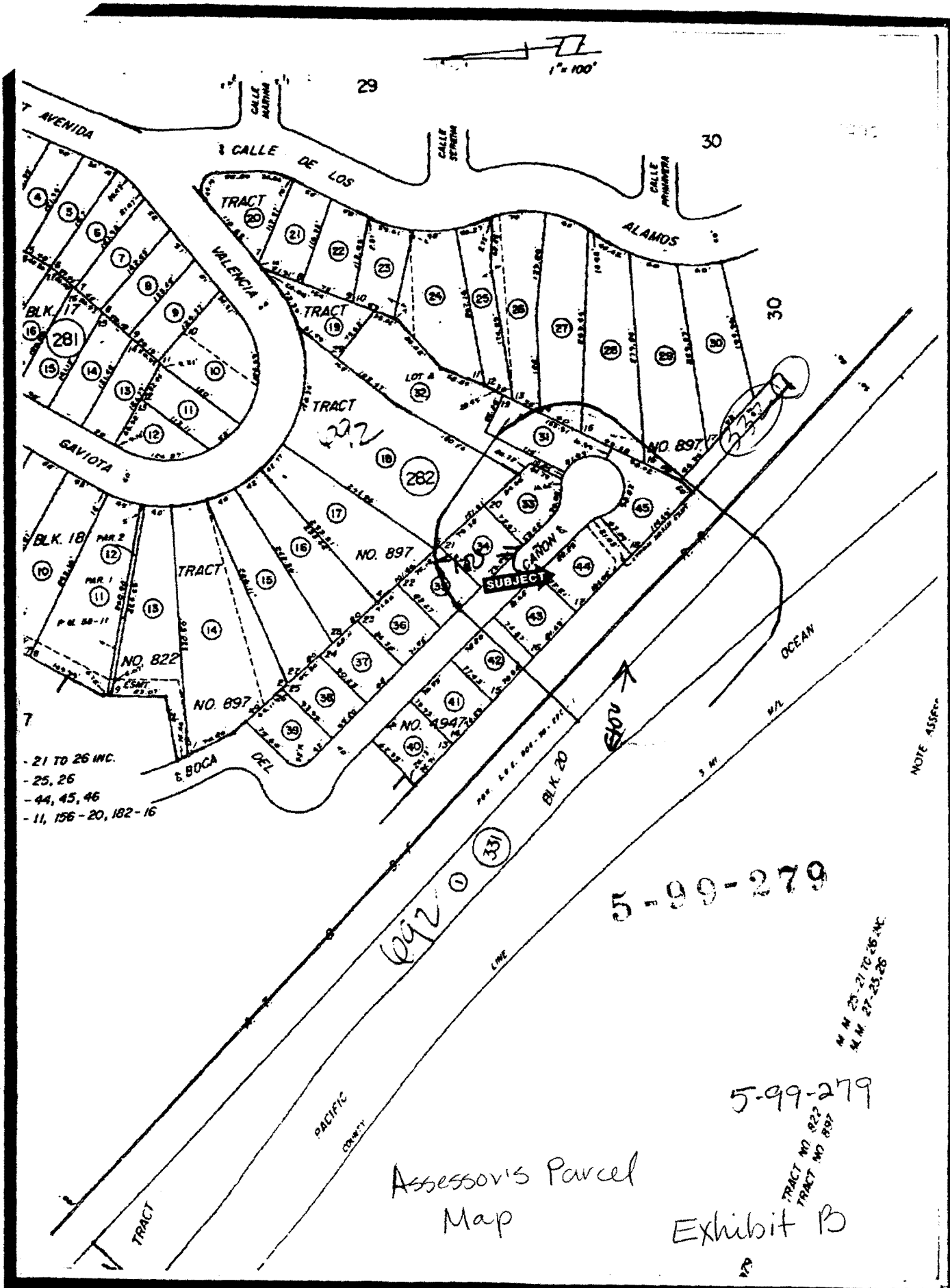
**EXHIBIT NO. A**  
**APPLICATION NO.**  
**5-99-279**  
**VICINITY MAP**  
 California Coastal Commission

REFERENCE: THOMAS BROS. MAPS

**SITE VICINITY**  
 PLATE 1

**WOODBRIDGE**  
 326 BOCA DEL CANON, SAN CLEMENTE





- 21 TO 26 INC.
- 25, 26
- 44, 45, 46
- 11, 156-20, 182-16

NOTE ASSRFR

692 ① 331

5-99-279

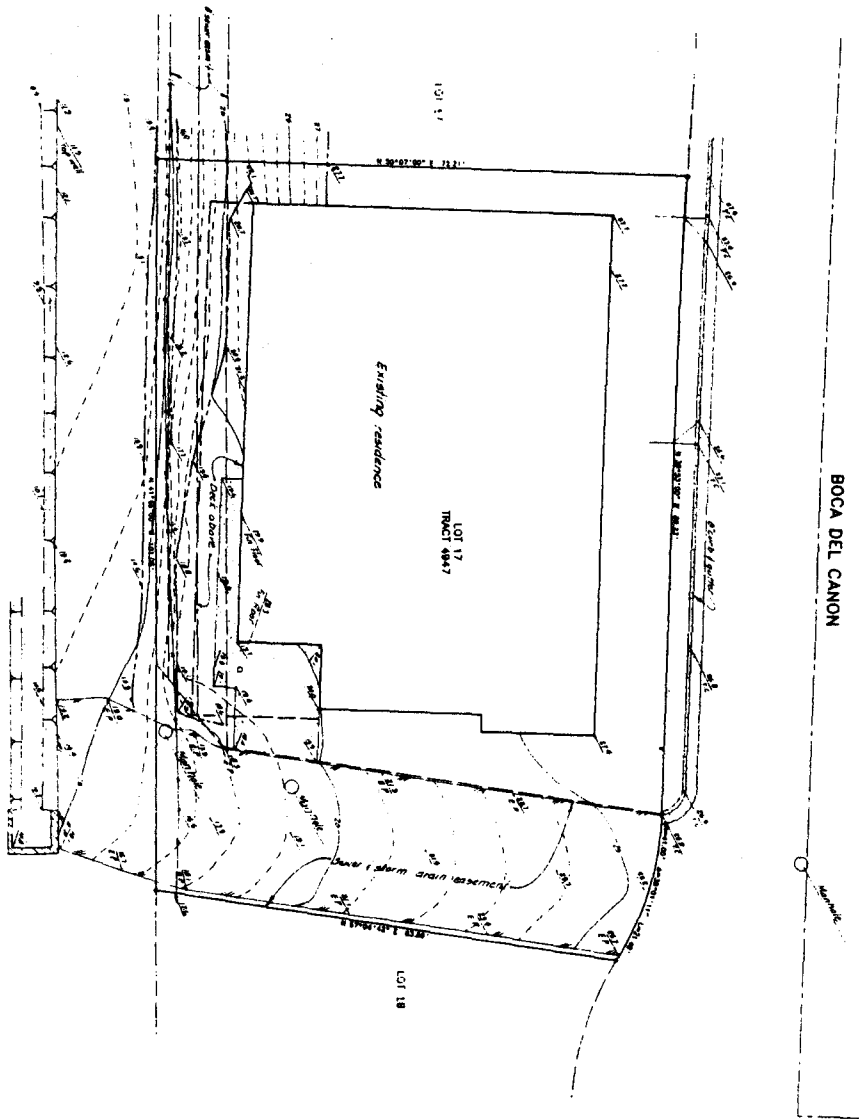
M.M. 25-21 TO 26 INC.  
M.M. 27-25, 26

5-99-279

TRACT NO 822  
TRACT NO 897

Assessor's Parcel  
Map

Exhibit B



David S. Hoover 18-0304



Topo Map/site Plan

5-99-279

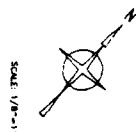


Exhibit C

**TOAL ENGINEERING, INC.**

Civil Engineers, Land Planners, Land Surveyors

San Clemente, California 92672

SCALE	1/4" = 1'	DATE	5-2-96
BY	DR		
CHECKED	DR		
DATE	05		

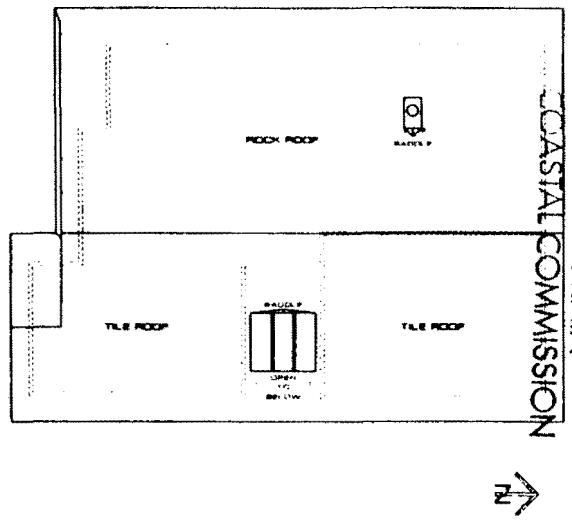
**PARTIAL TOPOGRAPHIC SURVEY**

Lot 17, Tract No 4947

San Clemente, California

DATE OF SURVEY: 5/2/96

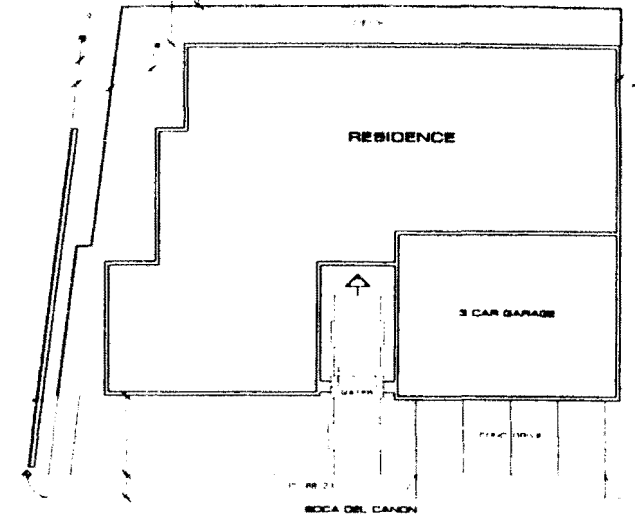
Exhibit D  
5-99-279  
Site Plan



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**ROOF PLAN**

SCALE: 1/8" = 1'

- SPECIFICATIONS**
- 1 LUMBER NUMBER 1 DOUGLAS FIR
  - 2 GULLIAN BEAMS DOUGLAS FIR 2X6 LN
  - 3 PLYWOOD CD WITH EXTERIOR GUF
  - 4 CONNECTORS SIMPSON OR EQUIVALENT
  - 5 CONCRETE 2000 PSI AT 28 DAYS, USE SULFATE RESISTANT CEMENT
  - 6 REINFORCING DEFORMED BARS PER ASTM A 615, GRADE 60
  - 7 MASONRY UNITS SHALL BE GRADE A, PER ASTM C 90, MANUFACTURED IN ACCORDANCE WITH CONCRETE MASONRY ASSOCIATION STANDARDS
  - 8 MORTAR FRESHLY PREPARED AND UNIFORMLY MIXED IN THE RATIO BY VOLUME OF 1 PART CEMENT, 1/2 PART LIM PLITE, 4 1/2 PARTS SAND AND SHALL CONFORM TO ASTM C-270
  - 9 STRUCTURAL STEEL ASTM A 36 WELDING SHALL BE DONE IN A CERTIFIED WELDING SHOP
  - 10 ALL WORK SHALL CONFORM TO THE 1994 UBC AND THE REQUIREMENTS OF THE THE CITY OF SAN CLEMENTE AND/OR OTHER AGENCIES HAVING JURISDICTION
  - 11 CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY SHORING PRIOR TO START OF CONSTRUCTION CONTRACTOR SHALL FURNISH FOR CITY APPROVAL A SHORING PLAN PREPARED BY A LICENSED CIVIL OR STRUCTURAL ENGINEER
  - 12 ALL WORK SHALL BE DONE IN A SAFE AND WORKMANLIKE MANNER AND SHALL COMPLY WITH THE RULES AND REGULATIONS OF CAL OSHA
  - 13 WHERE AS BUILT SITE SPECIFIC CONDITIONS VISIBLY VARY WITH DRAWING REQUIREMENTS OR WHERE UNVISIBLE CONDITIONS (INCLUDING UNDERGROUND CONSTRUCTION) VARY WITH DRAWINGS, CONTRACTOR SHALL REQUEST CLARIFICATION FROM ARCHITECT PRIOR TO SUBMITTING BID, OR MAY SPECIFY BID VARIANCE IN SUBMITTED PROPOSAL

**GENERAL NOTES**

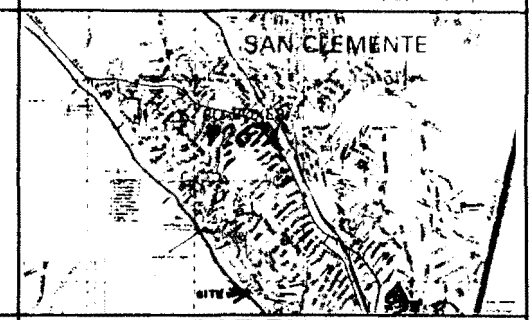
**SITE PLAN**

REMOVED FOR: JOAN R. JACK THOMSON (LDB 1000)  
 JOB SITE LOCATION: 326 BOCA DEL CAJON, SAN CLEMENTE, CA 92672  
 ARCHITECT: EDUITS WITH CLASHBROOK, 315 BOCA DEL CAJON, SAN CLEMENTE, CA 92672  
 ASSOCIATE DESIGNER: MELTON MEDONALDO DE VEGA, 390 MOUNTAIN RIDGE, LAGUNA BEACH, CA 92653  
 STRUCTURAL ENGINEER: SAMUEL SALKIN ENT., INC., 45 MARBELLA, SAN CLEMENTE, CA 92672

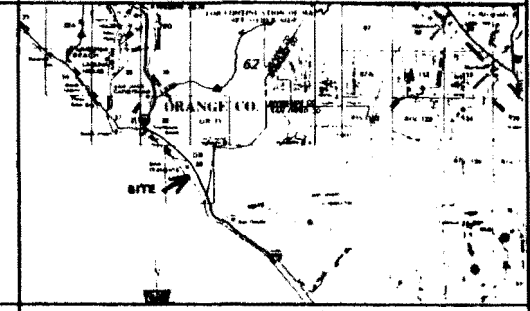
**PROJECT DATA**

- A 1 SITE/ROOF PLAN
- A 2 EXISTING UPPER LEVEL PLAN
- A 3 EXISTING LOWER LEVEL PLAN
- A 4 NEW LOWER LEVEL PLAN
- A 5 BUILDING SECTIONS
- A 6 EXTERIOR ELEVATIONS
- A 7 INTERIOR ELEVATIONS
- A 8 REFLECTED CEILING PLAN
- A 9 DOOR, WINDOW & FINISH SCHEDULES
- S 1 FOUNDATION PLAN
- S 2 STRUCTURAL DETAILS

**SHEET SCHEDULE**



**LOCATION MAP**



**VICINITY MAP**

SAMUEL SALKIN ENT., INC.  
 REGISTERED PROFESSIONAL ENGINEER  
 CIVIL/STRUCTURAL  
 45 MARBELLA, SAN CLEMENTE, CA 92672  
 (949) 425-1111

Jack and Joan Thomson  
 Family Residence

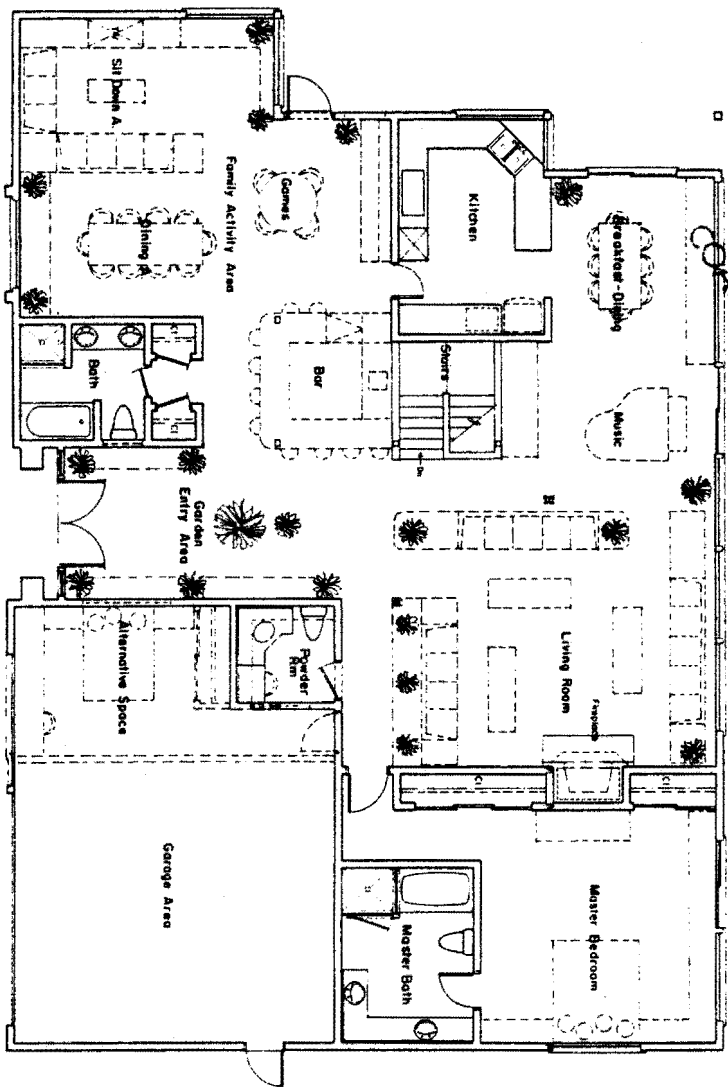
DATE: 05/11/99  
 BY: [Signature]  
 CHECKED: [Signature]  
 APPROVED: [Signature]

SCALE: 1/8" = 1'

ORANGE COUNTY REGISTERED PROFESSIONAL ENGINEER  
 CIVIL/STRUCTURAL  
 SITE/ROOF PLAN

**A-1**

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 CALIFORNIA  
 COASTAL COMMISSION



UPPER LEVEL PLAN  
DATE: 08/10/99

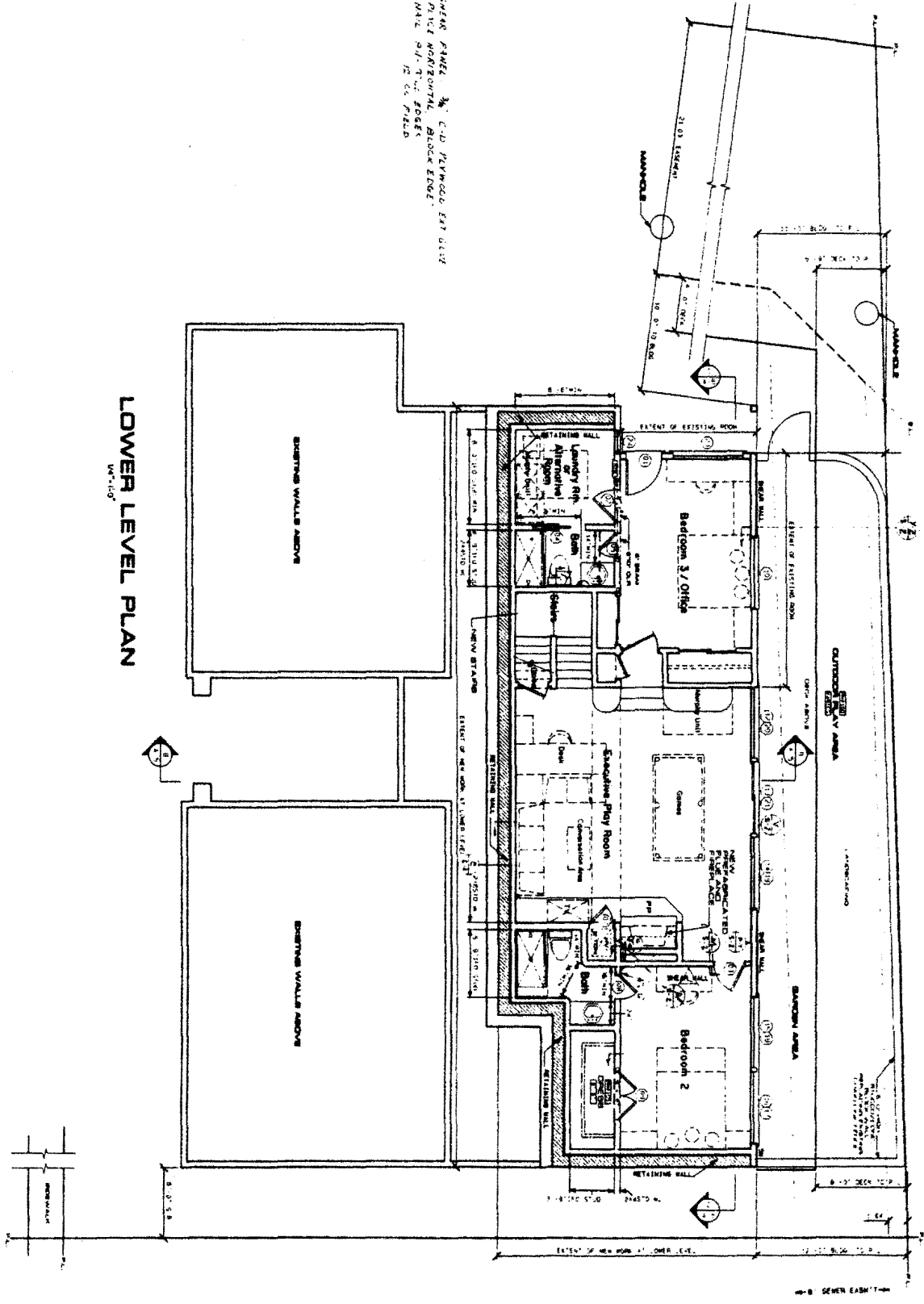
5-99-279  
 Exhibit E

	<b>DATE:</b> 08/10/99 <b>SCALE:</b> AS SHOWN <b>PROJECT:</b> JACK AND JOAN THOMPSON RESIDENCE <b>UPPER LEVEL PLAN</b>	<b>OWNER:</b> JACK AND JOAN THOMPSON <b>ADDRESS:</b> 96037 <b>CITY:</b> JOLIET, CA 94501 <b>PHONE:</b> 925/938-1100 <b>DATE:</b> 08/10/99	<b>DESIGNER:</b> SAUER, SALLEN, ENTERPRISES, INC. <b>ADDRESS:</b> 1000 W. 14TH ST., SUITE 100 <b>CITY:</b> OAKLAND, CA 94612 <b>PHONE:</b> 415/763-8800	<b>REVISIONS:</b> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION				<b>NOTES:</b> 1. SEE ALL NOTES ON SHEETS A-1 THROUGH A-3. 2. ALL DIMENSIONS ARE IN FEET AND INCHES. 3. FINISHES ARE AS SHOWN ON SHEETS A-1 THROUGH A-3. 4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 1995 CALIFORNIA BUILDING CODE.
	NO.	DATE	DESCRIPTION								
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NO.	DATE	DESCRIPTION									



4) SEE PLANS N. C.D. RYWOOD EXT. 0101  
 FOR HORIZONTAL BLOCK EDGE.  
 MAX. 24" T.O. JOIST  
 IS CC. FILL

**LOWER LEVEL PLAN**  
 1/4" = 1'-0"

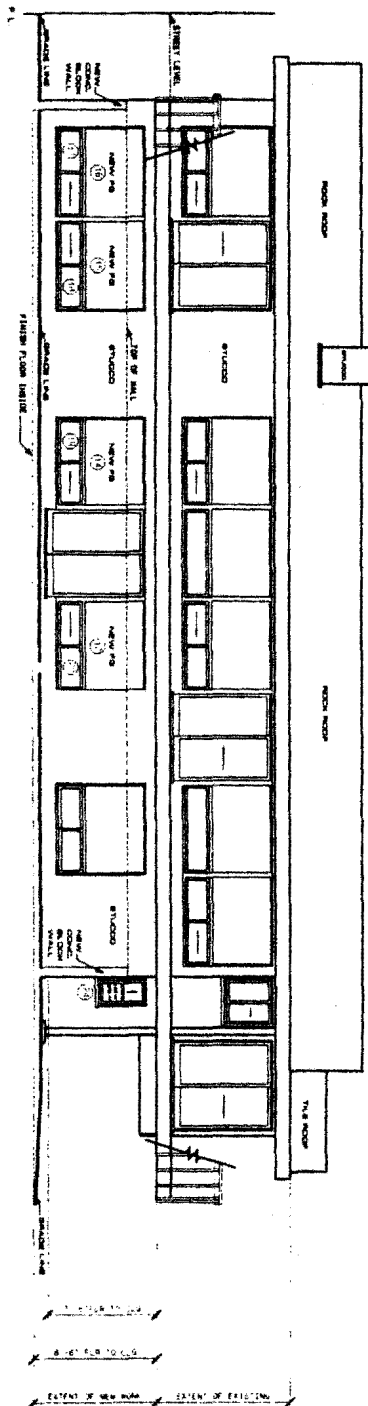


5-99-279 Exhibit G

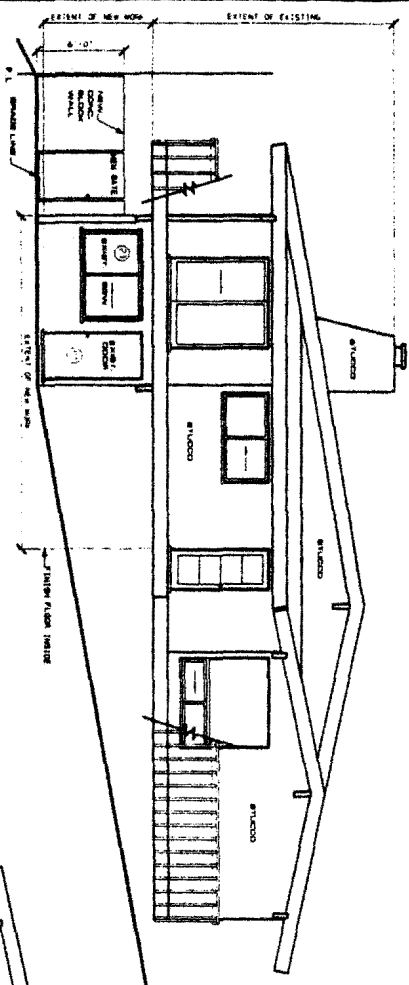
<b>G/B</b> GEORGE B. BROWN ARCHITECTURE 1000 W. 10TH ST. SUITE 100 DENVER, CO 80202 TEL: 333-1111 FAX: 333-1112	<b>MARKETON</b> ARCHITECTURAL ENGINEER 1000 W. 10TH ST. SUITE 100 DENVER, CO 80202 TEL: 333-1111 FAX: 333-1112	<b>Jack and Jean Thomson Family Residence</b> 1000 W. 10TH ST. SUITE 100 DENVER, CO 80202 TEL: 333-1111 FAX: 333-1112	SHEET 1/4" = 1'-0"	DATE 1987	DRAWN JTB	CHECKED JTB
			REVISIONS 1. 10/1/87	2. 10/1/87	3. 10/1/87	4. 10/1/87



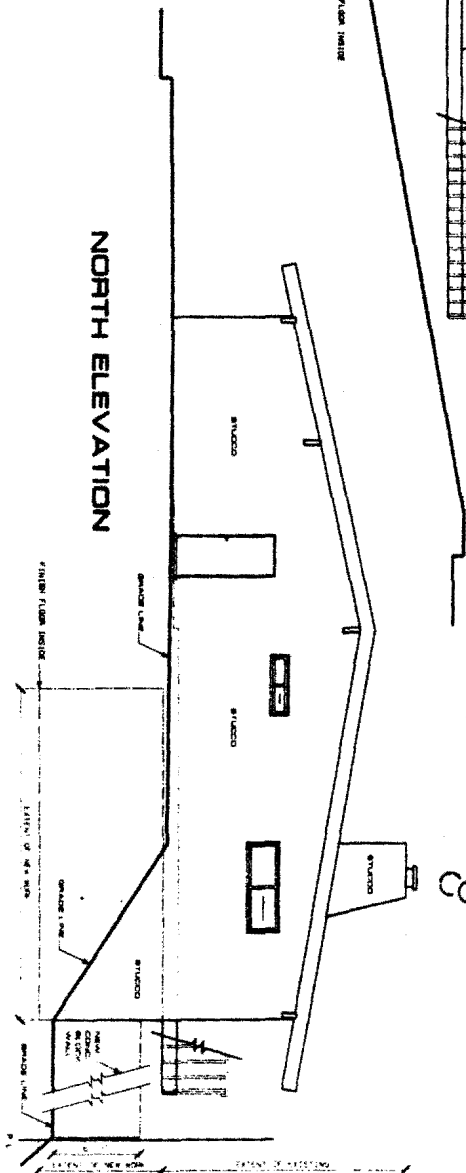
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



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5-99-279  
 Exhibit I

<b>GE</b> ARCHITECTURE 1000 WEST 10TH AVENUE ANAHEIM, CALIFORNIA 92801 TEL: (714) 771-8800 FAX: (714) 771-8801	<b>WESTERN</b> ASSOCIATE ARCHITECTS 1000 WEST 10TH AVENUE ANAHEIM, CALIFORNIA 92801 TEL: (714) 771-8800 FAX: (714) 771-8801	<b>DAVID L. BALKEN</b> ARCHITECT 1000 WEST 10TH AVENUE ANAHEIM, CALIFORNIA 92801 TEL: (714) 771-8800 FAX: (714) 771-8801	<b>Jack and Joan</b> Thompson Family Residence 1000 WEST 10TH AVENUE ANAHEIM, CALIFORNIA 92801 TEL: (714) 771-8800 FAX: (714) 771-8801	<b>REVISIONS</b> NO. DATE BY 1 1/4" = 1'-0" JLB 2 JAN 21 1998 JLB 3 AUG 1 1998 JLB	<b>A-6</b> CONSTRUCTION DOCUMENT EXTENSION ELEVATIONS
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