



City of Arts & Innovation

# COMMUNITY DEVELOPMENT DEPARTMENT Planning Division

## CERTIFICATE OF APPROPRIATENESS

**AGENDA ITEM NO.: 2**

**WARD: 1**

**CULTURAL HERITAGE BOARD MEETING DATE: September 18, 2013**

**I. CASE NUMBER(S): P13-0520**

**II. PROJECT SUMMARY:**

- 1) **Proposal:** Proposed Certificate of Appropriateness request for approval to build a 2,380 square foot, two-car detached garage in the rear yard in the Wood Streets Neighborhood Conservation Area located in the R-1-7000, CR (Single Family Residential, Cultural Resources Overlay) Zone.
- 2) **Location:** 5248 Brockton Avenue, located on the southeasterly side of Brockton Avenue 80 feet southwest of Beechwood Avenue
- 3) **Applicant:** Gary Vedder  
5248 Brockton Avenue  
Riverside, CA 92506
- 4) **Case Planner:** Teri Delcamp, Historic Preservation Senior Planner  
(951) 826-2117  
tdelcamp@riversideca.gov

**III. RECOMMENDATION:**

**That the Cultural Heritage Board:**

1. **DETERMINE** that Planning Case P13-0520 constitutes a project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines; and
2. **APPROVE** Planning Case P13-0520 based on the findings outlined in the staff report and summarized below, and subject to the attached conditions, thereby issuing a Certificate of Appropriateness for the project:

**FACTS FOR FINDINGS:** (From Section 20.25.050 of the Riverside Municipal Code)

The Board and Historic Preservation Officer shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.

**FINDINGS:** The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building.

**FACTS:** As conditioned, the project complies with this finding. The project proposes to match the style and materials of the existing home, including smooth stucco, composition shingle roofing, wood windows and trim, and vents.

**FINDINGS:** The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements.

**FACTS:** As conditioned, the project complies with this finding. The project will allow for adequate storage for the applicant's personal vehicles and belongings and will increase usability of the backyard. The structure is compatible in style with the existing historic home. It will not be visible from Brockton Avenue and its low massing and scale will not negatively impact adjacent properties or the surrounding Cultural Resource, which is the Wood Streets NCA.

**FINDINGS:** The colors, textures, materials, fenestration, decorative features and details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent Cultural Resources.

**FACTS:** As conditioned, the project complies with this finding. The proposed garage will utilize colors, textures, materials, fenestration, decorative features and details, height, scale, massing that are compatible with the existing home and surrounding NCA.

**FINDINGS:** The proposed change does not adversely affect the context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings.

**FACTS:** As conditioned, the project complies with this finding. The proposed garage will allow adequate separation between it and the main house on the site as well as adjacent homes. It will provide four off-street parking spaces. Conditions ensure the plans will not conflict with potential private or other easements or rights-of-way, ensure the use of the proposed garage will be for residential purposes, and remind the applicant of the code requirements for operating a business within a residential home. The project will also require approval of a variance in order to be built. These conditions will ensure the project does not negatively affect the site's relationship to its surroundings.

**FINDINGS:** The proposed change does not adversely affect an important architectural, historical, cultural or archaeological feature or features.

**FACTS:** As conditioned, the project complies with this finding. There will be no adverse effect on the home as a contributor, or on the surrounding Wood Streets NCA.

**FINDINGS:** The project is consistent with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines.

**FACTS:** As conditioned, the project complies with this finding. The project complies with the Citywide Residential Historic District Design Guidelines. The proposed style, materials, features, details and single story massing all match the existing home.

**FINDINGS:** The project is consistent with the Principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

**FACTS:** As conditioned, the project complies with this finding. The proposed garage is large, but the lot size is also larger than others in the surrounding area; as a result, the garage will not overwhelm the existing house in any way. The ability of the garage to exceed the minimum required setbacks from property lines for an accessory structure further reduces massing and helps preserve spatial relationships within the Wood Streets NCA. The garage will not be visible from Brockton Avenue, and thus will not alter the NCA streetscape view, context and feeling. The existing garage is dilapidated, and although apparently dating from the home's era of construction, it does not contribute to the broader Cultural Resource which is the NCA. Therefore, no historic fabric will be destroyed by the project.

#### **IV. BACKGROUND/HISTORY:**

The subject property is 23,086 square feet in size and represents a portion of original Lot 208 of the Southern California Colony Association lands. County assessor records indicate the home is 2,283 square feet in size. A previous CHB case, CR-011-989, was approved for this property in 1998 and allowed a 495 square foot bedroom addition at the rear of the home. Another case, P08-0881, was approved in 2009 for a 150 square foot dining room addition to the side of the home.

The residence, originally constructed in 1921 by owner/builder E.R. Sims as a three room house, is a single story California Bungalow style home on a T-shaped floor plan. It is a contributor to the designated Wood Streets Neighborhood Conservation Area (NCA). The home exhibits Mission Revival influences which can be seen in the segmental arched form of the porch with its wide pillars; the stucco walls; and the arched, tripartite louvred vents under each gable end. The home has a medium pitched, cross gable roof covered in composition shingles with exposed purlins and rafter tails. The wood front door with six-pane glazing is a replacement, but it is compatible with the home, especially the window sash patterns. Windows are primarily four-over-one fixed panes flanked by two-over-one casements, and pairs of casements. Wide flat trim with flared headers surround doors and windows. The prior approval in 2008 stipulated that the addition's windows needed to match the home's existing multi-paned wood windows and it appears that the same matching windows were installed around the rest of the home. A stucco chimney with sloped shoulders occurs on the left side and penetrates the front slope of the gable. An earlier inappropriate, heavily trowelled stucco finish on the home has also been changed to a more appropriate smooth finish. A circular driveway was added to the front of the property late in 2003. An existing garage with a shed addition that appears to date to the original construction era of the home (although not specifically called out on the permit) is located adjacent to the rear

property line. The garage appears to be clad in wide, flush shiplap siding, and has a gable roof covered in rolled composition sheeting with exposed rafter tails. It is this garage structure, which according to the applicant is dilapidated with a partially dirt floor, that will be demolished to accommodate the proposed new garage.

**V. DETAILED PROJECT DESCRIPTION:**

The proposed project includes the demolition of the existing 352 square foot garage and shed, removal of a mature tree, and construction of a new 2,380 square foot garage. The structure is proposed to match the existing residence in style and materials, rather than replicate the old garage. The garage will be rectangular in plan with a medium gabled roof. Walls will be clad in stucco and the roof will be composition shingle to match the home. Two man-doors and three windows are proposed, along with two double garage doors and a single ten-foot wide door on the rear of the structure. Two windows appear to be a center fixed pane flanked by casements, and the other window is a one-over-one double hung sash. The gable ends will also have the arched tripartite vents, and windows and doors will be trimmed with 1X4 boards with flared headers to match the home. Colors will match the sage green terracotta window sashes and brow wood trim and fascias. The plans note that all new materials will match the existing residence. However, the description calls out metal man-doors; conditions require wood man-doors consistent with the architecture. Implementation of details will be ensured through plancheck and inspection processes.

The proposed (and existing) garage is not visible from Brockton Avenue, and generally this would mean a staff level Administrative Certificate of Appropriateness (COA) review. However, the proposed size of the structure exceeds the size that can be approved by staff per Title 20; therefore, the project is required to be considered by the Cultural Heritage Board (CHB).

Because the Zoning Code stipulates a maximum size of 750 square feet for accessory structures, and states that accessory structures cannot cover more than 35% of the required rear yard setback area, a variance is also required to be approved before the project can move forward. The variance application was submitted at the same time as the COA application, and will have a decision made by the Zoning Administrator on September 18, 2013.

**VI. LOCATION/SURROUNDING LAND USES:**

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
<b>Project Site</b>	Single Family Residence	Medium Density Residential	Single Family Residential, Cultural Resources Overlay (R-1-7000, CR)
<b>North</b>	Single Family Residence	Medium Density Residential	R-1-7000, CR
<b>East</b>	Single Family Residence	Medium Density Residential	R-1-7000, CR
<b>South</b>	Single Family Residence	Medium Density Residential	R-1-7000, CR
<b>West</b>	Single Family Residence	Medium Density Residential	R-1-7000, CR

## VII. PROJECT ANALYSIS:

- **Compliance with Section 20.25.050 of the City of Riverside Municipal Code:**

As described above, the proposed replacement garage matches the style and materials of the home. Although the size of the structure will actually exceed the size of the home, the garage will not be visible from Brockton Avenue. The garage is single story at approximately 16'-6" in height. The garage will be located five feet further away from the rear property line, and one foot and five feet, respectively, further away from the north and south side property lines, than the minimum five feet required by Title 19 for accessory structures. A portion of the structure will be opposite the rear portion of an adjacent residence but the rest of the structure is opposite adjacent residences' back yards. Aerial photographs show patterns of outdoor storage over time that will now be able to be contained within a structure, which the applicant contends is an improvement. He also cites the lack of ability to further expand the house (due to the intervening sewer line) for hobby, exercise and household storage rooms, so the garage structure will accommodate these needs as well. The low massing of the structure, and its lack of visibility respective to Brockton Avenue, mean that the project will not negatively affect the Wood Streets Neighborhood Conservation Area.

- **General Plan/Specific Plan/Zoning Conformance:**

**General Plan:** The proposed project is consistent with the existing General Plan MDR land use designation for the project site because the project proposes an accessory structure for an existing single family residence.

**Zoning:** The project is consistent with the R-1-7000 land use designation, although it does not comply with two specific standards. These are discussed briefly below, but are subject to a variance application which will be decided administratively by the Zoning Administrator per Title 19, Zoning Code. In addition, there are two apparent easements on the property near the proposed structure, one of which is specifically shown on the site plan running south to north. The other is an easement that runs along the southerly side property, which is described in the City's GIS program as a four foot wide sewer easement. Overhead lines run along this property line so a utility easement may also exist in this alignment. As discussed in the Public Notice section of this report, an adjoining property owner informed staff that an alley used to be located along this side property line as well. However, there is no indication in the City's GIS that such an alley exists today. Although the burden is on the property owner to ensure that no utility or right-of-way easements are encroached upon by the construction, a condition of approval has been added by staff to require the applicant to submit a title report to the City prior to issuance of building permits.

- **Setback Encroachment and Accessory Structure Size:** As noted above, the proposed structure does not meet two of the zoning standards for accessory structures. Section 19.440.030.B of the Zoning Code states that "*[a]ccessory structures shall not cover more than 35 percent of the required side or rear yard setback area.*" Section 19.440.030.E.4 states "*all other [non-metal] accessory structures shall be limited to a maximum floor area of 750 square feet.*" The second standard is obvious, but the first requires some explanation. Properties in the R-1-7000 zone are required to leave a rear yard setback area undeveloped to ensure adequate yards are provided for use and enjoyment. Accessory structures can be within those areas, but they are not supposed to fill more than 35% of the area with their

building footprint. In this zone, the rear yard setback area is defined as an area that is the width of the lot minus the required main setbacks of 7.5 and 10 feet, or 84.5 feet, and a depth that is measured from the rear property line to a point that is 25 feet from the rear property line. For this lot then, the rear setback area is about 2,112.5 square feet. The garage is proposed to extend 10 feet into this setback area for about 845 square feet. This means a portion of the garage covers about 40% of the rear setback area, thus exceeding the 35% maximum standard. As noted above, a separate variance application will address these deviations from the standards and they are not within the purview of the CHB. A condition ensures that any approval for this COA is pending approval of the variance; denial of the variance would render the COA null and void.

### **VIII. PUBLIC NOTICE AND COMMENTS:**

Public notices were mailed to property owners adjacent to the site. Staff was contacted by one neighboring property owner at the public counter who is in opposition to the project. The neighbor expressed concerns about the following, which are more related to code and civil issues rather than COA aspects of the project:

- The owner is operating a business out of the home, and that this structure will be used for that purpose rather than residential. Staff notes that a business license for a painting contractor business has been issued at the subject address for the past several years. Although not specifically noted as a home occupation permit, the owner could operate a business under such a permit (although not in the accessory structure) provided it is in compliance with Section 19.485 of the Zoning Code. An advisory condition reminds the owner of this code requirement and requires a covenant to be recorded stating the accessory structure will not be used for anything other than residential associated purposes.
- The owner is physically blocking access to an alley that runs along the southerly side property line, which has been present since she moved to her home in the 1980s. As noted previously, the City's GIS does not indicate the presence of an alley right-of-way, only two sewer easements. However, to ensure that the project will not impact potential easements that may be private and thus not shown on the City's GIS, a condition requires the applicant to provide a recent title report to the City prior to permits being issued for the structure.

### **IX. EXHIBITS:**

1. Location Map
2. Aerial Photograph
3. Project Plans
4. Current Site Photographs
5. Historic Photographs

## CONDITIONS & GENERAL INFORMATION NOTES

Case Number: P13-0520

Meeting Date: September 18, 2013

### Standard Conditions

1. The project must be complete per the Cultural Heritage Board's approval, including all conditions listed below. Any subsequent changes to the project must be approved by the Cultural Heritage Board or the Cultural Heritage Board staff. Upon completion of the project, a Cultural Heritage Board staff inspection must be requested to ensure that the approved plans have been executed and that all conditions have been implemented before **FINAL INSPECTION** hold can be released.
2. Actions by the Cultural Heritage Board, including any environmental finding may be appealed. There is a ten day appeal period that will lapse at 5:00 p.m. on September 30, 2013. Appeals of the Board's action will not be accepted after this time. The appeal fee is \$1,531.20. Appeals will be considered by the Land Use Committee of the City Council at their next available meeting. Appeal processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.
3. This approval will expire in one year on September 18, 2014.

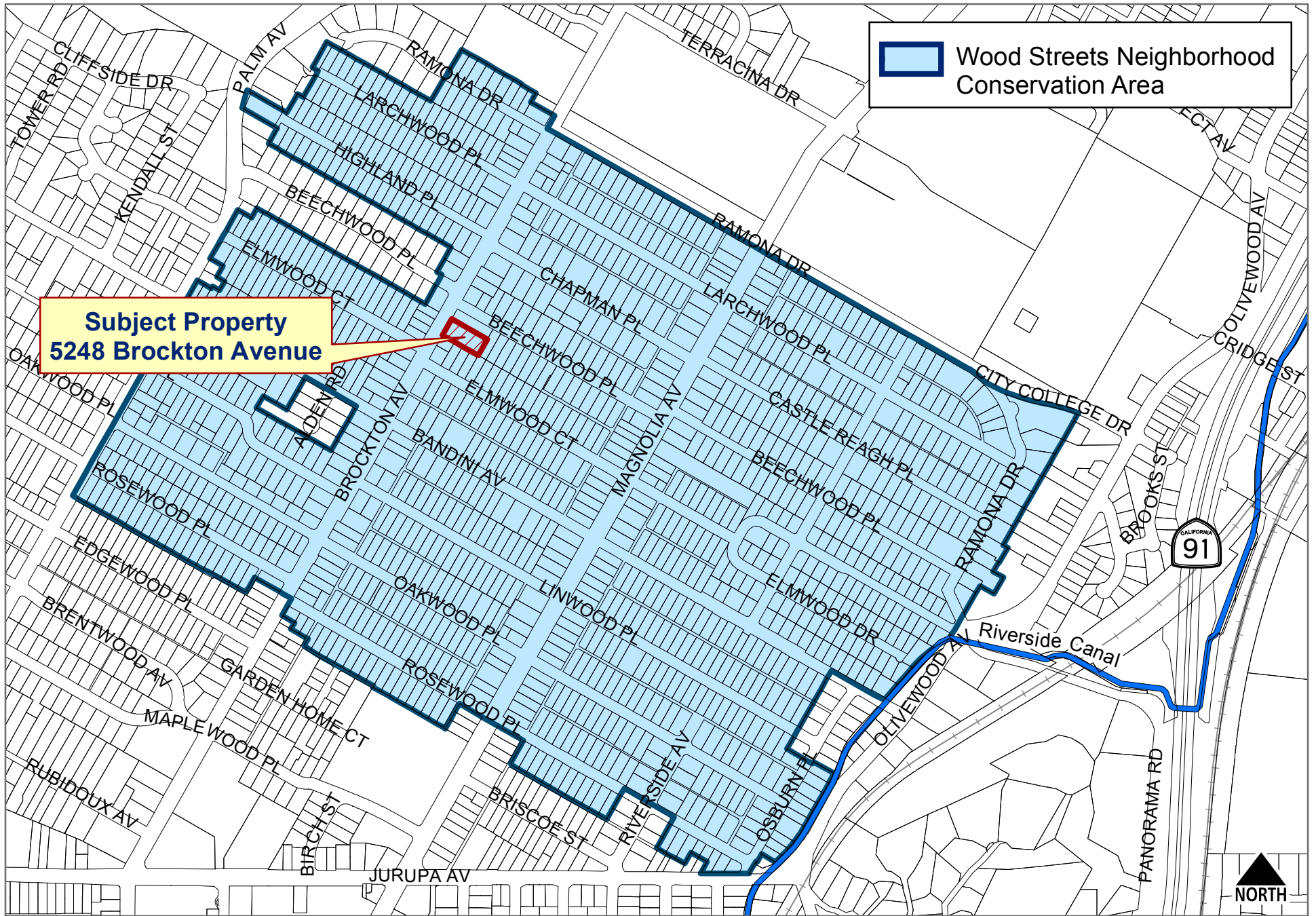
### Case Specific

4. This project is subject to the concurrent approval of a variance (P13-0521). Failure of the applicant to obtain approval for P13-0521 shall render this approval null and void, subject to any appeal process.
5. A copy of a title report (recent to within the prior six months) shall be submitted with the plans submitted for plancheck to Building and Safety. In the event the title report indicates the project is in conflict with easements or similar, the applicant shall modify the project plans to avoid such conflicts, subject to review and approval of CHB staff.
6. Prior to issuance of building permits, the applicant shall submit manufacturer's brochures or cutsheets of the proposed garage doors for CHB review and approval.
7. A window and door schedule shall be included with the plans submitted for building permits, and shall match those existing on the home to the satisfaction of CHB staff. The proposed man-doors shall be wood or have an appearance like wood to the satisfaction of CHB staff
8. Concurrent with submittal to the Building Division and obtaining a plancheck number, the applicant shall submit a full size site plan and floor plan along with a copy of the grant deed to the Planning Division to initiate the preparation of a covenant and agreement to be approved by Planning and the City Attorney's office. Said covenant and agreement is for the purpose of ensuring in perpetuity that the accessory structure shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling, shall not be used for any business purposes as required by Municipal Code Section 19.485, Home Occupations, and shall be recorded on the property prior to approval of the final inspection.

9. *Advisory:* Municipal Code Section 19.485, Home Occupations, applies to all residential zones where allowed, and contains the provisions, regulations and criteria by which a business may operate within a residential zone as an incidental use to a home to ensure compatibility of such uses with surrounding uses and properties.
10. The granting of this request shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.

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Teri Delcamp





P13-0520, Exhibit 1 - Location Map



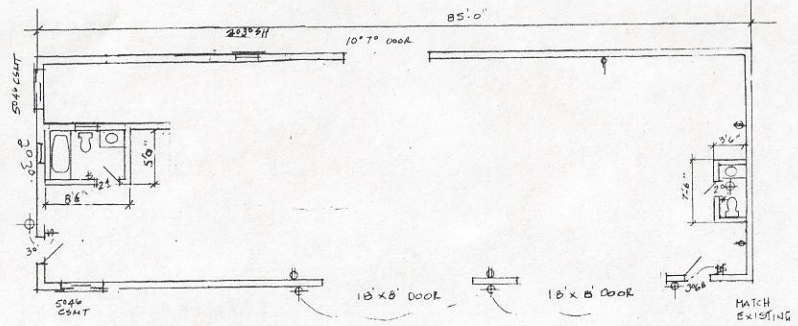


P13-0520, Exhibit 2 - 2012 Aerial Photo



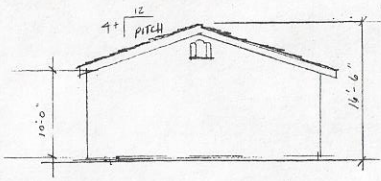


PROJECT DATA	
SCOPE DEMOLISH OLD GARAGE STRUCTURE, BUILD NEW DETACHED GARAGE 28' X 85'	
LEGAL DESCRIPTION	217-271-06
TYPE OF CONSTRUCTION	V-B
OCCUPANCY	U
ZONING	R-1-7000-cr
LOT SIZE	24,950 sq ft
EXISTING	2,285 sq ft
PROPOSED GARAGE	2380 sq ft
PROPOSED	
PROPOSED	
TOTAL LOT COVERAGE	4,665 sq ft
TOTAL COVERAGE %	20 %

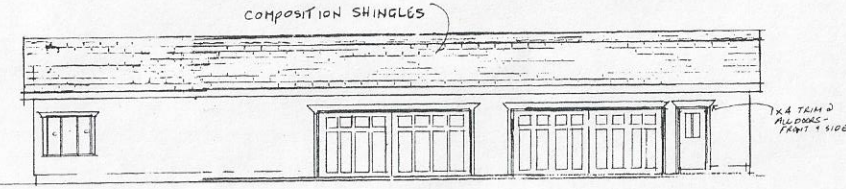


FLOOR PLAN  
1/8" = 1'-0"

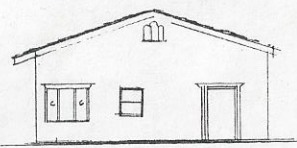
ALL NEW MATERIALS TO MATCH EXISTING RESIDENCE!



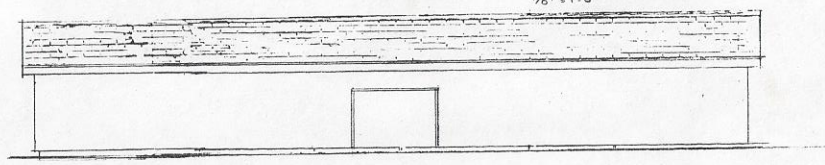
RIGHT ELEVATION



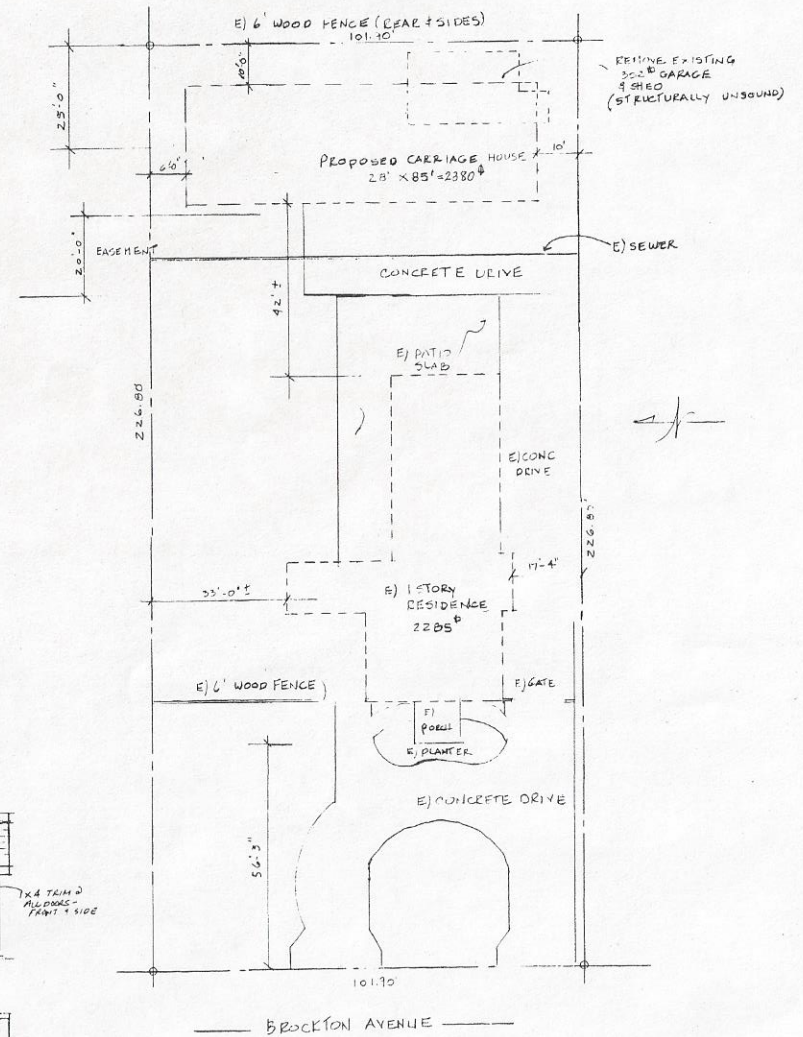
FRONT ELEVATION  
1/8" = 1'-0"



LEFT ELEVATION



REAR ELEVATION  
1/8" = 1'-0"



PLOT PLAN  
1/16" = 1'-0"

Gary & Sandy Vedder 5248 Brockton Avenue		DATE: 9/10/13	APPROVED BY: [Signature]	DESIGNED BY: [Signature]
SCALE: NOTED	DATE: 9/10/13	APPROVED BY: Riverside, Ca 92506	DESIGNED BY: [Signature]	REVISIONS:
951-237-6059			DRAWING NUMBER: 1001	





House (Front)



House (Left Side Front)

P13-0520, Exhibit 5  
Current Site Photos



House (Left Side Rear)



House (Right Side)

P13-0520, Exhibit 5  
Current Site Photos





House (Right Side Rear)



House (Rear)

P13-0520, Exhibit 5  
Current Site Photos



House (Window Detail)



House (Vent and Purlins Detail)

P13-0520, Exhibit 5  
Current Site Photos





Garage (Front)



Garage (Left side)

P13-0520, Exhibit 5  
Current Site Photos





5248 Brockton (1979)



5248 Brockton (2003)

P13-0520, Exhibit 5  
Historic Photos