

APPLICANT: OLSON
ADDRESS: #52
PROJECT: 3031 TRACT: 940 LOTS: 74 and Pt 77
SCOPE OF WORK: NEW RESIDENCE w/ MAJOR LANDSCAPE/HARDSCAPE
SUBMITTAL: PRELIMINARY
ARCHITECT: Charles d’Arcy
Phone: 949-407-7760
License: C32314
LANDSCAPE ARCHITECT: John Porzuczek
Phone: (949) 412-4981

Architectural review by Ken Wilkins

Landscape review by James Dockstader

FINAL COMMITTEE RECOMMENDATION: APPROVAL

HISTORY OF SUBMITTALS:

- | | | |
|----------------|-------------|--------------|
| • January 2022 | CONCEPT | ACKNOWLEDGED |
| • March 2022 | PRELIMINARY | DEFERRED |

SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:

The scope of work indicated in the Submittal Application is a new residence of approximately 6,524.7 SF, which includes 2-car and 1-car garage. Overlays were provided. **Some inaccuracies and omissions occur in the overlays. Stacking stairs are only required to be counted at one level.** EBCA calculation**

The areas indicated on the submittal are:

	Concept	Proposed	Change
• Upper Level	2,067.2 SF**	2,019.8 SF	- 47.4 SF
• Main Level	1,580.25 SF**	1,580.4 SF**	-15 SF
• Garage	774.5 SF	774.5 SF	0 SF
• Basement	2,016 SF	2,044.5 SF	+ 28.5 SF
• Supported Deck	307 SF	307 SF	0 SF
• Roof Deck	87.6 SF**	87.6 SF**	0 SF

Primary revisions made since CONCEPT include:

- Re-design of Front Elevation
- Clarification of Mechanical ceiling structure

SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed landscape improvements include: Spa, plunge pool, walls, fencing, paving, planting, irrigation.

STAFF ARCHITECTURAL FINDINGS:

1. ARCHITECT STAMP (Section B.2): The plans are stamped and signed. **This will be verified at each submittal. OK**
2. ARCHITECTURAL REVIEW - SUBMITTAL COMPLETENESS (Section B.5): Submittal is generally complete enough for review. **OK**
3. LOT COVERAGE (Section C.1): There are no lot coverage requirements for Tract 940, lots 74 and Part of 77. The lot coverage stated on the submittal is 2,767.4 SF / 4,598.0 SF = 60.1% (was 59.6%). **Omissions occur in the overlay provided. Lot coverage shall be calculated as the total area of the roof less the overhang including anchored decks. EBCA calculation 2,847.2 SF / 4,598.0 SF = 61.9% OK**
A signed copy of the 1960 topo plan was submitted.
4. SETBACKS (Section C.2): The setbacks appear to be conforming at all sides. **Submittal application states setbacks are dimensioned to finish surface of the exterior walls. OK**
5. UTILITY EASEMENTS (Section C.3): Portions of retaining walls, stairs and planters are allowed within the Utility Easements. **OK**
6. PARKING (Section C.4): The parking requirement shown on the Submittal Application is 5,879.7 SF. The garage area used for required parking (430 SF + 215 SF) is not included in the parking calculations **EBCA calculation (6,419.2 - 430 - 215 = 5,774.2 SF)** This requires a two-car garage plus three off-street parking spaces (one may be compact). **A two-car + 1-car garage with two regular off-street parking spaces are shown in the driveway. The height of the basement level Mechanical Room was clarified to be 6'-5" structure to structure and therefore not included. Add Mechanical room name and ceiling height back on sheet A210. OK**
7. SERVICE YARD (Section C.5): Shown on the Northeast side yard, Sht. A091. **OK**
8. BACKFLOW PREVENTION DEVICES (Section C.8): New residences and renovations/remodels/additions that include the addition of 2 or more plumbing fixtures require a backflow prevention device. **The Service District requires this for the scope of work proposed. This will be confirmed during construction.**
9. NUMBER OF STORIES (Section D.1): No structure shall exceed two stories. First Basement Rule: If the elevation of the finished floor level directly above a basement is more than 6 feet above Natural Grade for more than 50% of the perimeter or is more than 12 feet at any point then it shall be considered a story. The Submittal Application indicates a structure with 2 stories plus a basement. The proposed structure appears to be in compliance. **OK**

10. BUILDING HEIGHT (Section D.2): No structure on any Lot or Parcel in this Tract shall not exceed thirty (30) feet in height above the Natural Grade of the Lot or Parcel." **The primary natural grade is identified as 72' (no 73' contour is shown). 72' + 30' = 102'. The highest roof ridge is 98.8', highest stair tower point was lowered by 2.1' to 99.5' (nearest to the 74' contour).** The ornamental spire element is below the allowable. **OK**

11. COMPATIBILITY (Section D.3): Materials are noted as clay tile roof, smooth trowel stucco, wood rafter tails, white over-grouted brick, clay tile vent, cast stone headers and reclaimed wood accents, W.I. guardrails. **Materials will be verified at Final review.**

The Committee appreciates the effort to improve the front elevation and addressing the comments from the Architectural Committee.

At time of staking the applicant was to work with the neighbors to evaluate and balance views per the View Mitigation requirements of the CC&Rs and Architectural Regulations.

12. **NON-CONFORMING STRUCTURES (Section D.4):** A pre-existing, non-conforming Structure or portions of a Structure may be retained where the proposed alteration does not increase the square footage by 25% or more, increase the height of the Structure such that it is above the height envelope for the Tract and there is no change to the existing broad style of architecture.

All new elements must conform to the current Architectural Regulations or a Variance Request must be submitted.

Existing non-conforming:

- N/A

New non-conforming elements:

- None

13. ROOFS (Section D.5):

Roof pitch: 3:12. **OK**

Flat roof: Built-up Class "A". Roof slopes less than 3:12 are considered flat. The maximum area of flat roofs is 15% of the roof area. None shown. **OK**

Roof materials: Two-piece Class "A" clay tile. **OK**

Roof Equipment: None shown. **OK**

Parapet: None shown. **OK**

14. ROOF DECKS (Section D.6): A roof deck is considered to be a covered or uncovered exterior space constructed over any part of the residence Structure or garage. Roof decks are not allowed except when the deck is directly accessible from an interior living space on the same level and the area of the deck is equal to or less than the area of the living space from which access is taken. **Occurs at the Upper Level. Appears to be in conformance. OK**

15. **MATERIALS AND COLORS (Section D.7):** Actual materials samples and exterior colors are required to be submitted on a board no smaller than 11 x 17 and no larger than 18 x 24. A color rendering must be included on the board to clearly identify the location of all proposed materials and colors. **The Committee will review the color and materials at the**

Final review. Include samples of the awning material and color proposed for the slide wire on the steel canopy structure.

16. WINDOWS AND DOORS (Section D.8): **Dark anodized bronze aluminum doors and windows. OK**

17. ANTENNAS (Section D.9): None shown. **OK**

18. SOLAR PANELS (Section D.10). None shown. **OK**

19. SKYLIGHTS (Section D.11): None shown. **OK**

20. **ARCHITECTURAL EXTERIOR LIGHTING (Section D.12):** Light fixtures must be down lit or shielded to prevent glare or be a nuisance to neighbors. Light fixtures must be complementary to the architectural style of the residence.

Location of light fixtures are shown on elevations.

21. GUTTERS AND DOWNSPOUTS (Section D.13): Indicated on roof plan and elevations. **OK**

22. OTHER COMMENTS:

- **Note: All exterior finishes of wall including stucco, brick, stone, etc., must remain out of all setbacks.**

STAFF LANDSCAPE FINDINGS:

1. SUBMITTAL COMPLETENESS (Section B.5): Submittal must be generally complete enough for review. **OK**

2. LANDSCAPE STRUCTURES ARE SET BACK 5' FROM LOT BOUNDARIES (Tract Schedule A Exhibits): Except for fences and walls, structures are 5' from PL. **Spa and plunge shells appear to be proposed in rear setback, and is not allowed.**

UTILITY ELEMENTS / EBSD SUBMITTAL: Evidence of EBSD review and approval will be required at the time of final submittal. **Submit at time of final submittal**

3. LOT COVERAGE (Sec C.1): Landscape features such as raised patios and/or freestanding structures must not create a lot coverage overage. **OK**

4. SITE DRAINAGE (Sec C.6): A conceptual grading and drainage plan must be included, generally showing adequate site drainage. **OK**

5. CURBS AND GUTTERS (Sec C.7): For new residences and major remodels, plans must show complete replacement of curb and gutter along entire street frontage with reference to EBSD requirements. **OK**

6. BACKFLOW PREVENTION (Sec C.8): A backflow prevention device must be installed for proposed irrigation systems and must not be located on Association Property. **Show at time of final**

7. EXTERIOR MECHANICAL EQUIPMENT (Sec E.1): Mechanical equipment shall not be located in easement areas. **AC and mechanical equipment are in room/alcove at basement level. OK**

Mechanical spa equipment appears to be screened from view. **OK**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **OK**

An acoustical report prepared by a qualified expert is submitted showing that anticipated noise impacts are less than the County maximum at the nearby property lines. **Submit at time of final**

Acoustical report assumptions and recommendations are consistent with submittal drawings. **Reviewed at time of final**

8. EXTERIOR LIGHTING (Sec E.2): Landscape lighting proposals must be shown and must appear to limit glare and annoyance. **Path lights only. OK**
9. FENCES, WALLS, AND HEDGES (Sec E.3):

In front yard setback areas fences, hedges, and walls are to be 4' high or less as compared to adjacent top of curb elevations. For corner lots, the maximum height is 3'. **OK**

Between the front yard setback and the house structure fences, walls, hedges, railings or other features are to be 4' high or less compared to finished grade. **OK**

Front yard improvements address issues of visual impact, compatibility, and contributions to common visual streetscape. **OK**

In side yard and rear yard setback areas fences and/or walls must be 6' high or less as compared to existing grade along neighbor's side of property line. **Unclear. Pool enclosure along most of west side does not appear to be established. It is unclear if raising existing wall on neighbor's property is proposed (existing pool enclosure on neighbor's property can be acceptable for EBCA but potentially not for County) but building pool enclosure on neighbor's property is not allowed by EBCA.**

Property line fences, walls, and footings must be constructed completely on the subject property. **Unclear if new walls/fencing proposed along west property line.**

Block walls are finished on all sides. **Unclear**

At the street fences, walls, and railings must be held back a minimum of 18 inches from face of curb. **OK**

10. PLAY EQUIPMENT AND PLAY HOUSES (Sec E.5): Issues of noise and visual impact have been adequately addressed. **None proposed. NA**

11. MAILBOXES (Sec E.6): Design and location must be shown. **OK, however because of the need to preserve on-street parking, the mailbox should be moved to adjacent the south side of the double driveway.**

12. OUTDOOR FIREPLACES, FIREPITS, COOKING ELEMENTS (Sec E.7): Outdoor fireplaces, BBQs, and ovens shall be a minimum of 5' clear of any property line and must be gas only. **OK**

The minimum setback for any open firepit shall be a minimum of 10'. **None proposed. OK**

13. WATER FEATURES, SWIMMING POOLS, SPAS (Sec E.8): Pool and spa structures are located entirely outside the 5' utility easement area. **OK**

Issues of noise and visual impact must be adequately addressed. **OK**

Security/pool fencing is shown. **Unclear along west side.**

14. PARKWAY ACCESS (Sec E.12): Planting and paving within 18-24" of face of curb shall allow for convenience of on-street parking **OK**

15. IMPROVEMENTS ON EBCA PROPERTY Section C, Part 21): Trees, hedges, and structures are not proposed on EBCA property. **OK**

16. POTENTIAL OBSTRUCTION OF VIEW (Sec A.5): Trees and shrubs must not unreasonably block a neighbor's view. **OK**

17. PREPARATION BY LANDSCAPE ARCHITECT (Sec B.2): **OK**

18. FUEL MODIFICATION (Sec E.14): Highly flammable target species shall not be proposed. **OK**

Perimeter properties appear to be consistent with Orange County requirements for Zone A. **NA**

19. OTHER:

- **Impacts to on-street parking in this area are important considerations.**

FINAL COMMITTEE RECOMMENDATIONS:

1. The Committee previously deferred its recommendation due to inadequate information provided to address the Board's concern for the on-street parking situation. The Committee considered the Applicant's exhibit, the Applicant addressed the Board's comments, and it appears that three on-street parking spaces are not feasible. Therefore, the Committee recommends **Approval** of the plans.
2. The Applicant may submit for Committee's review taking the Staff Findings above and the following into consideration:

- a. As a part of the Preliminary submittal the proposed structure must be staked and certified by a California State licensed civil engineer or land surveyor. Stake proposed changes at all decks, deck rails, eave corners and ridges with connecting string lines. The Committee reserves the right to request increased setbacks after review of the stakes and Community input. **Staking is certified – OK.**
 - b. Add Mechanical room name and ceiling height back to Sht. A210. **Revised. OK**
 - c. Delete portions of spa and plunge structures within setback areas. Pool and spa bond beams must be shown out of the setback. **Revised. OK**
 - d. Clearly demonstrate pool enclosure along west side. Delete proposals for new offsite construction to establish pool enclosure. Existing walls do not appear to provide adequate pool enclosure. **Revised. OK**
 - e. Delete hedge on EBCA property in front. **Revised. OK**
 - f. Move the mailbox to a location just south of the double driveway to avoid impacts to on-street parking. Show on-street parking spaces, adjusted to preserve as many spaces as feasible. Architect may want to consider contacting 54 Emerald Bay regarding the possibility of utilization of on-street parking across the 2 property lines. **Revised. OK**
 - g. Show curb cuts and aprons as narrow as feasible. The southern double driveway shown on landscape plans is appropriate and the architect/civil drawings should be adjusted accordingly. **Revised to 16' wide. OK**
 - h. Owner to lower roof 6 inches. **Revised. OK**
3. At time of FINAL submittal:
- a. An executed Easement Agreement recorded with the County of Orange for improvements on EBCA property will be required. An Encroachment Permit application and exhibits prepared by a licensed civil engineer describing the area of the Easement and legal descriptions are required for EBCA to prepare the Agreement. This is required to be approved by the EBCA Board of Directors prior to the approval of the project.
 - b. A color and materials board with actual factory colors and materials must be submitted. Photographs of colors and materials are not allowed. Materials board must be a minimum of 11" x 17" and no larger than 18" x 24". Roof material, glazing sample of windows, doors, and garage (if applies) needs to be included. A colored elevation must be included on the board clearly identifying the location of all proposed colors and materials.
 - c. An acoustical report prepared by a qualified expert must be submitted showing that anticipated noise impacts are less than the County maximum at the closest property line. Submitted plans must be consistent with the recommendations of the report.
 - d. Submit drawings and the application fee of \$400 to EBSD for review. Provide evidence of EBSD review and approval. The preliminary plans must be developed in sufficient detail to confirm that there will be no structural encroachments into the 5' easement. If caissons are required for the foundation, they must be shown on the Final submittal for review by the District Engineer and approved by the Service District.

4. Note:

- a. Approvals are valid for one year. See extension request requirements in the Architectural Regulations for additional information.
- b. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
- c. If it becomes necessary or desirable for the Association to utilize its easements within private property boundaries, it is the responsibility of the owner of such property to remove improvements (whether previously approved by the Association or not) to provide access and to replace or repair improvements subsequent to Association access at no cost to the Association.
- d. Any changes to the Final approved plans must be submitted for Architectural Committee's review prior to construction.

Chad Peterson (d'Arcy and Associates Architecture) and Charles d'Arcy (Architect) were in attendance to discuss the submittal.

Members Present:

**#39 Joe Duran (Via Zoom)
#76 Kelly Anthony (Via Zoom)
#45 Kathryn Speed (Via Zoom)
#38 Crystal Sims
#31 Sharleen and Neel Grover
#39 Jen Duran**

At their meeting on May 3, 2022, the Board voted the Approve the recommendation of the Architectural Committee.