



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: April 3, 2013

PLANNER: Sean Nicholas, Associate Planner

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SUBJECT: Conditional Use Permit 11-507, Sign Exception Permit 11-508, Discretionary Sign Permit 11-509, Minor Conditional Use Permit 11-510, Architectural Permit 11-511, Site Plan Permit 11-512, De La Estrella Plaza (Valero), a request to consider demolition of a service station, gas station pumps, gas pump canopy, and multiple office structures to develop a new gas station with six pumps, pump canopy, car wash, convenience store with sale of beer and wine for off-site consumption, office space, off-site parking agreement, and to approve a master sign program, and freeway-oriented signs at 504 Avenida De La Estrella.

REQUIRED FINDINGS

Prior to approval of the proposed project, the below findings shall be made. The draft Resolution, provided as Attachment 1, and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060(F): to allow the convenience store, carwash, and off-site parking agreement.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed;
- b. The site is suitable for the type and intensity of use that is proposed;
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity; and
- d. The proposed use will not negatively impact surrounding land uses.

Sign Exception Permit, Section 17.16.260(f): to allow freeway oriented signage.

- a. There are unique or unusual circumstances relating to the size of the site or business, shape of the site or business, location and orientation of the site or business, visibility of the site or business, proximity to street frontage or length of street frontage that do not allow the site or business to achieve the goals and objectives of this chapter for adequate business identification;
- b. The granting of the sign exception permit is not contrary to the intent of the General Plan and Design Guidelines in which the sign exception is proposed;

- c. The granting of a Sign Exception Permit is not considered a grant of special privileges inconsistent with the limitations of other similarly situated properties;
- d. The granting of a Sign Exception Permit does not create a traffic or safety hazard;
- e. The granting of a Sign Exception Permit does not adversely impact surrounding properties by increasing light, glare or noise; and
- f. For freeway-oriented signs:
 - 1. The location of the site dictates the need for a freeway-oriented sign to allow adequate business identification.
 - 2. The design, scale, materials and location of the freeway-oriented sign provides necessary business identification to motorists on the freeway without creating adverse visual impacts.
 - 3. The design, scale and materials of the signs harmonize with the architectural design of the building it serves and are complimentary to the City's image as viewed from the freeway.
 - 4. The design and scale of the signs is appropriate to the distance from which the signs are normally viewed from the freeway.

Discretionary Sign Permit, Section 17.16.250(F): for a Master Sign Program.

- a. The design, including lighting, scale, length and materials, of the sign is consistent with the intent of the design elements of the General Plan and Design Guidelines in which the sign is to be located;
- b. The design, scale and materials of the sign harmonize with the architectural design and details of the building or site it serves;
- c. The design and scale of the sign is appropriate to the distance from which the sign is normally viewed;
- d. The design and materials of the sign provide a contrast between the background and letters;
- e. If a freestanding sign is included in the sign application, the design, scale or location of the building dictates the use of freestanding signs, rather than building-mounted signs; and
- f. For Master Sign Programs:
 - 1. The provisions of the Master Sign Program ensure consistency in design and style of all new signs,
 - 2. The provisions of the Master Sign Program address compatibility of the design and style of any existing signs on the building or site, and
 - 3. All new signs within the Master Sign Program are in compliance with the design standards of this chapter.

Minor Conditional Use Permit, Section 17.16.070(F): for the sale of beer and wine.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Minor Conditional Use Permit and complies with all the applicable provisions of this title, the San

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Clemente General Plan and the purpose and intent of the zone in which the use is being proposed;

- b. The site is suitable for the type and intensity of use that is proposed;
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity: and
- d. The proposed use will not negatively impact surrounding land uses.

Architectural Permit, Section 17.16.100(F)(1): for the non-residential structures.

- a. The architectural treatment of the project complies with the San Clemente General Plan;
- b. The architectural treatment of the project complies with the Zoning Ordinance in areas including, but not limited to, height, setback color, etc.;
- c. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines;
- d. The general appearance of the proposal is in keeping with the character of the neighborhood; and
- e. The proposal is not detrimental to the orderly and harmonious development of the City.

Site Plan Permit, Section 17.16.050(F): for the new non-residential site plan.

- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed;
- b. The site is suitable for the type and intensity of development that is proposed;
- c. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity;
- d. The proposed development will not be unsightly or create disharmony with its locale and surroundings; and
- e. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.

BACKGROUND

This is a request to construct a convenience store, car wash, gas pumps, and gas canopy over two lots and demolish the service station and office space. The service station operator will remain Valero. The applicant has been working on re-development of the project site for 10 years, and has developed plans that meet the requirements of the Municipal Code and Design Guidelines. The applicant is proposing to maintain the existing pole sign with some façade improvements; however, staff is recommending the pole sign be removed consistent with Council policy regarding change of uses and pole signs, as well as recent Council approvals. The project site is located

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within the Neighborhood Commercial Zoning Designation, just outside of the Architectural Overlay, but at a main entry point to the City from Interstate 5 (I-5). The site is surrounded by commercial uses to the east and south, Residential uses to the west, and I-5 to the north.

Development Management Team

The City's Development Management Team (DMT) reviewed the applicant's request, determined it meets requirements, and recommends Conditions of Approval to ensure code compliance. The recommended conditions are shown on Attachment 1, Exhibit A.

Noticing

Public notices were distributed and posted per City and State requirements. No public comments have been received to date.

PROJECT DESCRIPTION

The proposed project will result in all structures being demolished on the two parcel project site and the development of a convenience store, gas pumps, gas canopy, and car wash. The applicant is also proposing an office on the second floor of the convenience store, which will be for the property/business owner and not leasable space. The applicant is proposing to maintain their pole sign, staff is recommending it be removed consistent with City Council policy and past approvals that required removal of a pole sign with a change of use. In this case, the project includes a change of use from automotive repair to convenience store

The applicant is also requesting an off-site parking agreement to provide the parking required for the convenience store between the two lots associated with the project and approval to sell beer and wine for off-site consumption.

Development Standards

Staff has reviewed the project and determined that the development of the two sites meets all applicable development standards. Table 1 is a summary of applicable developable standards and the projects compliance with those standards.

Table 1:
Development Standards

	Allowed/Required	Proposed
Building Height Maximum	30'	26'-6" (Building) 30' (Tower)
Setbacks (Minimum):		
<ul style="list-style-type: none"> • Setback from Avenida Palizada • Setback from Ave. De La Estrella 	<p style="text-align: center;">0'</p> <p style="text-align: center;">0'</p>	<p style="text-align: center;">4'</p> <p style="text-align: center;">80'</p> <p style="text-align: center;">(20' to fuel canopy)</p>
<ul style="list-style-type: none"> • Setback from Freeway off-ramp Property Line • Setback from Residential (Carwash) 	<p style="text-align: center;">0'</p> <p style="text-align: center;">0'</p>	<p style="text-align: center;">0'</p> <p style="text-align: center;">25'</p>
Maximum Floor Area Ratio	.35	.18
Landscaping	10' along street frontage 150 sq. ft. at street corners	10' along street frontage 384 sq. ft. at street corners
Parking	Total Required: 16 spaces 1 space/ 200 sq. ft. Convenience store 1 space/300 sq. ft. Office 1 space/2,000 sq. ft. storage	16 spaces

PROJECT ANALYSIS

Conditional Use Permit

The project requires a Conditional Use Permit (CUP) for the change of use from vehicle repair to convenience store, establishment of a carwash, and an off-site parking agreement. The applicant has gone through several design iterations to ensure the project would meet their operational needs in terms of site and convenience store visibility, viability, and size while meeting the parking requirements. With the demolition of a number of leasable office/retail spaces, the applicant has stated the carwash, potentially one of the few west of I-5, was an essential component to making the project “pencil.”

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For the Carwash, there is no additional parking required because it is a single-bay self service acting as a “drive-thru.” Comparing it to the requirements for drive-thru restaurant stacking, six car stacking is required. The carwash site plan provides space for up to eight vehicles.

Staff requested the applicant complete a sound study regarding potential impacts on adjacent uses from the car wash. The study required additional sound proofing materials be installed within the carwash facility consistent with the findings of the report to reduce the decibels. Hours of operation will be limited to 7:00 a.m.-10:00 p.m. A condition of approval has been added requiring the operator to submit to the City, when requested, sound measurements from adjacent uses to ensure compliance with the noise ordinance. If sound levels exceed City requirements, the carwash will be required to be shutdown until modifications are made to ensure compliance with the noise ordinance. Additional landscaping in the back corner is required by condition of approval to help separate the car wash from adjacent uses, and diminish the sound from the activity.

The project is located on two separate parcels. To allow for the parking and circulation for the project to function the applicant proposes an off-site parking agreement and to record a deed restriction lot-tie to ensure the parcels are not sold separately. The lot-tie binds the parcels together and allows the service station parcel to meet the required 100 foot setback from residential uses. The 100 foot setback is a requirement to sell beer and wine for off-site consumption and the reason a lot merger is not proposed (see Minor Conditional Use Permit section). A condition of approval is included that requires a lot-tie and off-site parking agreement to be recorded on the property prior to issuance of building permits.

Staff has reviewed the required findings for a CUP and determined the project meets those findings because sufficient parking is provided between the two sites to serve the convenience store use, sufficient stacking is provided for the single bay self service car wash, and conditions of approval have been added to ensure compatibility between adjacent uses and the carwash facility.

Sign Exception Permit

The applicant is requesting to maintain the pole sign, and is proposing facade enhancements to it. Consistent with Council policy and City Council actions, staff is recommending the pole sign be removed. Staff has reviewed the findings that would be necessary to approve the Sign Exception Permit for the pole sign, and it is staff’s position that the findings could not be met because maintaining the pole sign would not be consistent with the General Plan or Design Guidelines of the City of San Clemente, and would be a detriment to a major entry point to the community.

On the tower element of the convenience store, the applicant is proposing to install freeway oriented signage. This requires the approval of a Sign Exception Permit. Staff is supportive of the signage on the tower and approval for the Sign Exception Permit for the tower signage because:

- The size and location of the signage is in character with the building and site;

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- The tower itself is in scale with the building and meets building heights for the proposed use;
- Only the back (north) and side (west) elevations are considered freeway oriented signage and will still have only limited visibility and not negatively impact the major entry point into the City; and
- The design of the signage is consistent with the City's Design Guidelines and Municipal Code requirements as the signs are individual pin-mounted and halo lit letters and will be compatible and enhance the architecture of the building.

Discretionary Sign Permit

The applicant is proposing a Master Sign Program which includes a modified pole sign. Pursuant to the Municipal Code, the total square footage of signage permitted on the main service station site is 277 square feet, and 100 square feet on the carwash site. The applicant is proposing 253.92 square feet on the service station site and 17.84 square feet on the carwash site.

The design of a majority of the signage is individual, metal, pin mounted signs and halo lit. Rather than the aged copper or black lettering, the applicant is proposing Valero blue for the signage. The proposed monument sign is smooth white stucco and matches the architecture of the primary building. The monument sign is located in over a 300 square foot landscaped corner of the site. The convenience store and car wash signage is hand painted maroon copy and is illuminated with decorative goose neck lighting.

The applicant is proposing to remodel the existing pole sign, but to maintain the approximate 75 foot height. Consistent with City Council policy and past approvals, staff is recommending the pole sign be removed because the applicant is proposing a change of use onsite.

Minor Conditional Use Permit

The applicant is proposing to sell beer and wine at a convenience store, which has more stringent Municipal Code requirements than other uses selling beer and wine for offsite consumption. In particular is the requirement that the site be at least 100 feet from residentially zoned property and 300 feet from any other establishment selling beer and wine for off-site consumption. The site is adjacent to commercial uses, the I-5, and on one side a Residential Medium Density zoned parcel. A proposed Lot Line Adjustment will assure the 100 foot setback is maintained and no buildings cross property lines. The nearest location that serves beer and wine for off-site consumption is the 7-11 at the corner of Avenida Palizada and North El Camino Real. The sites have a separation of 324 feet.

Staff has reviewed the findings for approval of a Minor Conditional Use Permit to sell beer and wine for off-site consumption and determined that the project, as conditioned, can meet the necessary findings. In particular because the site meets the requirements for separation of the project site from residential properties, the sale of beer and wine will not negatively impact

surrounding uses, and the project meets code requirements assuring there is no potential for an over concentration of the sale of beer and wine.

Architectural Permit

The project site is located just outside of the Architectural Overlay (across the street from the boundary) and pursuant to the General Plan located at a major entry point into the City. As a required finding for the Architectural Permit, the architectural design of the project is required to be consistent with the City's Design Guidelines. The applicant has designed a project that is consistent with the City's Design Guidelines. Utilizing Spanish Colonial Revival Architecture, the revised site will be an improvement over the existing structures, and enhance a City entry point from I-5. Utilizing smooth white stucco for the primary building, car wash, and gas canopy the whole site will be tied together architecturally. A rendering of the primary building and car wash has been provided as Attachment 4. The applicant is utilizing red clay single barrel roof tiles on both the primary building and carwash building. The applicant is also proposing to utilize a decorative cornice feature for the top of the gas pump canopy. Condition of approval 4C requires the applicant continue to work with staff on the cornice feature to ensure a design consistent with traditional Spanish Colonial Revival architecture. To help break up the massing of the sides, the applicant is proposing several decorative niches to provide shadow lines and relief to the side of the building. The tower element is 30 feet tall and is consistent with the height allowed for service stations, and has been designed to be in proportion with the rest of the structure. Details have been added to all sides of the tower as it will be visible from adjacent streets and the I-5 freeway off-ramp.

After two reviews by the Design Review Subcommittee, staff is supportive of the architecture proposed for the site and has determined that the required Architectural Permit findings can be made for approval including consistency with the City's Design Guidelines and compatibility with the neighborhood.

Site Plan Permit

The applicant is proposing to demolish all the structures, except the underground tanks, to develop the new site plan. A lot line adjustment will also be completed to create two square lots, and ensure that buildings do not cross property lines. The applicant will also record a deed restriction lot-tie, which legally ties the two lots together, to insure circulation and parking for the project is maintained in perpetuity. As explained earlier, a lot merger will not work for the lots because it would prevent the required parcel separation to allow beer and wine sales.

The applicant is also providing the required landscaping buffer around the service station portion of the project, and as a condition of approval, additional landscaping is required to further buffer the area between the adjacent residences and carwash.

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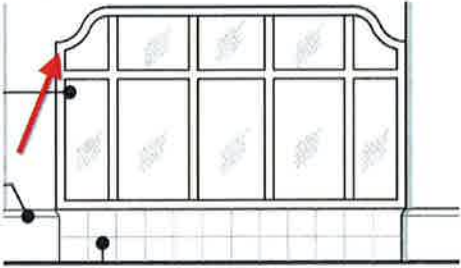

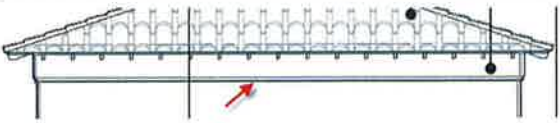
The onsite circulation design was an important consideration in the Development Management Team's (DMT) review of the project. After several site plan iterations, the applicant has proposed a project which substantially meets engineering design specifications. The DMT endorsed several slight deviations in the specifications due to the use and improved safety. One area of modification is reducing the two-way traffic drive aisle between the gas canopy and the convenience store from 24 feet to 23 feet. Due to the speed of traffic, the use of stop signs, and the nature of activities on the site, Executive DMT was supportive of the proposed reduction in favor of a larger sidewalk in front of the convenience store. The second modification is to reduce the required 12 foot passing lane, located between the gas pumps and Avenida De La Estrella, to 10 feet. Executive DMT was accepting of this reduction because the lane is not required for onsite circulation. Engineering has included conditions of approval allowing staff to require modifications to the circulation onsite if problems occur. The number of stop signs proposed by the applicant is based on the architects experience with service stations and developing a safe environment. Engineering has no issue with the stop signs proposed for the project.


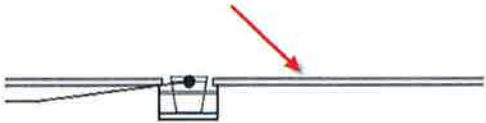

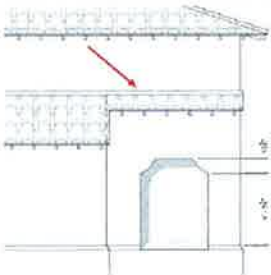
Staff has reviewed and determined the project meets the Site Plan Permit required findings because the use of a lot line adjustment and lot-tie will allow for better building siting and vehicular circulation between the two lots, parking and circulation of the site meets Municipal Code and is consistent with Engineering specifications, and required landscaping is provided to buffer the project site, visually and acoustically, from the public right-of-way and adjacent residential uses.

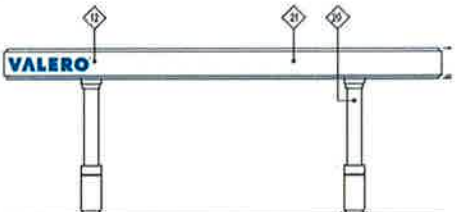
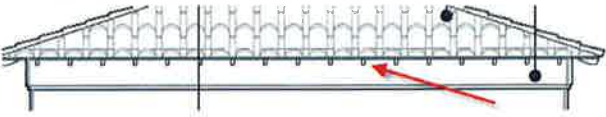

Design Review Subcommittee

The Design Review Subcommittee reviewed the project on November 14, 2012 and February 27, 2013 and supported the design of the project. Table 2 is a list of the discussion points from Design Review Subcommittee:

Table 2:
Design Review Subcommittee Discussion

DRSC DISCUSSION POINT	APPLICANT RESPONSE
<p>Provide sample of the Spanish tile proposed for the bulkheads of the windows.</p> <p>The detail in the corners of the window needs to be a more traditional design. Window Material needs to be clarified.</p> 	<p>The applicant has prepared a sample material board and is attachment 5.</p> <p>Applicant modified the design, but the detail shown on the plans is still more modern. A condition of approval has been added to continue working on this detail with planning staff.</p> 
<p>DRSC had general concerns on the design of the balcony and large arch of the tower and entry point.</p>	<p>The applicant has modified the feature and lowered the overall height of the tower. Additionally they have bolstered the sides of the arch to provide appropriate visual massing.</p>
<p>Unidentified stucco feature below roof line.</p> 	<p>The applicant has removed the feature on the tower simplifying the overall design.</p>

<p>Large inappropriate massing between the top of the second floor and the rafter tails.</p> 	<p>The tower has been redesigned and reduced in height. The massing and scale of the tower is now more consistent with the rest of the structure and consistent with development standards.</p>
<p>Undetailed parapet cap feature.</p> 	<p>The applicant is proposing a tile parapet cap to blend in with the primary structure.</p>
<p>Faux windows on tower element.</p> 	<p>The tower height has been reduced and the faux windows have been removed.</p>
<p>Cutoff roof detail on Carwash.</p> 	<p>The feature has been removed.</p>

<p>The fuel canopy is a metal structure with what appears to be internally illuminated roof.</p> 	<p>The applicant has made design changes so the structure is smooth white stucco to match the primary structure. A condition of approval has been added to work with planning staff to develop an appropriate cornice detail for the top of the canopy.</p>
<p>Small and un-dimensioned rafter tails.</p> 	<p>The applicant is calling out a four x eight rafter tail extending with the roof overhang one foot-six inches (1'-6").</p>
<p>Several faux windows proposed.</p> 	<p>Faux windows have been replaced by niche cutouts.</p>
<p>DRSC requested window color and material samples.</p>	<p>A material board was prepared and included as attachment 5.</p>
<p>DRSC requested that the stucco finish not have a high gloss.</p>	<p>The applicant said they would not, and staff has added a condition of approval.</p>

GENERAL PLAN CONSISTENCY

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

**Table 3:
General Plan Consistency**

Policies and Objectives	Consistency Finding
<p>1.4.3 Permit the continuation of gasoline stations and supporting service facilities in locations along major streets and highways in which they are currently located and require that expansions or modifications of existing facilities be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element.</p>	<p>Consistent. The design of the Service Station is Spanish Colonial Revival architecture and is compatible with the surrounding neighborhood. The development of the self service single-bay carwash will be an added community amenity as there currently is not such a facility west of I-5 in San Clemente. The overall design of the project will enhance what is identified as a major entry point into the City from I-5.</p>

<p>2.2 Build on the tradition established by San Clemente's "Spanish Heritage" architecture by emphasizing the careful integration of buildings and landscape.</p>	<p>Consistent. The proposed project is consistent with adjacent properties that have been remodeled and is consistent with the City's Design Guidelines.</p>
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ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division completed an initial environmental assessment for this project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is exempt from CEQA as a Class 3 exemption pursuant to Section 15303 because the project is zoned for commercial use and there is sufficient public utilities available to service the project and the total buildings on the site do not equal more than 10,000 square feet.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

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

This would result in the project being approved without the pole sign, but allows for the signage being developed on the top portion of the tower which will be visible from the freeway, which is consistent with previous Council approvals in that a change of use associated with service stations will result in removal of the pole sign. This may result in the applicant appealing the decision regarding the pole sign to the City Council for their review, or City Council calling the item up for review.

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

The Planning Commission could decide that maintaining the pole sign as proposed by the applicant with the upgraded façade is allowed due to the location and siting of the project site, despite City Council policy and recent City Council action, and allow the project to move forward as the applicant has proposed. This action would be inconsistent with the General Plan and Design Guidelines Policy and past City Council actions, and may result in City Council calling the item up for review.

3. The Planning Commission can deny the various entitlements.

This would result in the project site not being improved. A denial by Planning Commission may be appealed by the applicant for City Council review, or called up by City Council for their review.

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RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve CUP 11-507/SEP 11-508/DSP 11-509/MCUP 11-510/AP 11-511/SPP 11-512, Valero, subject to the attached draft resolution and conditions of approval which would allow for the development of the sites and new master sign program, but would result in the pole sign not being approved.

Attachments:

1. Resolution for CUP, SEP, DSP, AP, and SPP
Exhibit A – Conditions of approval
2. Resolution for the MCUP
Exhibit A-Conditions of approval
3. Location Map
4. Color Renderings
5. Materials Board
6. DRSC November 14, 2012 Staff Report and Minutes (excerpted)
7. DRSC February 27, 2013 Staff Report and Minutes (excerpted)
8. Images

Plans and Sign Program

RESOLUTION NO. PC 13-014

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, APPROVING CONDITIONAL USE PERMIT (CUP) 11-507, SIGN EXCEPTION PERMIT (SEP) 11-508, DISCRETIONARY SIGN PERMIT (DSP) 11-509, ARCHITECTURAL PERMIT (AP) 11-511, AND SITE PLAN PERMIT (SPP) 11-512, DE LA ESTRELLA PLAZA (VALERO), A REQUEST TO DEMOLISH A SERVICE STATION AND ALL STRUCTURES ON TWO PARCELS AND DEVELOP A NEW SERVICE STATION, CONVENIENCE STORE, CARWASH, SIX FUEL STATIONS, MASTER SIGN PROGRAM, AND FREEWAY ORIENTED SIGNAGE LOCATED AT 504 AVENIDA DE LA ESTRELLA

WHEREAS, on November 17, 2011, an application was submitted, and deemed complete on March 11, 2013, by Mehdi Ghassemi, 504 Avenida De La Estrella, San Clemente, CA, 92672, to allow the demolition of an existing service station and all buildings on the adjacent parcel, and develop a new service station, convenience store, six fuel stations, carwash, master sign program, and freeway oriented signage for Valero located at 504 Avenida De La Estrella, the legal description being Lots 27, 28, 29, 30, 79, 80, and 91, of Block 1, of Tract 793, and portions of Lot 91 and 7 of Tract 853, Assessor's Parcel Numbers 057-142-44 and 057-142-37; and

WHEREAS, on November 23, 2011, February 9, 2012, March 22, 2012, July 5, 2012, September 20, 2012, January 17, 2013, and March 12, 2013 the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, on November 14, 2012 and February 27, 2013, the proposed project was reviewed by the Design Review Subcommittee and supported the design of the project; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project categorically exempt from CEQA as a Class 3 exemption pursuant to Section 15303 because the project is zoned for commercial use and there is sufficient public utilities available to service the project and the total buildings on the site do not equal more than 10,000 square feet; and

WHEREAS, on April 3, 2013, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA as a as a Class 3 exemption pursuant to Section 15303 because the project is zoned for commercial use and there is sufficient public utilities available to service the project and the total buildings on the site do not equal more than 10,000 square feet.

Section 2: With regard to Conditional Use Permit (CUP) 11-507, the Planning Commission finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed in that the service station is an existing use, and the expansion to add a convenience store, carwash facility, and off-site parking agreement all serve to enhance the project site, provide a carwash facility which there are very few west of Interstate Five (I-5), and will allow for appropriate circulation and parking for the modified site plan by having the required parking located on the adjacent lot also owned by the applicant. The project includes a deed restriction for a lot-tie which will permanently link the sites together as long as it remains a service station, or for as long as parking and circulation for the use requires the adjacent parcel.
- B. The site is suitable for the type and intensity of use that is proposed in that the project site is already a service station, and the applicant is proposing to demolish all the structures onsite and the office space on the adjacent site to provide the required parking and circulation. The carwash facility has been conditioned to ensure compliance with noise ordinance requirements, as well as for additional landscaping to further buffer the carwash from adjacent residential uses. The carwash facility has provided an extra large car-queuing to avoid back up onto Avenida De La Estrella.
- C. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that a number of reviews have been completed to ensure the expanded service station would meet applicable development standards and will not negatively impact surrounding uses, including the adjacent residential medium density properties.
- D. The proposed use will not negatively impact surrounding land uses in that the site is already a service station and office space, and the remodel will substantially improve the aesthetics of the site as well as provide increased landscaping at the street, and improve overall circulation on the site.

Section 3: With regard to Sign Exception Permit (SEP) 11-508, the Planning Commission finds as follows:

- A. There are unique or unusual circumstances relating to the size of the site or business, shape of the site or business, location and orientation of the site or business, visibility of the site or business, proximity to street frontage or length of street frontage that do not allow the site or business to achieve the goals and objectives of this chapter for adequate business identification in that the site is

located below the grade of the freeway, and the site utilizes both freeway and local patrons for the success of the business. Utilizing the signage, as proposed, on the tower only towards the freeway off-ramp will provide similar brand identification from the freeway as the existing pole sign, and will allow for the pole sign to be removed, and still provide the high quality design and appearance at the City's General Plan identified major entry to the City.

- B. The granting of the sign exception permit is not contrary to the intent of the General Plan and Design Guidelines in which the sign exception is proposed in that approving the freeway oriented signage on the tower is a higher quality design and will allow for the same brand identification from the freeway as the pole sign, so removing the pole sign and allowing the new tower signage will be consistent architecturally with the City's Design Guidelines and enhances the quality of development and resident/visitor experience as they enter the City at the General Plan identified major entry point.
- C. The granting of a Sign Exception Permit is not considered a grant of special privileges inconsistent with the limitations of other similarly situated properties in that similar freeway oriented signage was approved for another use within close proximity to the site, with similar difficulty in use location and siting. This approval of the high quality signage on the building will be consistent with that approval.
- D. The granting of a Sign Exception Permit does not create a traffic or safety hazard in that the freeway oriented signage will be located on the tower and will not impact sight distance or any other vehicular traffic, nor distract motorists driving on the freeway by removing the approximately 75 foot pole sign.
- E. The granting of a Sign Exception Permit does not adversely impact surrounding properties by increasing light, glare or noise in that the signs have been designed to be individual metal pin mounted signs and halo lit, which overall reduce the amount of light glare and impact from the signage, additionally the signs are located nearly 30 feet in the air which is taller than any residential structure could reach so it will not negatively impact the adjacent residentially zoned parcels.
- F. For freeway-oriented signs:
 - 1. The location of the site dictates the need for a freeway-oriented sign to allow adequate business identification as the service station does rely on visibility from the freeway, and utilizing the tower to provide

appropriately and high quality designed signage is better architecturally and visually with the removal of the 75 foot non-conforming pole sign.

2. The design, scale, materials and location of the freeway-oriented sign provides necessary business identification to motorists on the freeway without creating adverse visual impacts in that the applicant has proposed high quality metal individually pin mounted letter signage and halo illumination which reduces glare and architecturally is compatible with the design of the building, while still providing appropriate site identification from the freeway.
3. The design, scale, and materials of the signs harmonize with the architectural design of the building it serves and are complimentary to the City's image as viewed from the freeway high quality metal individually pin mounted letter signage and halo illumination which reduces glare and will compliment the architectural design of the building and is consistent with the design, materials, and illumination of other signs recently approved by Planning Commission for similarly designed structures.
4. The design and scale of the signs is appropriate to the distance from which the signs are normally viewed from the freeway in that the signs are placed near the top of a 30 foot tower which has been designed in scale with the building and will provide site identification from the freeway through the off-ramp, providing similar identification as the 75 foot non-conforming pole sign, but consistent with the architecture of the building and consistent with past City Council approvals and policy.

Section 4: With regard to Discretionary Sign Permit (DSP) 11-509, the Planning Commission finds as follows:

- A. The design, including lighting, scale, length and materials, of the sign is consistent with the intent of the design elements of the General Plan and Design Guidelines in which the sign is to be located in that the sign materials, appear handcrafted and have been selected to be complimentary to the architectural style of the building, and will continue to enhance the overall aesthetics of the facility.
- B. The design, scale and materials of the sign harmonize with the architectural design and details of the building or site it serves in that individual pin mounted metal letter signage with halo illumination has been utilized very successfully in enhancing the architecture of other Spanish Colonial Revival structures

throughout the community. The choice to utilize hand painted signage with decorative goose neck lighting for the convenience store pedestrian scale signage, as well as on the carwash will also enhance and add to the aesthetics of the project.

- C. The design and scale of the sign is appropriate to the distance from which the sign is normally viewed in that all signage is appropriately scaled and located, including the freeway oriented signage toward the top of the tower.
- D. The design and materials of the sign provide a contrast between the background and letters in that the signs are either pin mounted "Valero Blue" letters against a smooth white stucco finish, hand painted red copy against a smooth white stucco finish, or a stand alone monument sign primarily smooth white stucco with "Valero Blue" background and white lettering. All signage provides sufficient differentiation between copy and background.
- E. A freestanding sign is included in the sign application, the design, scale or location of the building dictates the use of freestanding signs, rather than building-mounted signs in that the freestanding sign will replace the illegal second pole sign onsite and provide the necessary, and state mandated, gasoline pricing.
- F. For Master Sign Programs:
 - 1. The provisions of the Master Sign Program ensure consistency in design and style of all new signs in that the wall mounted signs are all pin mounted metal letters in "Valero blue" with Halo Illumination, or hand painted red copy with decorative goose neck lighting, both of which are consistent with the architectural style of the building. The freestanding monument sign is also consistent with the architecture of the building and will be smooth white stucco the bull-nosed edges towards the top of the signage.
 - 2. The provisions of the Master Sign Program address compatibility of the design and style of any existing signs on the building or site in that all previous signage is either proposed to be removed, or is a recommendation by staff that the pole sign be removed.
 - 3. All new signs within the Master Sign Program are in compliance with the design standards of this chapter as the signs appear handcrafted in nature and are compatible with the architecture of the structure in that the

signage type has been selected to be complimentary to the architecture and enhance the overall aesthetics of the site.

Section 5: With regard to Architectural Permit (AP) 11-511, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that the building has been designed to be a Spanish Colonial Revival building and the new convenience store design and structures onsite will enhance a major entry way into the City of San Clemente.
- B. The architectural treatment of the project complies with the Zoning Ordinance in areas including, but not limited to, height, setback color, etc. in that the project meets all applicable Development standards and is consistent with the City's Design Guidelines.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the building is Spanish Colonial Revival architecture and is consistent with the City's Design Guidelines.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that there are other Spanish Colonial Revival structures adjacent to the project site, and the development will be an enhancement to the area over the existing mix of buildings and architectural styles.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposed site improvements are an enhancement to a major entry way into the City and will promote future redevelopment in the area to develop consistent with the City's architectural style.

Section 6: With regard to Site Plan Permit (SPP) 11-512, the Planning Commission finds as follows:

- A. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed in that the Site Plan provides appropriate circulation and parking to serve all the proposed uses, as well as opportunities for landscaping buffers along the edges.
- B. The site is suitable for the type and intensity of development that is proposed in that the project is below the required Floor Area Ratio and lot coverage

maximums as set forth by the Municipal Code and the project site is a service station and this will be an enhancement and a change of use to add a convenience store which is permitted with the approval of a Conditional Use Permit.

- C. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that the development meets all applicable development standards including parking on-site. The overall development will be an enhancement to the project site and improve a major entryway into the City from I-5.
- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings in that the project has been designed in a Spanish Colonial Revival architecture consistent with adjacent development and the City’s Design Guidelines.
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location in that the project has gone through several project iterations and this layout meets all applicable development standards.

Section 7: The Planning Commission of the City of San Clemente hereby approves CUP 11-507/SEP11-508/DSP 11-509/AP 11-511/SPP 11-512, De La Estrella Plaza (Valero), subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on April 3, 2013.

Chair

TO WIT:

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on April 3, 2013, and carried by the following roll call vote:

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

Secretary of the Planning Commission

EXHIBIT 1

CONDITIONS OF APPROVAL*
CUP 11-507/SEP11-508/DSP 11-509/AP 11-511/SPP 11-512
De La Estrella Plaza (Valero)

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

(PInG.) _____

2. The owner or designee shall develop the approved project in conformance with the site plan, floor plans, elevations, and any other applicable submittals approved by the Planning Commission on April 3, 2013.

Any deviation from the above approved resolution and site plan and or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the

City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. (PIng.) _____

CUP 11-507/SEP11-508/DSP 11-509/AP 11-511/SPP 11-512 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. [Citation - Section 17.12.150.A.1 of the SCMC] (PIng.)_____

A use shall be deemed to have lapsed, and CUP 11-507/SEP11-508/DSP 11-509/AP 11-511/SPP 11-512 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. [Citation - Section 17.12.150.C.1 of the SCMC] (PIng.)_____

3. The owner or designee shall have the right to request an extension of CUP 11-507/SEP11-508/DSP 11-509/AP 11-511/SPP 11-512 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. [Citation - Section 17.12.160 of the SCMC] (PIng.)_____

4. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following: ■ (PIng.)_____

A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. [Citation – City of San Clemente Design Guidelines, November 1991]

B. Stucco walls with a ‘steel, hand trowel’ (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. [Citation – City of San Clemente Design Guidelines, November 1991]

C. Prior to issuance of building permits the applicant shall receive approval from the City Planner of the design of both the window corner stucco details as well as the cornice on the parapet of the fuel canopy.

- D. Prior to issuance of building permit the applicant shall note on the plans that all parapet walls that exceed the height of the roof structures shall have a roof tile parapet cap and any portion of the parapet visible below the parapet cap shall be painted to match the roof tiles to blend into the background.

- 5. Prior to the issuance of building permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.
(PIng.) _____

- 6. The applicant shall provide specifications that state wrought iron is proposed for the balcony in the arch of the tower
■ ■ (PIng.) _____

- 7. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Assurance Program]*
(PIng.) (Bldg.) _____

- 8. Downspout and gutter materials shall be copper as specified at the Design Review Subcommittee meeting of February 27, 2013 and the downspouts shall be located in the wall and the water quality devices shall also be copper and replace the tile details on the front of the tower façade.
■ ■ (PIng.) _____

- 9. Prior to issuance of building permits, the applicant shall submit for approval of the building division and City Planner a lighting plan showing consistency with California Green Code requirements and ensure lighting will not be excessive on-site. Additionally, prior to issuance of building permit, the City Planner, or his designee, shall approve the design and scale of all decorative lighting and goose neck lighting.
■ ■ (PIng.) _____

- 10. Prior to issuance of permits, that applicant shall show the DDC device and fire connection as being perpendicular to Avenida De La Estrella, and the device shall be painted green to fit in with the surrounding landscaping, other than the required OCFA connection component that must be painted red.
■ ■ (PIng.) _____

- 11. As a component of the initial work on-site, the existing 75 foot freeway pole sign shall be removed.
■ ■ (PIng.) _____

- 12. All above and belowground utilities shall be shown on the final landscaping plan.

■ ■ (PIng.)_____

- 13. Verify with the final landscape plans that the proposed plant palettes are tailored to the site specific soils reports.

■ ■ (PIng.)_____

- 14. Provide 15-gallon size shrubs around and utility enclosure, trash enclosure, and backflow preventer.

■ ■ (PIng.)_____

- 15. Note minimum field observation visits required by Landscape Architect on final landscape plans.

■ ■ (PIng.)_____

- 16. On file at Community development is the redline set of plans reviewed by Pat Murphy, the City's Contract Landscape Architect. All notes, including increased minimum box sizes of trees, shall be incorporated into the final landscape plan.

■ ■ (PIng.)_____

- 17. The applicant shall work with staff and the City's Contract Landscape Architect to develop additional landscaping in the corner of the project site to better buffer the carwash facility from the adjacent residential uses. The landscape plan shall be approved prior to issuance of permits for the carwash facility.

■ ■ (PIng.)_____

- 18. Prior to issuance of building permits for the carwash, the applicant shall note on their plans that the carwash hours of operation will be limited to 7:00 a.m. to 10:00 p.m. consistent with the acoustical report prepared for the project.

■ ■ (PIng.)_____

- 19. Prior to issuance of building permits on the carwash, the applicant shall show how they have included sound absorption panels on the interior of the carwash tunnel covering fifty percent of the interior surface area with a NRC rating of at least 0.6 pursuant to the acoustical report prepared for the project.

■ ■ (PIng.)_____

- 20. All landscaping installed along the exterior edge of the project site shall be a minimum size to provide at least 3 feet high screening from the public right-of-way. (*Municipal Code Section 17.28.290(C)(5)(a)*)

(PIng.)_____

- 21. Prior to issuance of any permits, the applicant shall complete and record both a lot line adjustment for the two project parcels, and a deed restriction tying the two lots together in perpetuity as long as the two sites act as one development. No buildings can cross property lines.

■ ■ (PIng.)_____

- 22. If the carwash becomes a problem and the noise levels exceed Municipal Code requirements, the carwash facility shall shutdown until the operator can demonstrate the facility meets acoustical and noise ordinance standards. ■ ■ (PIng.)_____

Building

- 23. A separate Building Permit(s) is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. (Bldg.)_____

[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]

- 24. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. (Bldg.)_____

[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning]

- 25. Prior to the issuance of building permits, the owner or designee shall submit plans that identify the intended use of each building or portion of building and obtain approval of the Building Official. (Bldg.)_____

[S.C.M.C – Title 15 – Chapter 15.08]

- 26. Existing one-story single family dwelling located on adjacent property at northwest property line of the project site encroaches onto project site. Lot line adjustment required to provide building code required fire separation distance and minimum fire-resistance rating for walls, projections, openings in walls, and penetrations in accordance with California Residential Code Section R302 for the existing single family dwelling located on adjacent property. (Bldg.)_____

[S.C.M.C – Title 15 – Chapter 15.08]

- 27. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc.

(Bldg.)_____

[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]

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

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

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

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

(Bldg.)_____

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

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

- 31. Fire Sprinkler protection shall be provided throughout all buildings on site.

[S.C.M.C – Title 8 – Chapter 8.16- Fire Code]

(Bldg.)_____

- 32. Underground utilities required. Overhead wiring shall not be installed outside on private property. All utility services located within the property site to be installed underground.

[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]

(Bldg.)_____

- 33. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project.

(Bldg.)_____

[S.C.M.C – Title 15 Building Construction]

Fees and Plan Check Deposit

- 34. Prior to the review of plans, soils report and documents for issuance of Grading Permits, the owner or designee shall deposit minimum \$5,000.00 for Engineering Department plan check. *[Citation – Fee Resolution No. 08-81]* (Eng.)_____

35. Prior to issuance of the building permit, the owner shall pay all applicable development fees, which may include, but are not limited to, City Attorney review, park acquisition and development, water and sewer connection, drainage, grading, RCFPP, transportation corridor etc. *[Citation – Fee Resolution No. 08-81& S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]* (Eng.)_____

Reports –Soils and Geologic, Hydrology

36. Prior to issuance of grading permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
37. Prior to issuance of grading permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for a hydrology and hydraulic study prepared by a registered civil engineer to determine the sizes and locations of all on-site drainage facilities in accordance with all applicable City regulations and standards. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Grading

38. Prior to issuance of any permits, the owner shall submit for review, and obtain the approval of the City Engineer or designee, a precise grading plan as required by the City Grading Manual and Ordinance. As part of the Grading Plan, curb heights shall not exceed 4 inches for parking stalls designed to overhang into adjacent landscaping or sidewalk. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
39. Prior to issuance of grading permits, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, treatment of cut and fill, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
40. Prior to issuance of grading permits, the plans shall indicate that the Pass Through Lane along the western side of the project is to be one-way in the northward direction, unless otherwise modified or approved by the City Engineer. ■■ (Eng.)_____
41. In the event that on-site traffic circulation causes a backup of vehicles out onto Avenida De La Estrella or Avenida Palizada and causes repeated unacceptable traffic congestion at the intersection, as determined by the City Engineer, the City and property owner/tenant agree to meet to discuss on-site traffic circulation alternatives to reduce traffic conflicts at the intersection. Potential modifications could include, but are not limited to limiting movements into or out of the Avenida Palizada drive approach. Resulting modifications shall be paid for by the owner and/or their tenant.

■ (Plng.)_____ (Eng.)_____

Improvements

42. Prior to issuance of any grading permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for frontage improvement plans, including but not limited to the following provisions: *[Citation – Section 15.36, 12.08.010, and 12.24.050 of the SCMC]*

■ (Eng.)_____

- A. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000, the owner or designee shall construct sidewalk along the property frontage. This includes construction of compliant sidewalk up and around drive approaches to meet current City standards when adequate right-of-way exists. Since the right-of-way may not be adequate according to the current plans, a sidewalk easement may be required if deemed necessary by the City Engineer.
- B. An Engineering Department Encroachment Permit will be required for all work in the public right-of-way. The frontage improvement plan shall include detailed topographic construction detail to show that current city standards are to be met including but not limited to, the construction of sidewalk up and around drive approaches, where applicable, with a minimum width of 4 feet at no more than 2% cross fall.

Land Use & Easements

43. Prior to the issuance of any permits, the owner shall prepare and obtain the approval, to the satisfaction of the City Engineer and Community Development Director, for a Lot Line Adjustment. The Lot Line Adjustment shall be recorded at the Orange County Recorder's Office. The Lot Line Adjustment is needed in order to ensure property lines meet required zoning setbacks, etc. for the proposed structures and the adjoining residential property to the north which appears to be partially within the site to be developed. *[Citation – Section 15.36, 17.24, 17.32, 17.36 of the SCMC]*

■ (Eng.)_____

44. Prior to the issuance of any permits, the owner shall prepare and obtain the approval, to the satisfaction of the City Engineer and Community Development Director, for a Recipical Access Agreement for the two properties being developed. This agreement shall be recorded at the Orange County Recorders Office. *[Citation – Section 15.36, 17.24, 17.32, 17.36 of the SCMC]*

■ (Eng.)_____

45. Prior to the issuance of any permits, the owner may be required, if deemed necessary by the City Engineer, to prepare and obtain the approval for plans to construct independent

water and sewer services to each property. Alternatively, if approved by the City Engineer, the owner of the properties may be required to enter into an Agreement for shared utility services. *[Citation – Section 15.36, 17.24, 17.32, 17.36 of the SCMC]*

■(Eng.)_____

- 46. Prior to issuance of any grading permits, the owner shall provide documentation confirming that all applicable easements conflicting with the proposed improvements have been quit claimed or relocated to the satisfaction of the easements’ owners, or that the easement holder approves of the improvements within their easement(s). All documents shall be approved by City Engineer or designee. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

- 47. Prior to final release of any grading permits, the owner shall, if required by the City Engineer, grant necessary sidewalk easements to the City for sidewalk to go up and around the drive approaches. *[Citation – Section 15.36, 12.08.010, and 12.24.050 of the SCMC]*

■ (Eng.)_____

Drainage

- 48. All storm water shall be conveyed directly to an approved storm drain system. No storm water from newly paved parking areas or structures shall sheet flow over the driveways or sidewalks. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

NPDES

- 49. Prior to issuance of any grading permit, the owner shall demonstrate to the satisfaction of the City Engineer that the project meets all requirements of the Orange County National Pollutant Discharge Elimination System (NPDES) Storm Drain Program, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The owner shall submit for review, and shall obtain approval of the City Engineer for, plans for regulation and control of pollutant run-off by using Best Management Practices (BMP's). *[Citation – Section 13.40 of the SCMC]*

(Eng.)_____

- 50. Prior to issuance of any grading permit, the owner or designee shall submit for review a project binder containing the following documents:

(Eng.)_____

- A. For all projects that are greater than one (1) acre, a Notice of Intent (NOI) for coverage under the General Construction Storm Water Permit must be filed with the State Water Resources Control Board <http://www.waterboards.ca.gov/stormwtr/construction.html> and a copy of

the NOI, a WDID number and a copy of the Storm Water Pollution Prevention Plan (SWPPP) must be filed with the City.

- B. Since the site is determined to be a "Priority Project" (as defined by the Orange County Municipal Storm Water Permit available at <http://www.waterboards.ca.gov/sandiego/programs/ocstormwater.html> a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder's Office and filed with the City. Design features of the WQMP shall be incorporated into the Grading Plans. Trash enclosures may be required to be covered if required by the City Engineer.

Financial Security

- 51. Prior to issuance of any grading permits, the owner or designee shall provide separate improvement bonds or irrevocable letters of credit, as determined by the City Engineer, if required by the project, for 100% of each estimated improvement cost, as prepared by a registered civil engineer as required and approved by the City Attorney and the City Engineer or their designees, for each, but not limited to, the following: rough grading; precise grading; frontage improvements; sidewalks; sewer lines; water lines; storm drains; and erosion control. In addition, the owner or designee may be required, if deemed necessary by the City Engineer, to provide separate labor and material bonds or irrevocable letters of credit for 100% of the above estimated improvement costs. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Noise

- 52. Prior to the issuance of grading permit, the owner or designee shall provide evidence acceptable to the City Engineer that all construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with operating and maintained mufflers. *[Citation – Sections 8.48 & 10.48 of the SCMC]* (Eng.)_____

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATES OF OCCUPANCY

- 53. Prior to issuance of certificates of occupancy, the owner shall demonstrate to the satisfaction of the City Engineer and City Maintenance Manager or their designees that all frontage improvements have been completed and accepted and that any damage to new or existing street right-of-way during construction have been repaired/replaced. *[Citation – Title 12 of the SCMC]* (Eng.)_____(Maint.)_____

CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF FINANCIAL SECURITY

- 54. Prior to release of financial security, the owner or designee shall have completed the stenciling of all catch basins and/or storm drain inlets with labels 3" high in black letters, on either the top of the curb or the curb face adjacent to the inlet "NO DUMPING - DRAINS TO OCEAN". These markers shall be maintained in good condition by the Property Owners Association. Also, the owner or designee shall insure that all catch

basins have filter basket inserts. [Citation – Section 13.40 of the SCMC] (Eng.)_____

- 55. Landscaping and trees on-site shall be maintained to allow them to reach a full canopy or mature growth, and any dead plant materials shall be replaced within 14 calendar days, as well shall all irrigation failures be repaired within 14 calendar days. Replacement landscaping shall be of matching size to the plant material when they died.

■ ■ (PIng.)_____

* All Conditions of Approval are Standard, unless indicated as follows:

- Denotes a modified Standard Condition of Approval
- ■ Denotes a project-specific Condition of Approval

RESOLUTION NO. PC 13-015

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN CLEMENTE, APPROVING MINOR CONDITIONAL USE PERMIT (MCUP) 11-510, A
REQUEST TO ALLOW BEER AND WINE SALES FOR OFF-SITE CONSUMPTION LOCATED AT
504 AVENIDA DE LA ESTRELLA**

WHEREAS, on November 17, 2011, an application was submitted, and deemed complete on March 11, 2013, by Mehdi Ghassemi, 504 Avenida De La Estrella, San Clemente, CA, 92672, to allow the sale of beer and wine for off-site consumption at an existing service station for De La Estrella Plaza (Valero) located at 504 Avenida De La Estrella, the legal description being Lots 29 and 30, of Block 1, of Tract 793, and portions of Lot 91, of Tract 853, Assessor's Parcel Number 057-142-37; and

WHEREAS, on November 23, 2011, February 9, 2012, March 22, 2012, July 5, 2012, September 20, 2012, January 17, 2013, and March 12, 2013 the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project categorically exempt from CEQA as a Class 1 exemption pursuant to Section 15301 because the project is zoned for commercial use and this is a negligible expansion of an existing use; and

WHEREAS, on April 3, 2013, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA as a as a Class 1 exemption pursuant to Section 15301 because the project is zoned for commercial use and this is a negligible expansion of an existing use.

Section 2: With regard to Minor Conditional Use Permit (MCUP) 11-510, the Planning Commission finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Minor Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed in that the project meets the additional requirements associated with a service station selling beer and wine for off-site consumption.

- B. The site is suitable for the type and intensity of use that is proposed in that the site is already a service station and expanding the use to allow for beer and wine sales for off-site consumption is a negligible expansion of the existing use as the site meets all applicable requirements to sell beer and wine.
- C. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that there are particular requirements for allowing beer and wine sales for off-site consumption concurrently with the sale of gasoline and the project site meets all of those requirements including separation from residentially zoned properties and separation from other sites which also sale beer and wine for off-site consumption.
- D. The proposed use will not negatively impact surrounding land uses in that there are particular requirements associated with the use and the proposed project meets all applicable requirements and findings.

Section 3: The Planning Commission of the City of San Clemente hereby approves MCUP 11-510, De La Estrella Plaza (Valero), subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on April 3, 2013.

Chair

TO WIT:

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on April 3, 2013, and carried by the following roll call vote:

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

Secretary of the Planning Commission

EXHIBIT 1

CONDITIONS OF APPROVAL*
MCUP 11-510

Sale of Beer and Wine for Off-site Consumption at De La Estrella Plaza (Valero)

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

(PInG.) _____

2. The owner or designee shall develop the approved project in conformance with the site plan, floor plans, elevations, and any other applicable submittals approved by the Planning Commission on April 3, 2013.

Any deviation from the above approved resolution and site plan and or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the

City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. (PIng.) _____

MCUP 11-510 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)_____

A use shall be deemed to have lapsed, and MCUP 11-510 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.)_____

3. The owner or designee shall have the right to request an extension of MCUP 11-510 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____

4. Prior to the issuance of building permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City. (PIng.) _____

5. Alcohol sales may only occur between 6:00 a.m. and 12:00 a.m. seven days a week ■ ■ (PIng.)_____

6. The owner or designee shall obey all rules, regulations and conditions imposed upon the project through, but not limited to, the Alcoholic Beverage Commission (ABC) and relevant State laws. Revocation of, or sale of said ABC license to another person at another location, shall render this Use Permit null and void. Prior to any sale of the ABC license, the owner or designee shall notify the Community Development Department of the sale. *[Citation – Division 9 (Alcoholic Beverages), Business and Professions Code, State of California]* (PIng.)_____

7. The owner or designee shall obey all rules, regulations and conditions imposed upon the project through, but not limited to, the Alcoholic Beverage Commission (ABC) and relevant State laws. Revocation of, or sale of said ABC license to another person at another location, shall render any City approved CUP for alcohol service at the subject

property null and void. Prior to any sale of the ABC license, the owner or designee shall notify the Community Development Department of the sale. *[Citation – Division 9 (Alcoholic Beverages), Business and Professions Code, State of California]* (PIng.)_____

8. No beer or wine shall be displayed within five (5) feet of the cash register or the front door, unless such display is a permanently fixed cooler. *[Citation – Municipal Code Section 17.28.040(D)]* (PIng.)_____

9. No advertisement of alcoholic beverages shall be displayed at motor fuel islands. *[Citation – Municipal Code Section 17.28.040(D)]* (PIng.)_____

10. No display or sale of beer or wine shall be made from an ice tub. *[Citation – Municipal Code Section 17.28.040(D)]* (PIng.)_____

11. No beer or wine advertising shall be located on motor vehicle fuel islands and no self-illuminating advertising for beer or wine shall be located on buildings or windows. *[Citation – Municipal Code Section 17.28.040(D)]* (PIng.)_____

12. Employees on duty between ten (10:00) p.m. and twelve (12:00) a.m. shall be at least twenty-one (21) years of age to sell beer and wine. *[Citation – Municipal Code Section 17.28.040(D)]* (PIng.)_____

13. The owner or designee shall be responsible for ensuring that all employees receive “Responsible Alcoholic Beverage Service” training as offered through programs established by the Orange County Health Care Agency and Alcoholic Beverage Control of the State of California. Evidence of such training and the training records of all employees shall be maintained on-site during business hours, and made available for inspection upon request. *[Citation - Section 17.16.070.K of the of the SCMC]* (PIng.)_____

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- ■ Denotes a project-specific Condition of Approval



LOCATION MAP

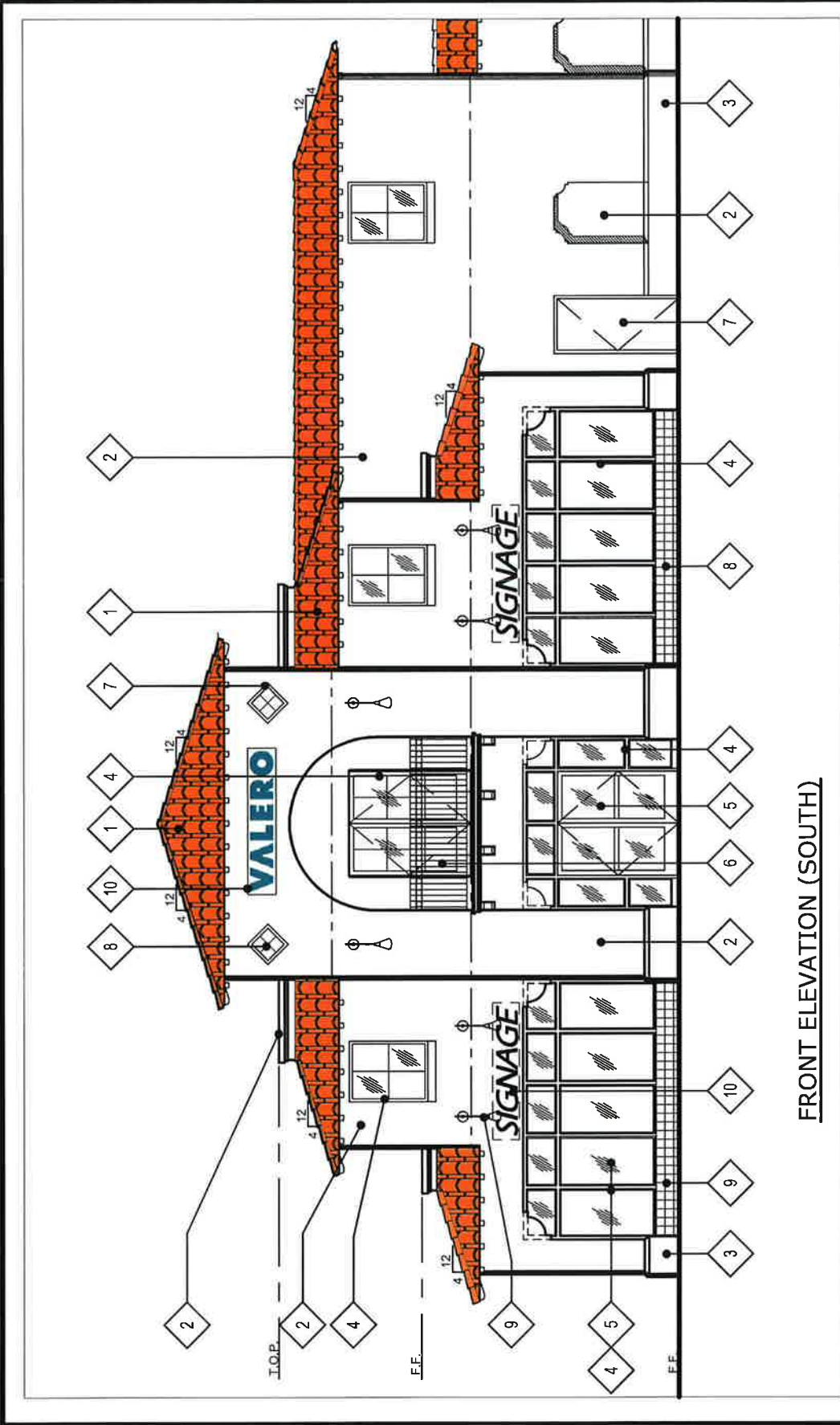
ATTACHMENT 3

CUP 11-507/SEP 11-508/DSP 11-509/MCUP 11-510/AP 11-511/SPP 11-512,
Plaza De La Estrella (Valero)
504 Avenida De La Estrella



Not to scale





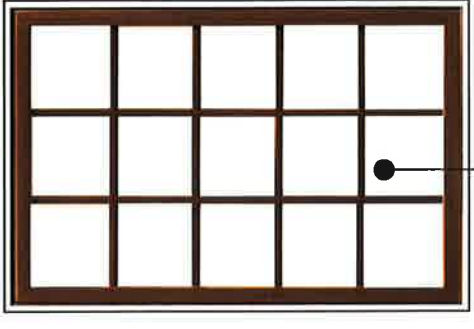
FRONT ELEVATION (SOUTH)



1



2 3



4 5



6



8



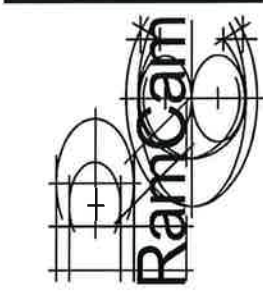
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7

MATERIALS & COLORS

- 1 ROOF TILE: 2-PIECE MISSION SPANISH ROOFING TILE; BLEND: TUSCANY (UADU6075) OR SIMILAR BY "BORAL ROOFING" (800)669-8453
- 2 LAHABRA STUCCO: "CRYSTAL WHITE" 50(79) BASE 100 OR SIMILAR TEXTURE: STEEL TROWEL "SANTA BARBARA" STYLE
- 3 BASE: LA HABRA STUCCO; AS ABOVE
- 4 STORE FRONT WINDOW & DOORS: FIBER GLASS FRAME, IMITATION WOOD. COLOR : CLASSIC BROWN; BY MILGARD WINDOWS (OR SIMILAR)
- 5 GLAZING: CLEAR GLAZING (TYP) ½" TEMPERED WHERE REQUIRED
- 6 RAILINGS: ½" SQ. WROUGHT IRON PAINTED BLACK
- 7 TRIM & SERVICE DOORS: ACCENT COLOR PAINT: DUNN EDWARDS DE6056 LRV. 9 BUFFALO HERD
- 8 SPANISH TILE. COLOR AND DESIGN PER OWNER
- 9 ALUM. GOOSENECK LAMP. COLOR: BLACK POWDER COATING PER MFR.
- 10 COMPANY SIGN W/ CORPORATE COLORS



RAMCAM ENGINEERING GROUP, INC.
 PLANNING & ENGINEERING
 670 E. PARKRIDGE AVENUE SUITE 101 CORONA, CA 92879
 T 951.734.6530 RAMCAM@RAMCANGROUP.COM



De La Estrella Plaza
 504 S Avenue De La Estrella
 San Clemente, CA

11.14.2012

COLORS & MATERIAL BOARD



Design Review Subcommittee (DRSC)

Meeting Date: November 14, 2012

PLANNER: Sean Nicholas, Associate Planner

SUBJECT: **Conditional Use Permit 11-507, Sign Exception Permit 11-508, Discretionary Sign Permit 11-509, Minor Conditional Use Permit 11-510, Architectural Permit 11-511, Site Plan Permit 11-512, Valero**, a request to demolish a service station, gas station pumps, gas pump canopy, and multiple office structures to develop a new gas station with six pumps, pump canopy, car wash, convenience store, office, master sign program, and freeway oriented signage at 504 Avenida De La Estrella.

BACKGROUND:

Project Description

The applicant, Eddie Ghassemi, proposes to demolish all the structures on the two parcels and develop a 3,150 square foot convenience store and office building, new fuel pumps and canopy, and drive-thru carwash facility. Architectural components are designed in a Spanish Colonial Revival architectural style and appear partially consistent with the City's Design Guidelines. The applicant is also requesting a new Master Sign Program for signage onsite, and a Sign Exception Permit to maintain the pole sign, freeway oriented signage, and to exceed the allowed signage for the site.

Why DRSC Review is Required

The site is located at a primary City entry from Interstate 5 pursuant to the 1993 General Plan. It is zoned Commercial (NC2) but is located just outside of the Architectural Overlay. The project requires an Architectural Permit, Site Plan Permits (for new structures), Conditional Use Permit (for a tower to exceed height limits), and a Master Sign Program including freeway oriented signage. The process for these discretionary permit applications require DRSC review.

Site Data

The site consists of two parcels. The application requires a lot line adjustment to ensure buildings do not cross property lines and so that the property the convenience store (with the sale of beer and wine) is located a minimum of 100 feet from a residentially zoned property. Together the two lots total 33,460 square feet. The site has been a gas station since at least 1989. This project will be the first major remodel of the site in decades. The site is surrounded by the I-5 freeway, commercial, and residential uses.

ANALYSIS:

Development Standards

Table 1 outlines the development standards and how the project meets these requirements.

**Table 1
Development Standards**

	Allowed	Proposed
Building Height Maximum	30'	24'-2" (primary building) 39'-4.5" (Tower)*
Setbacks (Minimum):		
<ul style="list-style-type: none"> • Setback from Avenida Palizada • Setback from Ave. De La Estrella 	0' 0'	4' 80' (20' to fuel canopy)
<ul style="list-style-type: none"> • Setback from Freeway off-ramp Property Line • Setback from Residential (Carwash) 	0' 0'	0' 25'
Maximum Floor Area Ratio	.30	.18

*Permitted with approval of the Conditional Use Permit.

Architecture:

Buildings

The contemporary buildings that do not comply with the City's Design Guidelines will be demolished. The buildings proposed are Spanish Colonial Revival in style and appear to be partially consistent with the City's Design Guidelines. The design elements proposed that are consistent with Section II.C.3 of the City's Design Guidelines are:

- smooth white stucco finish
- seven inch insets on the windows on the first and second floors
- single barrel terra cotta clay tile roofs
- decorative Spanish tiles under the convenience store windows
- appropriate massing and scale.

Tower

The applicant is requesting a Conditional Use Permit in order to exceed the maximum height for the zoning designation for the accent tower. The purpose of the accent tower is to provide an opportunity for additional signage both towards the community and towards the freeway.

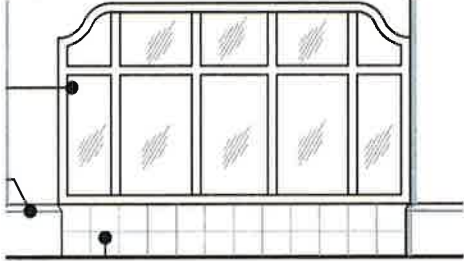

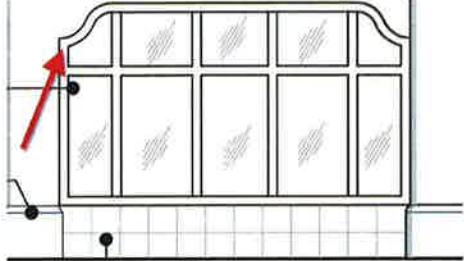

Signs

The applicant is proposing reverse channel letter internally illuminated signage which is not consistent with the architecture of the building, and staff has providing comments regarding the signage below. At a future DRSC meeting staff will provide analysis on the proposed freeway oriented signage located on the back portion of the tower, and any aesthetic impacts from the tower element itself.

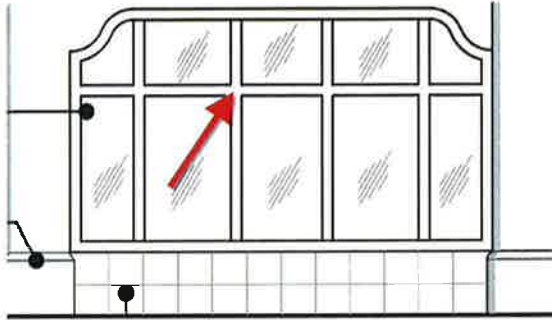
RECOMMENDATIONS:

While the project does exhibit some Spanish Colonial Revival characteristics, staff has the following recommendations to enhance the project’s consistency with the Design Guidelines and the General Plan as a primary entrance into the City.

**Table 2:
Architectural Recommendations**

Proposed	Recommendation
<p data-bbox="235 856 669 890">South Elevation (Main Entrance)</p> <p data-bbox="321 898 748 928">Spanish tiles under the windows.</p> 	<p data-bbox="878 898 1438 968">Applicant needs to provide a sample of the tile and design for Planning Commission.</p> 
<p data-bbox="386 1465 683 1495">Detail around window.</p> 	<p data-bbox="862 1465 1455 1570">Applicant is providing a 7” inset, but needs to provide information on how this detail around the window will be created.</p> 

Unknown material and color of storefront windows.



The applicant needs to provide a material and color sample of the proposed windows.



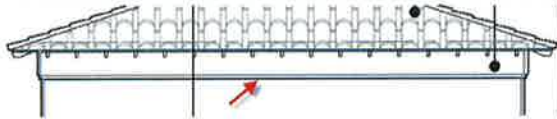
The second floor windows, doors, and balcony are in a larger recess and spans the length of the main entry.



The problem with this is it provides a contemporary look and the design should be modified to provide a more vertical look characteristic of Spanish Colonial Revival architecture. One approach might be a more traditional balcony design. Removing the windows on either side of the French doors will also help the appearance. By doing these things it will make the entry more vertical and more in character with Spanish Colonial Revival Architecture.


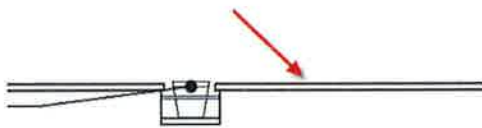


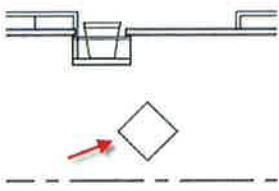
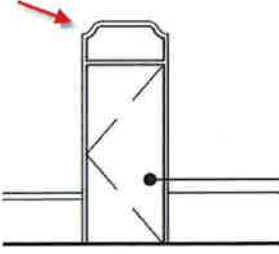


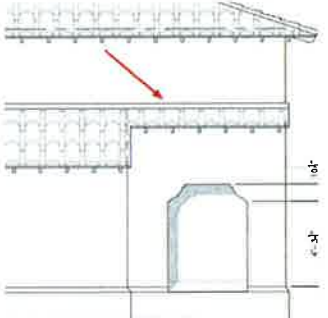
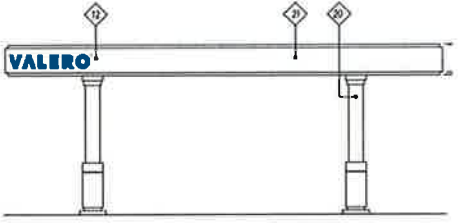
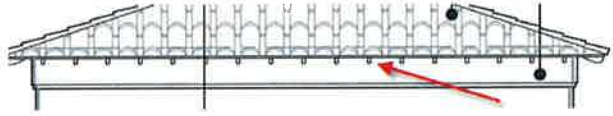

Unidentified stucco feature below roof line.

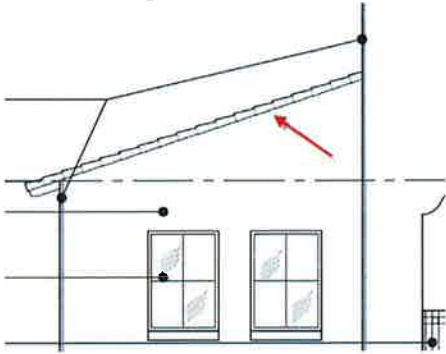




This feature needs to be identified by the applicant, and a detail needs to be provided.



<p>Large area between the top of the second floor and the rafter tails.</p> 	<p>The massing and space may need to be reconsidered as it seems too large, or perhaps an architectural feature could be added to better utilize the space.</p>
<p>North Elevation (Facing I-5 Offramp)</p>	
<p>Undetailed parapet cap feature.</p> 	<p>Detail needs to be provided.</p> 
<p>Faux windows on tower element.</p> 	<p>Remove the faux windows as they do not serve a functional purpose. Additionally, if signage were to be approved on this portion of the tower, it would provide more space to appropriately center and locate the signage without impacting the scale of the architectural feature.</p>
<p>Diamond detail on backwall.</p> 	<p>Should be removed. Staff believes this is just a print error, but wanted to verify.</p>
<p>West Elevation</p>	
<p>Detail above door.</p> 	<p>This detail does not really add anything and is not proposed on the other doors and for consistency, staff recommends it be removed.</p>

<p>Carwash</p> <p>Cutoff roof detail.</p> 	<p>The roof should be continued to be consistent all the way across.</p>
<p>Fuel Canopy</p> <p>The canopy is a metal structure and supports, with what appears to be internally illuminated roof.</p> 	<p>Staff recommends the applicant utilize full smooth stucco columns as well as the canopy portion being smooth white stucco with a cornice or other added articulation to give it a more Spanish Colonial Revival style.</p> <p>Also staff recommends eliminating the internally illuminating around the exterior of the canopy.</p>
<p>Overall Design</p> <p>Small and un-dimensioned rafter tails.</p> 	<p>Rafter tails need to be detailed and a material provided. All rafter tails should be wood, and provide appropriate mass and scale for the roof it is supporting.</p> 
<p>No gutters and downspouts are identified.</p>	<p>The applicant needs to identify the location and materials of all gutters and downspouts.</p>


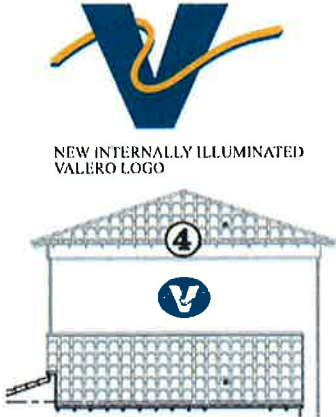

<p>Unclear if a roll over tile detail is used for the edges of the roof.</p> 	<p>The applicant needs to clearly indicate the roll over tile detail for the roof edge and should incorporate the scallop detail to provide some relief and detail in the stucco.</p> 
<p>Several faux windows proposed.</p> 	<p>All faux windows should be removed and an alternative method to break up the wall should be developed.</p>
<p>Doors are proposed with a three (3) inset.</p>	<p>Doors should have at minimum the same seven (7) inch inset as the windows.</p>

Master Sign Program

The Design Guidelines say that signage should be consistent with the architecture of the building. The applicant has proposed two signs near the convenience store entrance which are hand painted and lit with decorative goose neck lighting. These signs are consistent with the architectural style of the building. All other signage is typical reverse channel lettered and internally illuminated and is not consistent with the architecture or Design Guidelines.

The applicant is proposing a new monument sign at the corner of Avenida Palizada and Avenida De La Estrella which includes a digital sign component for pricing. The applicant is proposing signage on the fuel canopy as well as all four sides of the new tower they have designed. Lastly, the applicant is proposing to maintain the pole sign, but has redesigned it to improve the look of the sign and added a new component which reads “City of San Clemente” with the City seal. Pursuant to the Municipal Code, the total square footage of signage permitted on the main service station site is 277 square feet, and 100 square feet on the carwash site. The applicant is proposing 366.24 square feet of signage on the main service station parcel, and 78.75 square feet of signage on the carwash parcel. The following are staff’s recommendations for signage.

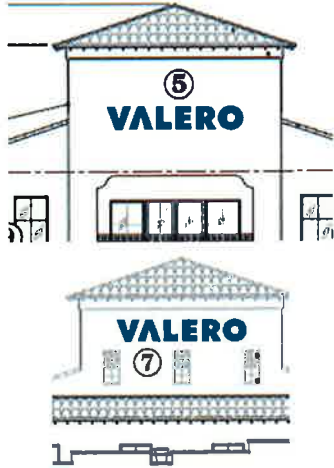
**Table 3:
Master Sign Program Recommendations**

Proposed	Recommendation
<p data-bbox="310 233 703 264">Monument sign lifted off pad.</p>  <p data-bbox="266 506 743 527">NEW 5'-0" X 10'-0" MONUMENT SIGN SCALE: 3/8"</p>	<p data-bbox="862 233 1425 342">The sign should be attached to the base, because as it is designed, pursuant to the Municipal Code, it is considered a pole sign.</p>
<p data-bbox="196 898 821 968">Two small "V" Internally illuminated Valero sign on sides of the tower.</p>  <p data-bbox="383 1119 634 1150">NEW INTERNALLY ILLUMINATED VALERO LOGO</p>	<p data-bbox="857 898 1433 1125">Staff recommends that all signs be removed from the top of the tower. The signage on the fuel canopy are pointing in the same directions as these small signs and are located closer to the street and will be more effective in advertising the gas station.</p>  <p data-bbox="886 1182 987 1224">Internally Illuminated Valero Copy see Detail CAN-1</p> <p data-bbox="1138 1182 1222 1203">5" PAINTED TIAL BOTTOM STRIPE</p>

Two sets of channel letters internally illuminated on the tower.

VALERO

) ⑦ NEW INTERNALLY ILLUMINATED VALERO LETTERS



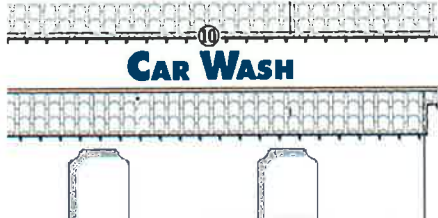
To be more in character with the architectural style of the building, utilizing a hand painted sign with decorative goose neck lighting would be more appropriate than the proposed illuminated signage.



Two sets of channel letter internally illuminated "Car Wash" signs.

CAR WASH

NEW INTERNALLY ILLUMINATED CAR WASH LETTERS




Similar to the recommendation above, a hand painted sign with goose neck lighting would better compliment the architecture of the building.

Goose Neck Lighting.



The applicant needs to provide a detail and spec sheet for the goose neck lighting.

<p>Maintain existing pole sign, remodel it, and expand the signage.</p> 	<p>Staff recommends, consistent with recent City Council action, removing the pole sign completely.</p>
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If the applicant were to remove the signage staff recommends, the total square footage of signage onsite would be 208.24 square feet, which is in compliance with the total amount of signage permitted for the service station site.

CONCLUSION:

Overall, the project does exhibit Spanish Colonial Revival design attributes, but some elements need to be more detailed and some components clarified or revised. Decisions regarding the expanded height for the tower and the approval of the Sign Exception Permit will be the decision of the Planning Commission and may ultimately affect the final design of the project. Staff is seeking DRSC concurrence with the above recommendations, and any other comments DRSC may have.

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
NOVEMBER 14, 2012**

Subcommittee Members Present: Michael Kaupp, Julia Darden and Bart Crandell

Staff Present: Jim Pechous, Cliff Jones, Sean Nicholas, and Tom Bonigut

I. MINUTES

Minutes from the October 24, 2012 meeting

II. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

A. Discretionary Sign Permit 12-330, Chevron Station Signage (Gregg)

A request to consider a Master Sign Program for the Chevron Service Station located at 1729 S. El Camino Real. The project is located within the Neighborhood Commercial (NC-3) zoning district and the legal description is Lot 2, Block 9, of Tract 851 and Assessors Parcel Number 690-413-02.

As staff was preparing recommendations for the project, additional questions regarding the design of the signage came up and needed additional review. Due to the extra time needed, staff recommended continuing this item to the DRSC meeting of November 28, 2012. DRSC continued the item to the November 28, 2012 meeting.

B. Conditional Use Permit 11-507/Sign Exception Permit 11-508/Discretionary Sign Permit 11-509/Minor Conditional Use Permit 11-510/Architectural Permit 11-511/Site Plan Permit 11-512, De La Estrella Plaza (Nicholas)

A request to demolish an existing service station and office buildings and construct a new service station with a convenience store, car wash and new master sign program located at 504 N. Avenida de La Estrella.

Associate Planner Sean Nicholas summarized the staff report and gave a history of the project. Planner Nicholas then began going down the report matrix to receive DRSC comment and address other issues as they came up.

Staff discussed that the applicant is proposing a tower element which exceeds the maximum height of service station structures pursuant to the Municipal Code requirements, but is permitted with the approval of a Conditional Use Permit. Staff indicated that additional analysis and review of the tower and

freeway oriented signage needed to be completed and would be brought back to DRSC, but staff wanted to bring the larger project site design, architecture, and signage to DRSC for comments.

DRSC members questioned if they should give comments regarding the design of the tower and signage on the tower.

Staff said that they welcome recommendations regarding both the tower design and the type of signage as this would help staff and the applicant in terms of design modifications. Though in terms of if the freeway oriented signage should remain and the amount of signage onsite, staff recommends holding off on that recommendation.

The applicant's architect, Alex Irshaid, stated that the project has taken a long time and through several different consultants, and they feel they have finally made movement to a complete design. He went on to note that the project was originally some minor modifications to the existing facility, but as the architect and owner talked, they decided to do whole sale changes to improve the facility. Working with planning staff, the architecture has progressed into the design it is today.

Staff discussed the use of tile under the window bulkheads. The applicant provided some images of a 4" by 4" Spanish tile, and while DRSC agreed the picture looked good, they asked the applicant to bring a sample tile into the next DRSC meeting. The applicant agreed.

Committee member Kaupp asked before we continue with the matrix in the staff report if there was any discussion and concern regarding the circulation of the site. He noted some issues with some recent approvals after they have been constructed, and want to avoid problems in the future.

Staff indicated that the site design and the circulation has been one of the largest issues for the project and reviewed in great detail. At this time there are still a few issues that are being worked out but generally engineering staff was supportive of the circulation. It is difficult for staff to provide a recommendation or comment beyond this statement.

Committee member Darden asked that staff look over the site again with engineering and check about the car wash and pedestrian circulation.

The applicant, Eddie, stated that the use of his site is much different from other sites in that most visits are very quick.

Committee member Crandell recommended the applicant get a sound and air quality study completed for the car wash being adjacent to residential. Staff indicated that they have also asked for that information and will make sure that is completed prior to Planning Commission.

Committee member Darden also asked for an example of another location that has a number of stop signs on the site.

Staff said they would look into the issue and report back to DRSC.

Committee member Crandell asked about gateways and if the Spanish building has to be white.

Committee member Kaupp stated that there has been similar entry way developments before where white was used, and he feels that this provides some back history to use white. He also noted that the applicants are proposing white with some highlight features.

The applicant stated that they will bring back an updated color board and paint samples for the various areas for the next DRSC meeting.

Staff brought up using a more traditional design for the detail of the windows.

The applicant showed a different design for the window details that were more traditional as shown on the car wash building.

The DRSC and staff agreed that was a better detail and the applicant said he would use the more traditional design and be constructed out of foam and stuccoed.

Staff indicated that materials and colors need to be provided for the windows. The applicant provided information that they are going with classic brown windows and fiberglass material. Staff also indicated that the project is not in the overlay, and fiberglass has been used before.

The applicant stated that they would bring in a window sample to show the color.

The next comment deals with the second story balcony and how it should be treated. Staff's recommendation was to simplify the design, bring the feature forward, and help provide some more verticality to the entrance. Though, this resulted in a discussion in general regarding the tower and its height.

The DRSC members all expressed concerns about the political issues of having a tall tower and the signage on that tower. The applicant stated that the tower element was very important to them and they wanted to keep the feature regardless if signage was on the tower or not.

The applicant and DRSC looked at the plans and identified that the interior of the tower is not open and has attic space in it. The potential to reduce some of that space in order to bring the height of the tower down by at least 4 more feet was discussed.

There were still concerns regarding the overall shape, design, massing, and height of the tower and how the second story balcony would ultimately read. The applicant stated that they would reduce the height some and take a look at the massing features, especially towards the base of the tower, look for ways to bolster that massing, and improve the overall scale of the tower element.

The next item was in regards to the windows on the backside and them being faux windows. The applicant said they will remove them as they may not be needed with the reduce height of the tower.

The next item was the fuel canopy. The applicant proposed a metal structure. Staff is recommending using full columns and smooth white stucco and cornice feature for the top of the canopy. Staff stated that this would be more consistent with the proposed architecture of the convenience store.

The applicant stated that it may be possible and they would look at what they could do.

Staff then brought up the rafter tails and that they need to be wood and need to have appropriate mass.

The applicant indicated that a 2 by is what they proposed.

Committee member Crandell recommended a minimum of a 4 by for the rater tails.

The applicant agreed to wood and the increased size.

The applicant agreed to the other minor overall design modifications.

Committee member Kaupp requested that the stucco finish not be a high gloss.

Staff indicated that they would work with the applicant in the field to ensure it will not be gloss.

The applicant also indicated they are removing the faux windows on the façade and just putting an inset in the stucco, and that they would use a seven inch inset on the doors.

Signage

The applicant indicated that the Master Sign Program submitted unfortunately did not represent their intention for sign design. Their intention is to use individual pin mounted letters halo lit. They are proposing using the Valero blue as a color for those signs. The applicant indicated that they will get a sample and bring it in for the next DRSC meeting.

The applicant also stated that the small logo on the side of the tower will also be hand cut.

Committee member Kaupp recommended that the signage be reviewed by Redman Schwartz to provide some comments.

Committee member Darden expressed concern about the color of the monument sign.

The applicant apologized again, it should be white and they will change the sign program.

Committee member Darden then asked about the blue line around that canopy, and whether it would be considered signage.

Staff indicated that the blue line has been removed as the canopy is proposed to be a white stucco structure.

Committee member Darden expressed concern, if the pole sign was allowed to be retained, that the City seal should not be added.

Staff agreed that they were not in support of the feature, and based on previous approvals, staff is recommending the pole sign be removed in total.

The minor modifications by staff were agreed to by the applicant.

The applicant did have concern regarding staffs recommendation of removing the Valero emblem from the side of the tower. The applicant stated that the design they want is much more simplistic. They indicated that they need it for visibility from a greater distance.

Committee member Crandell asked if they would be in compliance with the Zoning requirements if the small Vs were to remain and the pole sign were to be removed.

Staff confirmed the calculation that if the small V's on the side of the tower were to remain and the pole sign were to be removed, that it would still be consistent with permitted signage square footage onsite.

Subcommittee member Darden felt the small Vs were not necessary as once you exit you realize it is a Valero from other signage onsite.

The applicant asked about moving the pole sign up on the site to reduce the height. The DRSC did not know what that would look like but invited the applicant to look at it further if they wanted and present something at the next DRSC meeting.

C. City Antenna Permit 12-296, SDG&E at Salvador (Jones)

A request for a City Antenna Permit to allow two microwave dishes to be added to an existing antenna tower on City-owned property. The subject site is 721 Avenida Salvador.

Associate Planner Cliff Jones summarized the staff report.

Subcommittee members agreed with staff's recommendation suggesting the applicant should: 1) paint the antennas an earth tone color such as beige or light gray, which would contrast less; and 2) add drought tolerant vines or shrubs on City property along the fence line, sustained by gel packs, and that maintenance responsibilities be the responsibility of the applicant for two years after installation.

Subcommittee members requested the project be forwarded to the City Manager with a DRSC recommendation of approval.

D. Alley Lighting Location Plan (Bonigut)

Review of a draft lighting location plan for City Downtown alleys. Following DRSC review and recommendation the plan will be provided to San Diego Gas & Electric to be incorporated into their utility undergrounding plan.

Tom Bonigut, Assistant City Engineer, presented the preliminary lighting location plan. The DRSC concurred with the preliminary proposed lighting locations and also requested the following:



Design Review Subcommittee (DRSC)

Meeting Date: February 27, 2013

PLANNER: Sean Nicholas, Associate Planner

SUBJECT: Conditional Use Permit 11-507, Sign Exception Permit 11-508, Discretionary Sign Permit 11-509, Minor Conditional Use Permit 11-510, Architectural Permit 11-511, Site Plan Permit 11-512, Valero, a request to demolish a service station, gas station pumps, gas pump canopy, and multiple office structures to develop a new gas station with six pumps, pump canopy, car wash, convenience store, and office, and to approve a master sign program, and freeway-oriented signs at 504 Avenida De La Estrella.

BACKGROUND:

Project Description

The applicant, Eddie Ghassemi, proposes to demolish all the structures on the two parcels and develop a 3,120 square foot convenience store and office building, new fuel pumps and canopy, and drive-thru carwash facility. Architectural components are designed in a Spanish Colonial Revival architectural style and appear partially consistent with the City's Design Guidelines. The applicant is also requesting approval of a new Master Sign Program for signage onsite, and a Sign Exception Permit to maintain the pole sign and to allow new freeway-oriented signage. This is the second review by Design Review Subcommittee. The first Design Review Subcommittee Staff Report and Minutes are attached.

Why DRSC Review is Required

The site is located at a primary City entry from Interstate 5, pursuant to the 1993 General Plan. It is zoned Commercial (NC2) and located just outside of the Architectural Overlay. The project requires an Architectural Permit, Site Plan Permits (for new structures), Conditional Use Permit, and approval of a Master Sign Program, including freeway-oriented signage. The process for these discretionary permit applications requires DRSC review.

Site Data

The site consists of two parcels. The application requires a lot line adjustment to ensure buildings do not cross property lines and so that the property on which the convenience store (with the sale of beer and wine) is to be located is a minimum of 100 feet from a residentially zoned property. Together, the two lots total 33,460 square feet. The site has been a gas station since at least 1989, and this project will be the first major remodel of the site in decades. The site is surrounded by the I-5 freeway, commercial, and residential uses.

ANALYSIS:

Development Standards

Table 1 outlines the development standards and how the project meets these requirements.

Table 1
Development Standards

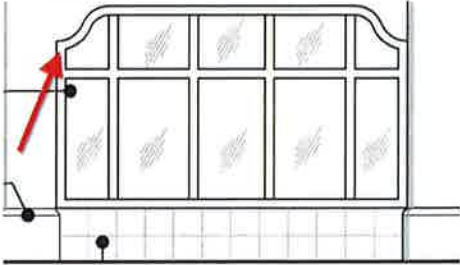

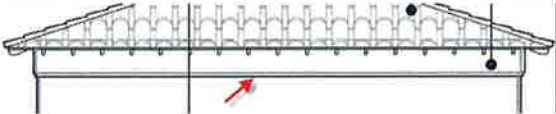
	Allowed	Proposed
Building Height Maximum	30'	26'-6" (Building) 30' (Tower)
Setbacks (Minimum):		
<ul style="list-style-type: none"> • Setback from Avenida Palizada • Setback from Ave. De La Estrella 	0'	4' 80' (20' to fuel canopy)
<ul style="list-style-type: none"> • Setback from Freeway off-ramp Property Line • Setback from Residential (Carwash) 	0'	0' 25'
Maximum Floor Area Ratio	.35	.18

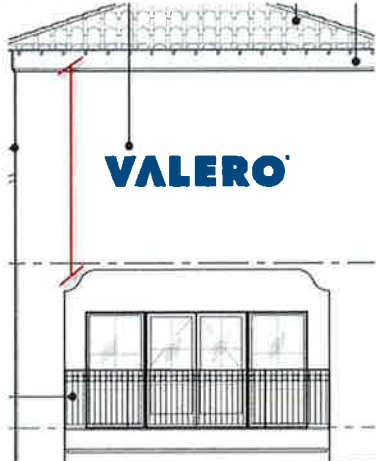
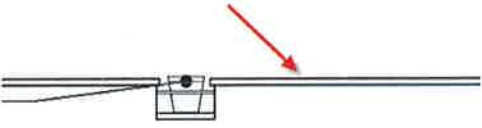

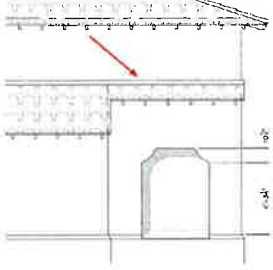
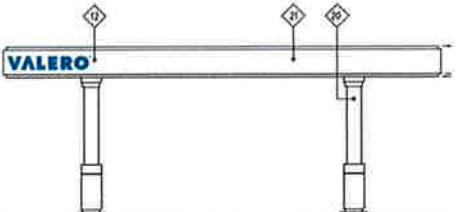
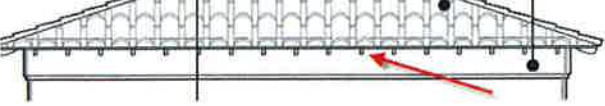
Architecture:

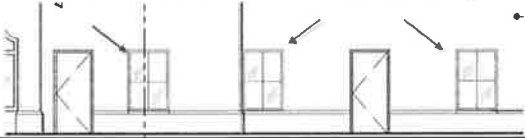
The applicant has continued to refine the architecture of the building and has reduced the overall height of the project. The following table is a summary of the discussion points from the past meeting and how the items have been addressed.

Table 2

Previous DRSC Architectural Discussion Points and Applicant Response

DRSC DISCUSSION POINT	APPLICANT RESPONSE
<p>Provide sample of the Spanish tile proposed for the bulkheads of the windows.</p>	<p>DRSC requested the applicant submit a sample of the tile they propose to use. The applicant indicated they would bring a tile to the next DRSC meeting.</p>
<p>The detail in the corners of the window needs to be a more traditional design. Window Material needs to be clarified.</p> 	<p>Applicant modified the design, but the detail shown on the plans is still more modern, staff will work with the applicant to modify the detail.</p>  <p>Additionally, the applicant has indicated Dark Brown fiberglass windows would be used, not imitation wood. Note will be corrected on plans prior to Planning Commission.</p>
<p>DRSC had general concerns on the design of the balcony and large arch of the tower and entry point.</p>	<p>The applicant has modified the feature and lowered the overall height of the tower. Additionally they have tried to bolster the sides of the arch to provide appropriate visual massing.</p>
<p>Unidentified stucco feature below roof line.</p> 	<p>The applicant has removed the feature on the tower simplifying the overall design.</p>

<p>Large inappropriate massing between the top of the second floor and the rafter tails.</p> 	<p>The tower has been redesigned and reduced in height. The massing and scale of the tower is now more consistent with the rest of the structure and consistent with development standards.</p>
<p>Undetailed parapet cap feature.</p> 	<p>The applicant is proposing a tile parapet cap to blend in with the primary structure.</p>
<p>Faux windows on tower element.</p> 	<p>The tower height has been reduced and the faux windows have been removed.</p>
<p>Cutoff roof detail on Carwash.</p> 	<p>The feature has been removed.</p>
<p>The fuel canopy is a metal structure with what appears to be internally illuminated roof.</p> 	<p>The applicant has made design changes so the structure is smooth white stucco to match the primary structure. Staff will continue to work with the applicant to develop an appropriate cornice detail for the top of the canopy.</p>
<p>Small and un-dimensioned rafter tails.</p> 	<p>The applicant is calling out a 4x8 rafter tail extending with the roof overhang one foot-six inches (1'-6").</p>

 <p>Several faux windows proposed.</p>	<p>Faux windows have been replaced by niche cutouts. Spandrel note on plans is incorrect and applicant will change before Planning Commission.</p>
<p>Concerns regarding the use of stop signs and site circulation were brought up. DRSC asked for examples of similar layouts</p>	<p>Staff, working with the applicant, could not find an example of another gas station with a similar site circulation. The applicant has proposed the stops signs as they feel it will better protect customers, and Engineering is reluctant to request stop signs be removed if the applicant has determined them necessary.</p>
<p>DRSC requested window color and material sample be brought to the next Design Review Meeting.</p>	<p>The applicant indicated they would bring a window and color sample to the next Design Review Meeting.</p>
<p>DRSC requested that the stucco finish not have a high gloss.</p>	<p>The applicant said they would not, and staff will make a condition of approval.</p>

Building and Site

The buildings proposed are Spanish Colonial Revival in style and appear to be partially consistent with the City’s Design Guidelines. Overall, the applicant has continued to make improvements to enhance the overall look of the building but staff still has some recommendations that will improve the design of the building and site.

- 1) **Parapet cap/tile roof interface**-Staff recommends that the tile roofs be continued all the way up and remove the portions of the parapet walls showing.
- 2) **Window dimensions**-Staff recommends windows on the second floor be narrowed and elongated to have appropriate window proportions on the second floor.
- 3) **Cornices and Window Corner Details**-The applicant needs to continue to work with staff to develop a more traditional cornice and window detail design. If a detail is not completed prior to Planning Commission, a condition of approval will be added requiring Design Review Subcommittee review prior to building permit issuance.
- 4) **FDC/DDC Equipment**-Staff recommends rotating the FDC/DDC 90 degrees to allow for better screening opportunities of the required water department device.
- 5) **Site Lighting**-Staff recommends the applicant submit onsite lighting details to show what design they are proposing. This could be provided for Planning Commission. Staff will include a condition that a photovoltaic plan shall be provided and approved by the City Planner to ensure consistency with Municipal Code requirements prior to building permit issuance.
- 6) **Landscaping**-Staff and the applicant have discussed a few areas that additional landscaping could be added to provide a better buffer between the carwash site and adjacent uses. Prior to Planning Commission the City’s Contract Landscape Architect will review the plans and provide conditions of approval to address this issue.
- 7) **Downspouts and Gutters**-Prior to Planning Commission review, downspout and gutter location and materials will be addressed.

Tower

The revised tower is 30 feet and is consistent with the maximum height permitted for service station buildings. The conceptual grading plan has the finished floor of the building at the 209 foot elevation, thus the top of the tower will be at the 239 foot elevation. Based on CityGIS information, the height of the freeway adjacent to the project site is between 250 and 260 foot elevation, an 11 to 21 foot difference. Therefore the building will not block views to the ocean from Interstate 5. There are no General Plan public view corridors identified in the area so the project will not impact any public views.





Signs

For the building and fuel canopy, the applicant indicated at the previous DRSC meeting that the main signs for the site would be individual letter, pin-mounted, metal halo illuminated signage similar to other project signage approved recently. Though, unlike the previous approvals, the applicant is proposing the Valero “blue” for the signage rather than the aged bronze or copper. The plans indicate an internal illuminated sign. The applicant will need to clarify if this is just an error on the sign plans. The applicant has provided the “V” in Valero to show the color and it will be available at the Design Review Subcommittee meeting.

While the tower will not be visible from the main portion of the freeway, the tower will be visible from the off-ramp; thus, the signage is still considered freeway-oriented. While freeway-oriented signage is not generally supported by staff, due to the location of the site, and the height of the freeway, staff supports maintaining the signage on the tower; if properly designed. Staff has reviewed the findings for the Sign Exception Permit and it is staff’s position that they can be made for the signage located on the tower only.

The applicant still proposes to keep the pole sign, with the redesigned look of the sign. Staff continues to recommend, consistent with recent City Council approval, that the pole sign be removed entirely. The applicant has also proposed signage on the back portion of the carwash. Due to the height of the car wash building and the height of the adjacent freeway off-ramp, the signage will not be visible. For that reason staff recommends removing the carwash signage from the back of the carwash building. Pursuant to the Municipal Code, the total square footage of signage permitted on the main service station site is 277 square feet, and 100 square feet on the carwash site. The applicant is proposing 260.59 square feet of signage on the main service station parcel, and 45 square feet of signage on the carwash parcel. The following are staff’s recommendations for signage:

Table 3:
Master Sign Program Recommendations

Proposed	Recommendation
<p>Monument sign 65.125 square feet</p> 	<p>The sign should be smooth white stucco to match the primary building. The sign face shall be reduced to not exceed 64 square feet, the maximum allowed square footage per sign. While this is not a price sign, in terms of color pallet and style, this is an example of a monument sign to use as an example:</p> 
<p>It is unclear what type of signage is being proposed for the tower. As discussed above, this needs to be clarified by the applicant at the meeting.</p>	<p>Staff recommends that all signs on the tower be individual metal pin mounted and halo lit letters for the sign, or hand painted with decorative goose neck lighting only. Staff is not supportive of any internally illuminated or plastic material signage.</p>
<p>Signage on the back of the carwash building.</p> 	<p>Due to a lack of visibility of the back of the carwash building from the off-ramp, staff recommends this sign be removed.</p>
<p>Maintain existing pole sign, remodel it, and expand the signage.</p> 	<p>Staff recommends, consistent with recent City Council action, removing the pole sign completely.</p>

If the applicant were to remove the pole sign and reduce the monument sign to the maximum, 64 square feet allowed, the total square footage of signage on the service station site would be 178.48 square feet and 22.5 square feet on the carwash site.

CONCLUSION:

Overall, the project does exhibit Spanish Colonial Revival design attributes, but some elements need to be more detailed and some components clarified or revised. Decisions regarding the approval of the Sign Exception Permit will be by the Planning Commission. Staff is seeking DRSC concurrence with the above recommendations, and any other comments DRSC may have.

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
FEBRUARY 27, 2013**

Subcommittee Members Present: Michael Kaupp, Julia Darden and Lew Avera

Staff Present:

1. MINUTES

Minutes from the February 13, 2013 meeting

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

A. Conditional Use Permit 12-328/Cultural Heritage Permit 13-022/ Site Plan Permit 13-023, Serra Workforce Housing (Gregg/Jones)

A request to construct a three-story, 19-unit, affordable housing project located at 105-117 Avenida Serra. The project is located within the Mixed Use Zoning District, and within the Architectural and Coastal Zone Overlays (MU3-A-CZ).

Commissioner Michael Kaupp recused himself stating that he owned property within 500 feet of the subject application.

Project Planner, Amber Gregg, summarized the staff report and went over elevations and site plans. Commissioner Lew Avera stated that it was a beautiful project and agreed with staff that the rear elevation needed additional articulation and detail.

Commissioner Julia Darden concurred with Commissioner Avera and stated that the rear elevation should have as much detail as the front elevation. Commissioner Darden liked the site plan and urban outdoor areas provided with the patios and courtyard.

Commissioner Darden asked staff if there was a preference on the types of street trees. Staff stated that there is not an adopted street tree species for Avenida Serra and that the proposed landscape plans originally showed three canopy trees along the front property line. Three trees did not meet the Zoning Ordinance requirements, but they did not have room to install any more because of the canopy size and the area required for the trunk and root ball to support a canopy tree. The applicant and staff discussed using Mexican Fan Palms, which are depicted in the renderings for the street tree. Staff is supportive of this as a lot more trees can be planted along the public right of way with this species. The

Commissioner Kaupp thanked the applicant and suggested that when they pick the lighting, to make sure that it actually lights the sign rather than just make a spotlight.

The applicant thanked the DRSC for its support and recommendation.

E. Conditional Use Permit 11-507/Sign Exception Permit 11-508/Discretionary Sign Permit 11-509/Minor Conditional Use Permit 11-510/Architectural Permit 11-511/Site Plan Permit 11-512, De La Estrella Plaza (Nicholas)

A request to demolish a service station and adjacent office space and develop a new service station, convenience store, carwash, master sign program, and freeway-oriented signage at 504 Avenida De La Estrella within the NC-2 Zoning Designation.

Associate Planner Nicholas summarized the project, staff report, and revisions the applicant had made since the previous DRSC review.

Associate Planner Nicholas reviewed the DRSC's and staff's building design recommendations. Below is a summary of DRSC recommendations as they relate to staff recommendations.

- 1) The applicant, DRSC, and staff agreed to utilize red clay roof tiles as a parapet cap, and to paint any wall portions that are visible to match the red tile roof.
- 2) DRSC disagreed with staff's recommendation about narrowing the windows, and recommended maintaining them as designed. The applicant agreed.
- 3) The applicant agreed to continue to work with staff on the window and gas canopy cornice detail. DRSC was supportive.
- 4) DRSC and the applicant agreed that a condition of approval could be added to ensure the Fire Department connection/backflow preventer would be positioned to be screened from the street as much as possible.
- 5) The applicant indicated that he was showing on the plans the decorative lighting proposed, and agreed to provide a light study for City Planner approval prior to Building Permit issuance.
- 6) The applicant indicated that he would work with staff to fill in landscaping where possible to screen the carwash from the adjacent residences. DRSC was supportive of staff working with Pat Murphy for recommendations and conditions of approval.
- 7) The applicant stated he will add the downspouts and gutter filtration devices to the plan. The applicant indicated the downspouts will be in the building and the exposed gutters will be copper.

Associated with signage, the following were the DRSC discussion points on staff's recommendations:

- 1) The applicant agreed to modify the monument sign to be consistent with the design of the building. DRSC concurred with the recommendation.
- 2) The applicant clarified that they are proposing to utilize individual metal letter signs, pin-mounted and halo lit. DRSC agreed with the sign type.
- 3) The applicant agreed to remove the signage on the back of the carwash, and to modify the front carwash signage to hand painted with decorative goose neck lighting. DRSC liked the change and thanked the applicant for modifying the design.
- 4) The applicant is still requesting to maintain the pole sign. DRSC commented that this issue will be addressed at Planning Commission and potentially, at City Council.

DRSC had no other comments, complimented the applicant on the improvements and modifications they had made to the building, and recommended the project move forward to Planning Commission. The applicant thanked DRSC for its comments and time.

F. Anderson Windows Product Demonstration (Jones)

A presentation by Mark R. Sabre from Anderson Corporation.

Mark Sabre presented two Anderson window products for DRSC consideration, aluminum and fiberglass clad wood windows, which he felt would work within the City's historical Architectural Overlay. Mr. Sabre indicated that Anderson no longer manufactures an all wood window because customers prefer the lower maintenance alternatives, which look like painted wood windows, that their company provides such as aluminum and fiberglass clad wood windows. The difference between the aluminum and fiberglass clad wood windows are summarized below:

Fiberglass clad wood window:

- Comes in 11 colors. No custom color options.
- Color protruded into fiberglass.
- Factory finish is paintable.
- No coastal exclusions that would void warranty along the coast.

Aluminum clad wood window:

- Comes in 60 colors. Custom colors available.
- Color not protruded but rather electrostatically applied.
- Factory finish is not recommended to be painted.
- Coastal exclusions could void warranty along the coast.



Image 1: View of buildings and sign from freeway exit



Image 2: View from I-5 off ramp and Avenida Palizada



Image 3: Buildings and facilities to be demolished



Image 4: Buildings to be demolished