



STAFF REPORT
SAN CLEMENTE PLANNING COMMISSION

Date: April 3, 2013

PLANNER: Sean Nicholas, Associate Planner *SN*

SUBJECT: Conditional Use Permit 12-362/Cultural Heritage Permit 12-363/Discretionary Sign Permit 13-082/Minor Exception Permit 13-084/Outdoor Dining Permit 13-085, North Beach Rooftop Grill and Bar, a request to consider a conversion of a one-story commercial building into a restaurant with an open roof top bar and grill with a full range of alcohol, live amplified music, an off-site parking agreement, parking waivers, and approve a new sign package. The project is located at 1509 North El Camino Real.

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 a full range of alcohol, amplified sound, waiver of required parking for outdoor seating 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;
- d. The proposed use will not negatively impact surrounding land uses;
- e. For outdoor seating waivers, public parking is available in close proximity to the restaurant; and,
- f. Given the specific conditions of the site and the adjacent area, the waiver or modification for outdoor dining parking requirements will not result in inadequate parking.

Cultural Heritage Permit, Section 17.16.060(F): to allow exterior improvements to a non-residential building within the architectural overlay.

- 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 including but not limited to height, setbacks, etc.;
- c. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines;

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- d. The general appearance of the proposal is in keeping with the character of the neighborhood;
- e. The proposal is not detrimental to the orderly and harmonious development of the City; and,
- f. The proposed project will not have negative visual or physical impacts upon the historic structure.

Discretionary Sign Permit, Section 17.16.250(F): for new signage in the architectural overlay that exceeds 25 square feet and total signage which exceeds 64 square feet.

- 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; and
- 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.

Minor Exception Permit, Section 17.16.090 (F), to allow the waiver of two parking spaces associated with a change of use.

- a. The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located;
- b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit; and,
- c. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public.

Outdoor Dining Permit, Section 17.28.205(E), to allow outdoor dining on private property,

- a. The outdoor dining area contributes to the village/pedestrian ambiance of the City, in accordance with the City's General Plan;
- b. The outdoor dining area complies with the standards of this section;
- c. Any negative visual, noise, traffic, accessibility, and parking impacts associated with the outdoor dining area have been reduced to an acceptable level, as determined by the City; and,
- d. The outdoor dining facility complies with the required findings for the approval of Architectural/Minor Architectural Permits or Cultural Heritage/Minor Cultural Heritage Permits.

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BACKGROUND

The applicant is proposing to convert a single-story commercial building into a restaurant with an open roof top bar. The project site is 5,432 square feet with a 2,975 square foot, single-story building constructed in 1948. The bar is proposed to span the entire length of the building, resulting in 2,975 square feet of outdoor dining. The applicant is proposing to maintain the Spanish architecture and all exterior modifications would continue the existing style. The General Plan promotes North Beach to be an entertainment and restaurant hub for the community.

The following discretionary permits are required for the project:

- 1) Conditional Use Permit is required for an off-site parking agreement and the ability to offer a full range of alcoholic beverages.
- 2) Cultural Heritage Permit for additions and remodels within the Architectural Overlay.
- 3) Discretionary Sign Permit because of the total sign square footage proposed.
- 4) Minor Exception Permit allows for the waiver of parking spaces.
- 5) Outdoor Dining Permit for the seating on the roof, front patio, and outdoor paseo.

Surrounding land uses include The Elks Lodge to the east, a parking lot to the north, and commercial buildings to the south and west.

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 applicant, Dave Gutierrez, is proposing to remodel, and add on to a vacant building in North Beach. To establish a new restaurant with a full range of alcohol and amplified sound, the project includes making modifications to the structure to allow a roof-top restaurant and bar. The applicant is proposing several improvements to the roof including trellis and shade structures, a full service bar, gas fire pits, and an outdoor kitchen and pizza oven. Other than some minor roof structures (trellis and awnings to provide shade, and Orange County Health Department required enclosures of the bar area and kitchen), seating on the roof will be open and is considered outdoor. The applicant is also proposing additional outdoor seating within the paseo on the side of the building.

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The building was built in 1948, and there is no on-site parking. Staff has included a section in the staff report on how seating and parking for the project is calculated, and the various parking waivers the applicant is requesting.

Development Standards

Table 1 outlines the project’s consistency with the Zoning Ordinance development standards.

**Table 1:
Development Standards**

	Zoning Ordinance Requirements	Proposed
Maximum Building Height	33’	25’
Setbacks:		
• Front	0’	5’
• Side Yard (towards Elks)	0’	3’-3”
• Side Yard (paseo)	0’	9’
• Rear Yard	0’	6’
Maximum Lot Coverage	100%	55%
Floor Area Ratio (F.A.R.)	.75	.55

Parking

The building was constructed in 1948, prior to the first parking standards in the Municipal Code, so no on-site parking exists. Because this is not an uncommon occurrence, Municipal Code Section 17.72.060(C)(2) allows for a facility with no parking, to establish a new use without providing required parking to avoid building vacancies. Vacant buildings that are nonconforming as to parking are allocated parking spaces based upon the least restrictive parking requirement. The least restrictive parking requirement per the Mixed Use standard is retail at one parking space per 400 square feet, crediting seven parking spaces to the building (2,975 square feet/400 square feet per parking space=7 parking spaces). Being that the proposal is to establish a restaurant, which requires one parking space per five seats, this means the applicant can have up to 35 seats based on seven credited parking spaces (7 parking spaces x 5 seats/ parking space). These seats can be located either indoor or outdoor.

To support outdoor dining throughout the community, a restaurant with 32 indoor seats or more can automatically have 16 outdoor seats (if physical space is available, which this project has) without the requirement of additional parking. There are a number of outdoor seating opportunities associated with this project, and with the additional 16 seats outdoors, the total seats allowed for the restaurant use is 51 seats.

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The applicant is requesting a Conditional Use Permit to allow off-site parking, within 300 feet. The off-site parking agreement is with the property owner of Bull Taco located at 1527 North El Camino Real. Based on approved seating for Bull Taco, there is an excess of six parking spaces on-site. The property owner of 1527 North El Camino Real has agreed to allow the applicant to utilize these six spaces for the proposed restaurant. These additional parking spaces result in 30 more seats for the project, for a total of 65 indoor/outdoor seats, and 16 outdoor seats. To open up more seating for the proposed restaurant, the applicant is going to continue to seek off-site parking opportunities with property owners within 300 feet of the site. As a Condition of Approval, staff will review all additional off-site parking agreements and ensure that the agreements are recorded with the County of Orange. The applicant will be allowed to expand the off-site parking until the total seats (indoor and outdoor) permitted reach 226. At that point, no additional seats, regardless of parking available, will be permitted.

Lastly, the applicant requests two different waivers for parking. The first is a request for a waiver of two parking spaces with the approval of a Minor Exception Permit. Pursuant to Municipal Code Section 17.64.125(B)(5), because the project is going from retail to a restaurant use, two parking spaces can be waived with the approval of a Minor Exception Permit. The second parking waiver is pursuant to Municipal Code Section 17.28.205(D)(6)(b) for outdoor seating only. Through the review process, the Planning Commission can waive parking requirements for outdoor dining. The applicant is requesting Planning Commission waive the parking requirement for 10 spaces. In total, between the two sets of parking space waivers in the Municipal Code, the applicant is requesting two parking space waivers to be used for indoor/outdoor seating and 10 parking spaces for outdoor seating. If approved, the total seating for the restaurant will be 75 indoor/outdoor seats and 66 outdoor seats, with a total of 131 seats. Table 2 is a summary of the parking calculation and seat count.

Table 2:
Parking and Seat Calculation

Parking Spaces (Credited/Waived/Existing)	Number of Seats (Indoor and Outdoor)
7 parking space credit (based on least restrictive)	35 indoor or outdoor seats

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commercial/retail use)	
0 parking spaces (for restaurants with over 32 indoor seats permitted, 16 outdoor seats allowed by right)	16 outdoor seats
6 parking spaces from off-site parking agreement	30 indoor or outdoor seats
2 parking space waivers (through approval of MEP for change of use)	10 indoor or outdoor seats
10 parking space waivers (for outdoor seating)	50 outdoor seats
TOTALS	
Indoor seats	75
Outdoor seats	131 (if utilize all seats outside)
Parking waivers	12

For the Planning Commission to approve the parking waivers, the primary finding that needs to be made is that public parking is available within close proximity of the project site. To address this issue, the applicant has completed a parking study of on street parking within 300 feet of the project site. This study was required to be performed during “typical San Clemente” weather (sunny and around 70 degrees Fahrenheit) and was completed for a two week period on a Thursday and Saturday at 12:00 p.m., 2:00 p.m., 6:00 p.m., and 8:00 p.m. These days and times were selected based on past parking studies peak occupancy times and recommendations from parking consultants. Staff has reviewed the surrounding area and determined that there are approximately 92 on street parking spaces available within 300 feet of the project site. Based on the parking study the peak utilization of the on street parking is at 12:00 p.m. on Thursday. At peak utilization 30 parking spaces were occupied, or 33% of available parking. This means 62 parking spaces were available within 300 feet, or 67% of parking spaces, at peak utilization. A summary table is provided as attachment 5, and parking maps will be available at the Planning Commission hearing.

Based on the availability of public parking in close proximity to the site, as well as the applicants continued efforts to provide off-street parking, staff is supportive of the proposed 12 parking waivers for the restaurant.

The applicant is the first in what will hopefully be a number of revitalization projects in North Beach. The goal is to create the restaurant/entertainment hub originally envisioned by Ole Hanson and specified in both the Current and Centennial General Plans. Similar to the beginnings of revitalization of Avenida Del Mar, the first applicants to begin the process of revitalization have the most opportunity to utilize parking waivers and other portions of the code to promote the vision of North Beach and revitalize vacant or underutilized properties. Similar to the progress made on Avenida Del Mar, it takes progressive projects to begin revitalization, and often times utilization of various portions of the Municipal Code, including parking waivers, that are available to staff and applicants are necessary to promote and aid the revitalization process.

Architecture

The building has a unique design which exhibits both Spanish and non-Spanish attributes. The modifications proposed for the project site are Spanish Colonial Revival in nature, consistent with the Architectural Overlay, and the requirements associated with a Cultural Heritage Permit. The structures proposed utilize materials called out in the City’s Design Guidelines including wood trellises, canvas awnings, and pillars stuccoed and colored to match the building to provide both massing and visual interest to the support structures of the new roof elements. The applicant is also proposing outdoor seating at the front, side, and roof of the building, enhancing the pedestrian environment of the Architectural and Pedestrian Overlay, and all the new “roll up” windows will have dark brown trim around the glass to be consistent with the color palette recommended in the Design Guidelines.

Signage

The applicant is proposing three signs:

- 1) A 63.40 square foot projecting sign on the building’s El Camino Real façade (reduced based on DRSC recommendations);
- 2) A 12.25 square foot, six foot tall, monument sign on the El Camino Real frontage; and
- 3) A 6.25 square foot wall sign for the rear building facade facing Los Obrero Lane and Calle de Los Molinos.

Overall, the applicant is proposing 81.90 square feet of signage. Pursuant to the Municipal Code, the applicant is permitted to have 82 square feet of signage with the approval of a Discretionary Sign Permit.

Here are the images of the proposed signage:

Projecting Sign



Façade facing El Camino Real

Monument Sign



Façade facing El Camino Real

Rear Wall Mounted Sign



Façade facing Los Obreros Lane and Calle De Los Molinos

Pursuant to Municipal Code Section 17.84.020(C), signs within the Architectural Overlay are to appear hand crafted in nature, and can only use neon with the approval of a Discretionary Sign Permit. The Municipal Code references materials such as wood or pin mounted metal letters, and the use of appropriate Spanish Colonial Revival materials to mount and support the signage. The applicant is proposing primarily metal signs with neon lighting.

The use of neon, and the way it is being implemented on the vintage-esque sign, is a handcrafted and unique look. Associated with the Design Guideline requirement of compatibility with the building, there is a history of neon signs along El Camino Real (Pacific Coast Highway) in 1940s San Clemente, and within the Architectural Overlay. For various reasons most, if not all, have been removed.

Signs that have been approved recently for Spanish architectural buildings, especially within the Architectural Overlay, have primarily been either sand blasted wood or hand painted with decorative goose neck lighting, or individual pin mounted metal letters and halo illumination.

The monument sign is proposed within a landscape area larger than the proposed 12.25 square feet along the El Camino Real frontage of the site. The base of the sign will be stuccoed and colored to match the building, and the sign itself will be metal. The rear wall sign will also be metal. Both the rear and monument sign will utilize external illumination.

The sign package was discussed at Design Review Subcommittee meeting on March 27, 2013, the summary of that discussion is presented below.

PROJECT ANALYSIS

Conditional Use Permit

The applicant is requesting a Conditional Use Permit for:

- 1) Full range of alcohol
- 2) Amplified sound
- 3) Off-site parking agreement
- 4) Outdoor seating parking waivers

As discussed above, staff is supportive of the off-site parking agreement, and 10 outdoor seating parking waivers. The applicant is requesting to serve alcohol from 6:00 a.m. until 2:00 a.m. Another facility in North Beach received approval for similar hours of operation for alcohol, and there are a few other establishments in the City that allow alcohol sales until 2:00 a.m. Though most restaurants/bars in the City stop selling alcohol at 12:00 a.m. Since there are other facilities with similar alcohol hours of operation, including within close proximity, staff is supportive of the request.

Staff is supportive of the amplified sound on the interior of the building, subject to the standard conditions of approval and best management practices. These practices implemented have been successful in not impacting surrounding uses. Similar with other applications that have requested amplified sound outside, staff is not supportive of amplified sound outdoors, but is supportive of non-amplified sound outdoors until 10:00 p.m. when all live entertainment outside must end. The applicant has indicated where on the roof the live entertainment may be located which will avoid impacting nearby residents along the El Camino Real corridor and above Los Molinos. If noise from live entertainment on the roof becomes a problem, a condition of approval has been added that live entertainment would no longer be permitted on the roof. Staff has consulted with both Orange County Sheriff and Code Compliance and both divisions have indicated no concerns regarding the alcohol and amplified sound/live entertainment uses.

Cultural Heritage Permit

The project requires a Cultural Heritage Permit for the exterior improvements to the building located within the Architectural Overlay of North Beach. The applicant is proposing several roof top additions, including new wood trellis and awning structures to provide shade, as well as enclosures for a roof top bar and kitchen facility. The structures will all have smooth white stucco columns to add mass to the structures to visually support the various structures. Wrought iron is also proposed for railings around the edge of the roof and stairwells.

Staff has reviewed the required findings for the Cultural Heritage Permit and determined that the materials and design proposed for the added additions are consistent with the recommendations in the City's Design Guidelines, will enhance the existing structure, and add to the North Beach Architectural and Pedestrian Environment.

Discretionary Sign Permit

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The application requires a Discretionary Sign Permit for three reasons: 1) to allow signage over 25 square feet in the Architectural Overlay; 2) to allow over 64 square feet of signage for the site; and 3) to utilize neon for the illumination of the site. The applicant is proposing, and is permitted to have with a Discretionary Sign Permit, 82 square feet of signage based on the frontage of the façade on two public streets, they are proposing 81.9 square feet.

For the projecting sign, which is the largest sign, the applicant is proposing a metal sign with neon illumination. The use of neon, and the way it is being implemented on the vintage-esque sign, is a handcrafted and unique look. For the monument sign and rear wall sign the applicant is proposing to utilize a metal material, other than stucco for the base of the monument sign, to match the projecting sign. The applicant proposes utilizing some form of external illumination and not neon for the monument and rear wall sign.

Staff has reviewed the required findings necessary for a Discretionary Sign Permit and determined the amount of signage is appropriate as each sign serves a different purpose. The large projecting sign with neon is unique and vintage looking and will advertise the location from a distance along El Camino Real. The proposed monument sign is smaller and more on a pedestrian scale. The sign at the rear of the building is small and will serve as a site identifier for patrons parking on Los Molinos. The signage proposed is consistent with the building, is unique in appearance and character, and for those reasons consistent with the Municipal Code and City Design Guidelines, as well as applicable development standards.

Minor Exception Permit

The applicant is requesting that two parking spaces be waived to allow for additional indoor/outdoor seats for the proposed change of use. The two additional parking spaces waived will provide the applicant 10 either indoor or outdoor seats. The applicant has indicated that all seats are needed for the restaurant to succeed.

Staff has reviewed the requirements for the waiver, and based on the amount of public parking available within 300 feet of the site at peak utilization there are 62 parking spaces available, or 67% of parking on-street, staff is supportive of the waivers as there will not be a negative impact to surrounding businesses or public parking availability.

Outdoor Dining Permit

A large portion of the proposed project includes outdoor seating. Between the paseo, front patio, and the roof top facility, the outdoor dining is going to contribute substantially to the pedestrian character of North Beach. Consistent with the requirements for outdoor seating, the project will not impact the public right of way and all seating will be located on-site. Additionally, there will be no negative impact to surrounding uses as no live entertainment will be permitted on the roof after 10:00 p.m. consistent with other approvals for outdoor entertainment. The plans identify

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the location of the potential live entertainment, which will be directed away from residential development located behind the commercial structures on the otherside of El Camino Real.

Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the application on February 13, 2013 and March 27, 2013. DRSC supports the design and signage of the project. Table 3 is a summary of the discussion points from those meetings:

**Table 3:
Design Review Subcommittee Discussion**

DRSC DISCUSSION POINT	APPLICANT RESPONSE
The structures on the roof need to be modified to provide appropriate scale of the structures as well as proportionality of the building.	The applicant has modified the columns of the trellis structures to be smooth white stucco in order to provide visual mass and interest. There was discussion about possibly continuing the stucco to the edge of the parapet of the roof, instead of utilizing all wrought iron, but the applicant did not want to impact views from the roof.
The metal roll up doors need to be dark brown to be consistent with the Design Guidelines.	The applicant modified the plans as suggested.
Look at ways to improve the stairway at the front of the restaurant. In particular there was concern regarding the look of the stairway and exiting right onto the public right-of-way. Several design ideas were discussed to try to enhance the design of the stairs. Some ideas included trying to turn the stairs to open in to the paseo, design options to improve the look of the stairs, and ways to reduce how far the stairs come out to the front façade.	The applicant added columns to the stairs to help the aesthetics.
Use of neon and arrow on projecting sign was	While the Subcommittee members thought

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a concern.	the sign was good, there were concerns that the design of the signage was not consistent with the building. In particular were concerns regarding the use of neon and the arrow feature pointing to the roof detracting from the architecture of the building.
The projecting wall sign should be reduced to meet both individual sign square footage and total site sign square footage requirements.	Applicant agreed to reduce the square footage by 3.5 square feet.

GENERAL PLAN CONSISTENCY

Table 4 summarizes how the proposed project is consistent with adopted policies outlined in the City of San Clemente General Plan:

**Table 4:
General Plan Consistency**

General Plan Policy	Consistency Finding
<i>1.13.1 Accommodate neighborhood community and visitor serving commercial, mixed residential and commercial, and parking uses in accordance with Policies 1.12.1 through 1.12.4.</i>	Consistent. This project will result in a vacant building establishing a new use and will provide for community and visitor serving commercial.
<i>1.12.4 Encourage the development of outdoor dining and other similar uses which do not impede pedestrian use of the sidewalks</i>	Consistent. Most of the seating for this project is outdoors and will create a unique dining environment in North Beach.

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division completed an initial environmental assessment of the project accordance with the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is categorically exempt per CEQA Guidelines Section 15301(e), as a Class 1 since the project will primarily be a change of use and allow for the required plumbing, electrical, and other improvements necessary to establish a restaurant.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

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1. The Planning Commission can concur with staff and recommend approval of the proposed project.

This action would result in the applicant being able to move forward with establishing a restaurant on the site with 75 indoor/outdoor seats and 56 outdoor seats, with a potential total of 131 outdoor seats on the roof. This will also allow the applicant to have neon signage within the Architectural Overlay.

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

The Planning Commission could determine that the hours of operation for the restaurant and bar to 2:00 a.m. is not consistent with other restaurant/bar facilities and require the sale of alcohol to end at 12:00 a.m. If the Planning Commission were to do this, the applicant may appeal this action to City Council.

Planning Commission could also require different signage, reduced signage, or no neon for the development. If the Planning Commission were to do this, the applicant may appeal this action to City Council.

The Planning Commission could also either support fewer or more parking waivers for outdoor seating. Either approving less or more waivers would impact the total seating for the restaurant and parking allowance for future uses. If the Planning Commission were to reduce the number of parking waivers, the applicant may appeal this action to City Council.

3. The Planning Commission can recommend denial of the proposed project.

This action would result in the denial of the project and the applicant would not be able to move forward with the project. The applicant could appeal to the City Council.

CONCLUSION

As noted above, this is the first of what will be multiple projects in North Beach associated with the areas revitalization. The General Plan goal for North Beach is that it is the entertainment/restaurant hub of the community, and this project is consistent with those goals, as well as strengthens the pedestrian atmosphere. Similar to support of parking waivers on Avenida Del Mar when revitalization began, staff is supportive of staff waivers in this situation as well to promote improvements in the District. The applicant has shown through a parking survey that sufficient on-street public parking exists, and that the waiver of the parking spaces will not create a shortage of parking. Staff is also supportive of the signage, as it adds a unique and custom look to the building. Staff is supportive of the project overall as the waivers are built into the Municipal

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Code to support revitalization, and the project in North Beach promotes the goals, objectives, and policies of the current General Plan and in the upcoming Centennial General Plan.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve CUP 12-362/CHP 12-363/DSP 13-082/SEP 13-083/MEP 13-084/ODP 13-085, North Beach Rooftop Grill and Bar, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution for CUP, CHP, MEP, and ODP
Exhibit 1 - Condition of Approval
2. Resolution for DSP
Exhibit 1 - Condition of Approval
3. Location Map
4. DRSC Staff Report and Minutes from February 13, 2013 (excerpted)
5. DRSC Staff Report from March 27, 2013 (excerpted)
6. Parking study prepared by the applicant
7. Images of the site
Plans

RESOLUTION NO. PC 13-016

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN CLEMENTE, APPROVING CONDITIONAL USE PERMIT (CUP) 12-362, CULTURAL
HERITAGE PERMIT 12-363, MINOR EXCEPTION PERMIT (MEP) 13-084 , OUTDOOR DINING
PERMIT (ODP) 13-085, NORTH BEACH ROOFTOP GRILL AND BAR, A REQUEST TO CONVERT A
ONE-STORY COMMERCIAL BUILDING INTO A RESTAURANT WITH OPEN ROOF TOP DINING, FULL
RANGE OF ALCOHOL SERVICE, AMPLIFIED SOUND, LIVE ENTERTAINMENT, OFF-SITE PARKING
AGREEMENT, PARKING WAIVERS, AND NEW SIGNAGE LOCATED AT
1509 NORTH EL CAMINO REAL**

WHEREAS, on October 18, 2012, an application was submitted, and deemed complete on March 27, 2013, by David Gutierrez, 1509 North El Camino Real, San Clemente, CA, 92672, to allow the conversion of a one-story commercial building into a restaurant with open roof top dining, full range of alcohol service, amplified sound, live entertainment, off-site parking agreement, and parking waivers located at 1509 North El Camino Real, the legal description being Lot 9, of Block 2, of Tract 795, Assessor's Parcel Number 057-170-31; and

WHEREAS, on November 8, 2012, December 13, 2012, January 10, 2013, February 7, 2013, February 14, 2013, March 4, 2013, and March 14, 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 February 13, 2013 and March 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 pursuant to Guidelines Section 15301, as a Class 1 since the project will primarily be a change of use and allow for the required plumbing, electrical, and other improvements necessary to establish a restaurant; 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 Pursuant to Section 15301, as a Class 1 since the project will primarily be a change of use and allow for the required plumbing, electrical, and other improvements necessary to establish a restaurant.

Section 2: With regard to Conditional Use Permit (CUP) 12-362, 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 project is the first revitalization of the North Beach area, and supporting the off-site parking, parking waivers, full range of alcohol sales, amplified sound, and live entertainment is consistent with the goals and objectives for North Beach in the General Plan
- B. The site is suitable for the type and intensity of use that is proposed in that the site is located within North Beach which has been identified in the General Plan to be an entertainment/restaurant hub for the community. The use of the various parking waivers, off-site parking, alcohol request, and amplified sound and live entertainment will help promote the atmosphere and uses in North Beach that is promoted in the General Plan, and there is sufficient on-street parking as only 33% utilization of on-street parking within 300 feet is utilized at peak time.
- 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 other restaurant and entertainment facilities within close proximity of the site, and there is sufficient on-street parking within 300 feet to support the parking waivers.
- D. The proposed use will not negatively impact surrounding land uses in that the project has been conditioned to ensure that there is no impact to surrounding uses, and the improvements to the site will be in character with the neighborhood, and the hours of operation are similar to other approved facilities within North Beach and the City.

Section 3: With regard to Cultural Heritage Permit (CHP) 12-363, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that the improvements have been designed to be consistent with the City's Design Guidelines and promotes outdoor dining.
- 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 improvements proposed are consistent with Spanish Colonial Revival architecture, is consistent with the City's Design Guidelines, and promotes outdoor dining.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that the area is identified as an entertainment and restaurant hub for the community pursuant to the General Plan, and the improvements

made will enhance the look of the facility and allow for revitalization of the site and area.

- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposed improvements are consistent with development standards, and as conditioned will be consistent with the surrounding developments.
- F. The proposed project/use preserves and strengthens the pedestrian-orientation of the district by adding a substantial amount of outdoor dining opportunities both at street level and on the roof.

Section 4: With regard to Minor Exception Permit (MEP) 13-084, the Planning Commission finds as follows:

- A. The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located in that the two parking waivers will support the revitalization of the facility and there is sufficient on-street parking, 67% availability of on-street parking within 300 feet of the project site, at peak utilization.
- B. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit in that approval of the two parking waivers will not create a shortage of public parking within 300 feet of the project site, as at peak utilization of parking, there are 62 parking spaces available, or 67% of on-street parking.
- C. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public in that the project will meet all applicable development standards with the approval of the parking waivers and will not create a shortage of public or on-street parking within 300 feet of the project site.

Section 5: With regard to Outdoor Dining Permit (ODP) 13-085, the Planning Commission finds as follows:

- A. The outdoor dining area contributes to the village/pedestrian ambiance of the City, in accordance with the City's General Plan in that the site is within the Pedestrian Overlay District and the applicant is proposing a number of outdoor seats to contribute to the pedestrian atmosphere of North Beach.
- B. The outdoor dining area complies with the standards of this section in that with the approval of the parking waivers the project will meet all applicable development standards and there will not be a shortage of on-street public parking within 300 feet as 67% of parking is available at peak utilization.
- C. Any negative visual, noise, traffic, accessibility, and parking impacts associated with the outdoor dining area have been reduced to an acceptable level, as

determined by the City in that the waivers and out door dining will support the goals and objective of the General Plan and promote outdoor dining and enhance the Pedestrian Overlay District.

- D. The outdoor dining facility complies with the required findings for the approval of for a Cultural Heritage Permit in that the site meets applicable development standards with the approval of the parking waivers and will be consistent with the goals and policies of the General Plan for North Beach.

Section 6: The Planning Commission of the City of San Clemente hereby approves CUP 12-362/CHP 12-363/MEP 13-084/ODP 13-085, North Beach Rooftop Grill and Bar, 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 12-362/CHP 12-363/MEP 13-084/ODP 13-085
North Beach Rooftop Grill and Bar

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 12-362/CHP 12-363/MEP 13-084/ODP 13-085 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 12-362/CHP 12-363/MEP 13-084/ODP 13-085 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 12-362/CHP 12-363/MEP 13-084/ODP 13-085 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. New structures with stucco components shall be white 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]*

B. All metal details including railings and stair handrails shall be wrought iron.

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.) _____

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. 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.

■ ■ (PIng.)_____

9. The applicant shall prepare for review and approval by the City’s contract Landscape Architect a landscape and irrigation plan for the landscaping area along the front of the facility.

■ ■ (PIng.)_____

10. Alcohol service both indoors and outdoors may only be between 6:00 a.m.to 2:00 a.m. seven days a week.

■ ■ (PIng.)_____

11. 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.)_____

12. 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.)_____

- 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.)_____

- 14. The following items all relate to parking and seats for the facility:
 - A. Prior to issuance of permits, the applicant shall provide planning staff evidence that the off-site parking agreement with Bull Taco has been completed and recorded in conformance with Municipal Code requirements.
 - B. With the recording of the off-site parking agreement the applicant shall be permitted to have 75 indoor seats and 66 outdoor, or 131 outdoor seats if no indoor seats are utilized.
 - C. The applicant can submit for approval of City staff additional off-site parking agreements, that will be completed and recorded in conformance with Municipal Code requirements, to increase the number of seats associated with the site up to a maximum total of 226 seats (indoor or outdoor).

- 15. If for any reason City staff determines the amplified sound or live entertainment use is not in compliance with the conditions of approval or intent of the Zoning Code, the approval of amplified sound/live entertainment may be revoked and/or sent to Planning Commission for modification. ■■ (PIng.)_____

- 16. The owner shall have a manager on the premises at all times during the hours of operation when live entertainment and/or amplified sound are occurring. ■ (PIng.)_____

- 17. The property owner, applicant, or designee shall be responsible for immediately resolving any problems associated with the amplified sound or live entertainment and/or issues of concern raised by neighbors. ■■ (PIng.)_____

- 18. The owner or designee shall be responsible for closing, and keeping shut, all exterior windows, doors, and skylights when amplified sound and/or live entertainment and/or dancing is being conducted indoors, with the exception of occasions doors are used to enter-and-exit the building. ■■ (PIng.)_____

Building

19. Separate building permit and plan review is required prior to commencing any construction. Detailed review for compliance with Building, Electrical, Plumbing, Mechanical, Energy, CALGreen, Fire, and Disabled Access Codes will need to be done prior to issuance of building permit. (Bldg.)_____
20. 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, 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, CALGreen, and Fire Codes. *[Citation - S.C.M.C. Title 8, Section 8.16; Fire Code, Title 15, Building and Construction, Sections 15.08, 15.12, 15.16, 15.20; Title 16, Subdivisions; & Title 17, Zoning]* (Bldg.)_____
21. 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. *[Citation - S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72].* (Bldg.)_____
22. 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. *[Citation – No Specific Citation/City Council Approval June 1, 2010]* (Bldg.)_____
23. Prior to issuance of certificate of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Building Official or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards. *[Citation – Appendix 1, Section 110 of the California Building Code]* (Bldg.)_____

Special Conditions

- 24. The proposed exit stair from roof deck is located closer to the property line than the 10 feet minimum separation required by the building code. Applicant desires to utilize a fire sprinkler water curtain system to mitigate life-safety hazard.

Prior to issuance of building permit, the applicant or designee shall obtain approval for “alternate materials, design and methods” by submitting technical evidence to the satisfaction of the City Building Official and Fire Marshal in accordance with California Building Code (CBC) section 104.11 and California Fire Code (CFC) section 104.9 to prove that the proposed alternative is at least equivalent to that prescribed by the code in quality, strength, effectiveness, fire resistance, durability, and safety.

(Bldg)_____ (Fire)_____

- 25. Prior to issuance of building permit, the applicant or designee shall provide occupant load calculations that correctly indicate the maximum number of occupants for exiting (per CBC section 1004) and minimum restroom fixtures (per CPC section 412, Table 4-1, and Table A).

(Bldg)_____

- 26. Prior to issuance of building permit, the applicant or designee shall provide detailed occupancy/seating information shown consistently throughout the plans.

(Bldg)_____

Fees

- 27. Prior to the issuance of any permits, plan check fees shall be submitted for the Engineering Department plan check of hydrology/hydraulic studies, if required by the City Engineer for any alternations to the alley. *[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]* ■ (Eng.)_____

Reports –Hydrology & Hydraulic

- 28. Prior to the issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer, if deemed necessary by the City Engineer, a hydrology and/or hydraulic study prepared by a registered civil engineer which conforms to City standards and all other applicable codes, ordinances and regulations. This may be required if changes to the alley grades are proposed by the applicant. *[Citation – Section 15.36 of the SCMC]*

■ (Eng.)_____

Improvements

29. Prior to issuance of any 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. The existing drive approach along North El Camino Real shall be closed with full height curb and the sidewalk reconstructed for this area. The applicant will be responsible for painting the curb frontage to the satisfaction of 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.

Agreements

30. Prior to issuance of any permits, if deemed necessary by the City Engineer, the owner shall enter into a Maintenance Agreement with the City for any modifications to the alley, if they are permitted by the City Engineer. This could include stripping or other modifications, if proposed by the applicant and approved by the City Engineer. Any agreement(s) shall be reviewed and approved by the City Attorney at the applicants cost and recorded at the County Recorder’s Office. *[Citation – Section 15.36 of the SCMC]*

■■ (Eng.)_____

NPDES

31. Prior to issuance of any 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.)_____

32. Prior to issuance of any permit, if required by the City Engineer, the owner may be required to include a covered trash enclosure on the project. The

architectural design of the cover shall meet all requirements of the Planning Department. The structural plancheck of the cover is to be reviewed and approved by the Building Department. Construction of the cover shall be complete prior to final release of the building permit and occupancy of the expanded building area. *[Citation – Section 13.40 of the SCMC]* (Eng.)_____

33. Prior to issuance of any permit, the owner or designee shall submit for review a project binder containing the following documents: *[Citation – Section 13.40 of the SCMC]*

(Eng.)_____

A. If 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>), at the time of permit issuance, a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder’s Office and filed with the City. Site design plans shall incorporate all necessary WQMP requirements which are applicable at the time of permit issuance.

B. If a site is determined to be a “Non-Priority Project”, a final Non Priority Project Checklist must be filed with the City.

Financial Security

34. Prior to the issuance of any permits, the owner may be required to provide surety, improvement bonds, or irrevocable letters of credit for performance, labor and materials as determined by the City Engineer for 100% of each estimated public improvement cost plus a 10% contingency, as prepared by a registered civil engineer as required and approved by the City Attorney or the City Engineer, for each applicable public improvement item, including but not limited to the following: curbs, gutter, sidewalks, and/or alley improvements. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

* 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 13-017

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN CLEMENTE, APPROVING DISCRETIONARY SIGN PERMIT (DSP) 13-082, NORTH
BEACH ROOFTOP GRILL AND BAR, A REQUEST FOR NEW SIGNAGE ASSOCIATED WITH A NEW
RESTAURANT AND BAR LOCATED AT
1509 NORTH EL CAMINO REAL**

WHEREAS, on October 18, 2012, an application was submitted, and deemed complete on March 27, 2013, by David Gutierrez, 1509 North El Camino Real, San Clemente, CA, 92672, to allow new signage associated with a new restaurant and bar located at 1509 North El Camino Real, the legal description being Lot 9, of Block 2, of Tract 795, Assessor's Parcel Number 057-170-31; and

WHEREAS, on November 8, 2012, December 13, 2012, January 10, 2013, February 7, 2013, February 14, 2013, March 4, 2013, and March 14, 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 February 13, 2013 and March 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 pursuant to Guidelines Section 15301, as a Class 1 since the project will primarily be a change of use and allow for the required plumbing, electrical, and other improvements necessary to establish a restaurant; 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 Pursuant to Section 15301, as a Class 1 since the project will primarily be a change of use and allow for the required plumbing, electrical, and other improvements necessary to establish a restaurant.

Section 2: With regard to Discretionary Sign Permit (DSP) 13-082, 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, appears handcrafted

and will add a very unique look to the facility. The use of neon will provide a different character to the signage not currently found in North Beach.

- 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 the individual signs are utilized to advertise the site from various scales, whether it be the projecting sign advertising the sign from a greater distance, the monument sign be at a pedestrian scale, or the rear wall sign providing identification from Los Molinos and Los Obreros.
- 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, for which the audience they are intending to advertise the use too.
- D. The design and materials of the sign provide a contrast between the background and letters in that the signs are designed with either neon, or offsetting colors so that the signs will be visible from a distance.
- 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 provide the pedestrian scale signage from the sidewalk, and the other signage on the front of the building will be located towards the top of the structure and not on a pedestrian scale.

Section 3: The Planning Commission of the City of San Clemente hereby approves DSP 13-082, North Beach Rooftop Grill and Bar, 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*
DSP 13-082
North Beach Rooftop Grill and Bar Signage

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.) _____

DSP 13-082 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 DSP 13-082 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 DSP 13-082 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.)_____

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.) _____

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. Separate building permit and plan review is required prior to commencing any construction. Detailed review for compliance with Building, Electrical, Plumbing, Mechanical, Energy, CALGreen, Fire, and Disabled Access Codes will need to be done prior to issuance of building permit. (Bldg.)_____

9. 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, 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, CALGreen, and Fire Codes. [Citation - S.C.M.C. Title 8, Section 8.16; Fire Code, Title 15, Building and Construction, Sections 15.08, 15.12, 15.16, 15.20; Title 16, Subdivisions; & Title 17, Zoning] (Bldg.)_____

10. 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. *[Citation - S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72].* (Bldg.)_____

11. Prior to issuance of certificate of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Building Official or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards. *[Citation – Appendix 1, Section 110 of the California Building Code]* (Bldg.)_____

- * All Conditions of Approval are Standard, unless indicated as follows:
 - Denotes a modified Standard Condition of Approval
 - ■ Denotes a project-specific Condition of Approval



LOCATION MAP

CUP 12-362/CHP 12-363/DSP 13-082/SEP 13-083/MEP 13-084/
ODP 13-085, North Beach Rooftop Grill and Bar
1509 North El Camino Real





Design Review Subcommittee (DRSC)

Meeting Date: February 13, 2013

PLANNER: Amber Gregg, Associate Planner

SUBJECT: **Conditional Use Permit 12-362 and Cultural Heritage Permit 12-363, North Beach Rooftop Grill and Bar**, a request to convert a one-story commercial building into a restaurant with a roof top bar and grill. The project is located at 1509 North El Camino Real within the Mixed Use Zoning District and Architectural, Pedestrian and Coastal Zone Overlays (MU3-A-p-CZ).

BACKGROUND:

The applicant is proposing to convert a single-story commercial building into a restaurant with roof top bar. The bar is proposed to span the entire length of the building, resulting in an addition of 2,975 square feet. The applicant is proposing to maintain the Spanish architecture and any exterior additions needed would continue the existing style. A request for a shared parking agreement and a license to serve beer, wine and distilled spirits is pending.

Per San Clemente Municipal Code Section 17.16.060, a Conditional Use Permit is required for a shared parking agreement and the ability to offer a full range of alcoholic beverages. Per Section 17.16.100 a Cultural Heritage Permit is required for additions and remodels within the Architectural Overlay. The DRSC is tasked to ensure development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood, and uphold the Design Guidelines.

The project site is 5,432 square feet with a 2,975 square foot, single-story building which was constructed in 1948. A large, lush vine spans the front of the building (see Attachment 2 for photographs). Surrounding land uses include The Elks Lodge to the east, a parking lot to the north, and commercial buildings to the south and west.

ANALYSIS:

The applicant will maintain the Spanish style of the building. Proposed additions to the roof include a covered bar area, an open-air BBQ area with a trellis above, one fireplace and two fire pits, and a covered cabana area (please refer to floor plans and elevations for locations). Proposed exterior modifications include:

Front Elevation

- Replace right front window with a retractable door system.
- Remove the window on the left side and replace it with a roll-up glass door to open the bar area to the outside.
- Add new staircase on the left side of the structure leading to the rooftop bar, with wrought iron railing.
- Add a fireplace to the rooftop along the front elevation.
- Add wrought iron railing to the roof line for safety.
- Add trellis with retractable canvas awning to span from the front of the building to the roofed bar area. Pictures of the proposed trellis system are provided under Attachment 4.
- Add a double faced, 3.5 ft x 3.5 ft projecting wall-mounted sign; material unknown at this time.

Right Side (South) Elevation

- Replace windows with 1 hour rated glass.
- Raise roof parapet 7 feet 4 inches; stucco to match the existing.

Left Side or Courtyard (North) Elevation

- Remove round window and add new roll-up glass window with countertop at bar area.
- Remove existing doors and install an enlarged roll-up glass door.
- Existing fountain will remain.
- Add a new fire place.
- Install new iron ADA lift to the second floor.
- Remove back window and door to install a pass through service window.
- Extend wrought iron railing from the new stair case to the back of the building to provide a safety guardrail.
- Open up existing side courtyard to create a paseo linking the alley to El Camino Real.

Rear Elevation

- Add 12 square foot rear sign at the back of the building.
- Remove two windows on the right side of the building and filled in with stucco to match existing.
- Add new 13 foot tall trellis to the rooftop, along with a visible pizza oven (see Attachment 6 for pizza oven).
- Add new sloped roof on the left side of the building.

RECOMMENDATIONS:

Since the development is in the Pedestrian Overlay, staff supports opening up the windows with roll-up glass doors, thereby adding to the pedestrian experience. In addition, the roof top grill and bar would take advantage of the community's temperate climate also adding to the

pedestrian atmosphere. The project will maintain the Spanish Architecture with new additions constructed of smooth stucco and wrought iron details that match the existing structure, as required by the Architectural Overlay. Staff supports the overall design of the project but does have some concerns with the following elements:

General Comments

- All iron callouts should be wrought iron in keeping with Design Guideline requirements.
- The overall height of the trellis systems seems extremely tall. In most cases they are seven feet above the 42 inch guardrails, making them ten and a half feet tall. Staff is concerned that the trellis will look out of proportion with the existing elevations of the building. This is a concern because, per the Design Guidelines, the first floor should have a taller plate line elevation than the floors above it.

Front Elevation

- Identify sign material to ensure it is compatible with the Architectural Overlay requirements.

North Courtyard Elevation

- Staff has concerns about using new stone flooring. The existing Terra Cotta stone is in keeping with Spanish Colonial Revival style.

Rear Elevation

- The sloped roof above the stairs should be treated with a single-barrel tile roof matching the front elevation.
- Identify sign material to ensure it is compatible with the Architectural Overlay requirements.

The comments provided are intended to provide clarification and bring the project more into conformance with Design Guidelines. Staff seeks the DRSC's comments and welcomes any additional recommendations.

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
FEBRUARY 13, 2013**

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

Staff Present: Jim Pechous, Cliff Jones, Amber Gregg, Chris Wright and John Ciampa

I. MINUTES

Minutes from the January 23, 2013 meeting

II. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

A. Conditional Use Permit 12-362/Minor Cultural Heritage Permit 12-363, North Beach Rooftop Grill and Bar (Gregg)

A request to consider exterior modifications and addition to an existing building at 1509 North El Camino Real within the MU3-A Zoning Designation.

Associate Planner Nicholas indicated that he would be presenting the project for Associate Planner Gregg and provided background of the project. Planner Nicholas began going down the recommendations as prepared by staff.

The applicant, Dave Gutierrez, indicated that his intention with all railing call outs saying iron that he meant wrought iron. DRSC was appreciative of the clarification.

Staff indicated that there were concerns regarding the trellis structures proposed for the roof and their perceived height.

The applicant indicated that the height was needed because they are proposing a retractable awning system that requires a certain amount of clearance.

Commissioner Darden indicated that she too has some concerns regarding the appearance and height of the trellis on the roof and was open to ideas on how to make design modifications while providing for the height needed for the awnings.

Commissioner Kaupp indicated that bulking up the columns of the trellis could add some mass both to the structure as well as modifying the front parapet wall to have more stucco to help create more visual height.

Commissioner Crandell agreed with Commissioner Kauppp's suggestion and added that various corbel features could also be added to provide some detail.

Commissioner Darden indicated that with the added visual building mass to the front of the building in conjunction with more mass on the columns for the trellis that this would alleviate her concern and address the issue.

For the sign materials the applicant indicated that he would use materials compatible with the building and design guidelines. DRSC was content with the comment.

The applicant indicated that the existing terra cotta stone in the courtyard that will become the Paseo of the project will remain satisfying Staff's concern of its removal.

The applicant indicated that the roof at the back of the building proposed to be added to extend the stairs in the back may or may not be sloped. The applicant indicated that he may do a flat roof with a skylight.

Staff recommended that if the roof is sloped utilizing tile for the roof to match the front of the building, and if the roof is flat with a skylight that would be fine as well. DRSC and the applicant agreed with that direction.

Commissioner Darden then brought up concern about the metal structures that will be the roll up glass doors. She asked if the material could be a dark brown to be more consistent with the design guidelines recommended color pallet. The applicant agreed to do so.

Additionally, DRSC asked if there was a way to combine the trellis structures to simplify the various roof lines and height created by the trellis structures. The applicant indicated he had tried to do that but found it did not work. The applicant indicated he would look at the trellis roof line and structures again to see if there was a way to reduce height or simplify roof lines. DRSC recommended that all columns and structures on the roof be designed consistent throughout. The applicant agreed.

Then DRSC brought up concern regarding the main exterior stair well on the side of the building for access to the roof and how that terminated at the front of the building. In particular DRSC's concern was that the stairs ended further out than the front patio and the visual impact that would have on the structure and the sidewalk. DRSC members discussed ways of either creating more of a grand entry with more bolstered stucco and details or somehow turn the stairs towards the paseo so they open onto the courtyard.

The applicant indicated that the need to go out so far had to do with the distance the stairs needed to go up and the space to do so in. He indicated that he has explored various ways to treat the stairs or try to turn them into the courtyard but that it would not work in any of the various designs due to Building Code requirements. The applicant stated that he was interested in the idea of creating a better entrance so it does have a better interface with the public way. The applicant indicated that he would review alternative designs and ways to address the issue and provide to staff to show DRSC prior to Planning Commission review.

DRSC again expressed concerns about the stairs coming out so far, but was okay with the applicant providing staff an alternative design to address that issue by email without formally coming back to DRSC.

Commissioner Crandell commented that noise and parking will probably be issues of discussion at Planning Commission and any information that can be provided in the staff report on the issues would be beneficial.

DRSC thanked the applicant for the work he was doing, the improvements he was making, and his willingness to continue to enhance and improve the design of the project. The applicant thanked DRSC for their comments and design recommendations.

B. Discretionary Sign Permit 12-159, San Clemente Medi Center Signage (Wright)

A request to consider a master sign program for a multi-tenant commercial building. The subject site is located in the Neighborhood Commercial zoning district (NC2) at 910 South El Camino Real.

The subcommittee informed the applicant, Neil Kadakia, the Design Review Subcommittee (DRSC) is only a recommending body, not a body that decides on projects or requires changes to be made. Changes are recommended when projects can be more consistent with design guidelines.

Christopher Wright, Associate Planner, presented the the sign program and explained the changes recommended in the staff report.

Neil Kadakia, applicant, stated the monument sign is needed to advertise to southbound traffic on El Camino Real, let people know there is "urgent care" services on-site, provide signage on the corner that isn't blocked by utility cabinets, and to give secondary tenants signage. Mr. Kadakia said the existing luma-haze lit signs were permitted by the City not long ago. He understands the luma haze illumination is not consistent with other signage, but he wants to maintain the same "luma haze" look on the north building elevation for now,



Design Review Subcommittee (DRSC)

Meeting Date: March 27, 2013

PLANNER: Sean Nicholas, Associate Planner

SUBJECT: Conditional Use Permit 12-362/Cultural Heritage Permit 12-363/Discretionary Sign Permit 13-082/Sign Exception Permit 13-083/Minor Exception Permit 13-084/Outdoor Dining Permit 13-085, North Beach Rooftop Grill and Bar, a request to convert a one-story commercial building into a restaurant with an open roof top bar and grill, and approve a new sign package which exceeds the allowed total sign area for the site. The project is located at 1509 North El Camino Real.

BACKGROUND:

The applicant is proposing to convert a single-story commercial building into a restaurant with an open roof top bar. The bar is proposed to span the entire length of the building, resulting in an addition of 2,975 square feet. The applicant is proposing to maintain the Spanish architecture and any exterior additions needed would continue the existing style. A request for a shared parking agreement and a license to serve beer, wine and distilled spirits is pending. The General Plan promotes North Beach to be an entertainment and restaurant hub for the community.

The applicant is requesting signage in excess of 25 square feet and the use of neon lighting within the Architectural Overlay, which require approval of a Discretionary Sign Permit. The applicant is also requesting a Sign Exception Permit for: 1) a sign package which exceeds the total allowed sign area for the site; and 2) an individual sign that exceeds the allowed sign area.

The project has already been brought to the Design Review Subcommittee (DRSC) for review of proposed building modifications. Included in the plans are the modifications based on that previous discussion. This review focuses on the proposed Discretionary Sign and Sign Exception Permits.

The applicant is proposing three signs:

- 1) A 66.90 square foot projecting sign on the building's El Camino Real façade;
- 2) A 12.25 square foot, six foot tall, monument sign on the El Camino Real frontage; and
- 3) A 6.25 square foot wall sign for the rear building facade facing Los Obreros Lane and Calle de Los Molinos.

Overall the applicant is proposing 85.40 square feet of signage. Pursuant to the Municipal Code, the applicant is permitted to have 82 square feet of signage with the approval of a Discretionary Sign Permit.

ANALYSIS:

For the projecting wall sign, the applicant is proposing to utilize neon lighting around each individual letter to create a vintage "Route 66" feel. The projecting sign is located towards the top of the front elevation, the smaller monument sign will serve as signage on the pedestrian scale. The proposed colors for all the signs are: orange, yellow, black, and green. Here are color images of the proposed signage:

Projecting Sign



Facade facing El Camino Real

Monument Sign



Façade facing El Camino Real

North Beach Rooftop Grill and Bar

Rear Wall Mounted Sign



Pursuant to Municipal Code Section 17.84.020(C), signs within the Architectural Overlay are to appear hand crafted in nature, and can only use neon with the approval of a Discretionary sign Permit. The Municipal Code references materials such as wood or pin mounted metal letters, and the use of appropriate Spanish Colonial Revival materials to mount and support the signage. The applicant is proposing primarily metal signs with neon lighting.

The use of neon, and the way it is being implemented on the vintage-esque sign, is a handcrafted and unique look. Extensive use of neon could, however, detract from the building's architectural style and negatively impact the surrounding businesses by the potential of excess glare. Associated with the Design Guideline requirement of compatibility with the building, there is a history of neon signs along El Camino Real (Pacific Coast Highway) in 1940s San Clemente, and within the Architectural Overlay. For various reasons most, if not all, have been removed.

Signs that have been approved recently for Spanish architectural buildings, especially within the Architectural Overlay, have primarily been either sand blasted wood or hand painted, with decorative goose neck lighting or individual pin mounted metal letters and halo illumination.

The monument sign is proposed within a landscape area larger than the proposed 12.25 square feet. The applicant has not called out proposed materials and lighting of the monument sign and rear wall sign and those will need to be clarified prior to Planning Commission review.

RECOMMENDATIONS:

Staff has reviewed the signs and is generally supportive of the design concept and use of neon if done sensitively. Staff has several recommendations to improve the sign package:

Projecting Wall Sign

- 1) **Reduction in size:** The projecting wall sign exceeds 64 square feet which is the maximum any one sign can be pursuant to Municipal Code Section 17.84.020(D)(e). Staff recommends reducing the size of the sign to bring the overall signage proposed in

CUP 12-362/CHP 12-363/DSP 13-082/SEP 13-083/MEP 13-084/ODP 13-085,
North Beach Rooftop Grill and Bar

conformance with the maximum allowed for the site. This would reduce the sign by at least 3.4 square feet.

- 2) **Connection to wall:** Any support structure for the signage should utilize materials consistent with the architecture of the building. Staff recommends a black wrought iron rod be used, if needed, for support of the projecting sign.
- 3) **Sign Location:** The location of the sign should be lowered so no portion of the sign extends above the roof parapet.

Monument Sign

- 1) **Base of the Monument Sign:** Staff recommends that the base of the monument sign be a smooth white stucco to be more consistent with the materials called out in the Design Guidelines for the Architectural Overlay. This would also help with consistency with the architecture of the building.
- 2) **Material and Lighting:** It is unclear from the plans what the materials are and if neon is proposed. Staff recommends that the sign portion of the monument sign be either the same metal material of the projecting sign but without the neon, sand blasted wood, or hand painted on a smooth white stucco face. Staff recommends external illumination with lights located in the landscaping area surrounding the sign.

Rear Wall Sign

- 1) **Material and Lighting-**It is unclear from the plans what the material and lighting will be for the rear wall sign. Staff recommends using the same metal material as the projecting sign, sandblasted wood, or hand painted. Staff recommends not using neon, but rather, decorative goose neck down lighting for exterior illumination.

CONCLUSION

Reducing the projecting sign by 3.4 square feet would remove the need for the Sign Exception Permit, but a Discretionary Sign Permit would still be needed due to the amount of signage proposed in the Architectural Overlay and for the use of neon. Staff supports the use of neon and the vintage and hand crafted appearance it would bring to the projecting sign. Staff's recommendations regarding materials and external illumination will enhance pedestrian scale signage, consistency with the Design Guidelines and recent approvals, and provide more emphasis on the unique projecting sign. Staff seeks the DRSC's comments and welcomes any additional recommendations.

1509 Rooftop Off-street Parking Analysis 3 21 13

1509 Rooftop Grill - Off-Street Parking Analysis

















Weather Temp.	Time Counted	Color Code Dots	Commercial East Parked	Residential West Parked	Available Total Parking	Percentage Actual Parked	Available Parking Spaces	Percentage Parking Available
			56	40	96	100.00%		
	3/14/2013							
	Thurs							
62	12:15		30	11	41	42.71%	55	57.29%
64	2:05		25	9	34	35.42%	62	64.58%
58	6:00		28	8	36	37.50%	60	62.50%
	7:58		14	7	21	21.88%	75	78.13%
	Average:					34.38%		65.63%
	3/16/2013							
	Sat							
	12:00		12	10	22	22.92%	74	77.08%
	2:00		12	6	18	18.75%	78	81.25%
	6:10		11	3	14	14.58%	82	85.42%
	8:00		10	2	12	12.50%	84	87.50%
	Average:					17.19%		82.81%
	3/21/2013							
	Thurs							
64	11:52		28	8	36	37.50%	60	62.50%
67	2:03		21	8	29	30.21%	67	69.79%
	6:03		27	8	35	36.46%	61	63.54%
	8:06		14	7	21	21.88%	75	78.13%
	Average:					31.51%		68.49%
	3/23/2013							
	Sat							
	12:00		10	10	20	20.83%	76	79.17%
64	2:00		12	5	17	17.71%	79	82.29%
65	6:05		10	3	13	13.54%	83	86.46%
	8:15		7	1	8	8.33%	88	91.67%
	Average:					15.10%		84.90%
Total Average Available Parking Spaces:								75.46%



Image 1: Project site from North El Camino Real



Image 2: Rear façade as seen from Los Obreros Lane and Calle de Los Molinos