



STAFF REPORT

SAN CLEMENTE PLANNING COMMISSION

February 6, 2013

PLANNER: Jeff Hook, Principal Planner

SUBJECT: **General Plan Policies** - Consideration of Including Alternative Land Use Designations at 229 West Avenida Alessandro (change from Residential Low Density to Residential Medium Density) and at 130-162 Avenida Rosa (change from Mixed Use to Residential Medium Density) as part of the Draft General Plan

BACKGROUND

At its December 19, 2012 meeting, the Planning Commission directed the City's General Plan consultant to evaluate seven properties under alternative land use designations as part of the new General Plan. The additional study was needed to help determine whether a change in land use designation and zoning were justified to help improve the City's ability to meet its Regional Housing Needs Allocation. The consultant is to look at possible environmental and/or land use effects of changing the properties' land use designations.

At tonight's meeting, the Planning Commission is being asked to consider studying alternate land use designations for two additional sites as part of the Draft General Plan: 1) an owner's request for property located at 229 West Avenida Alessandro to consider a Residential Medium Density designation instead of the property's current Residential Low Density designation, and 2) a City staff-initiated request for nine contiguous lots located at 130-162 Avenida Rosa, to consider changing the designation from Mixed Use to Residential Medium Density. This is not a general plan amendment or rezoning hearing; hence, it is not public hearing item. It is primarily informational to determine whether such alternate land use designations merit further study as part of draft General Plan studies. No actual changes to land uses or zoning will be decided at this meeting.

As part of preparing a new General Plan, the City Council identified "Preferred General Plan Land Uses" for eight Focus Areas. Outside of these areas, General Plan land use designations would remain unchanged. The proposed land use changes would then become the basis for preparing a draft General Plan and for conducting various traffic and environmental studies. And in February, 2011, as part of its General Plan discussions, the City Council directed the Consultant to include alternative land uses for selected properties identified in the Draft Housing Element.

The limited number of properties that have come forward recently for consideration of alternate land uses were not included in the "preferred land uses" identified by the City Council. *Their inclusion now is for study purposes and does not necessarily indicate the City supports the alternate land uses identified or will ultimately approve one or more of the land use changes.*

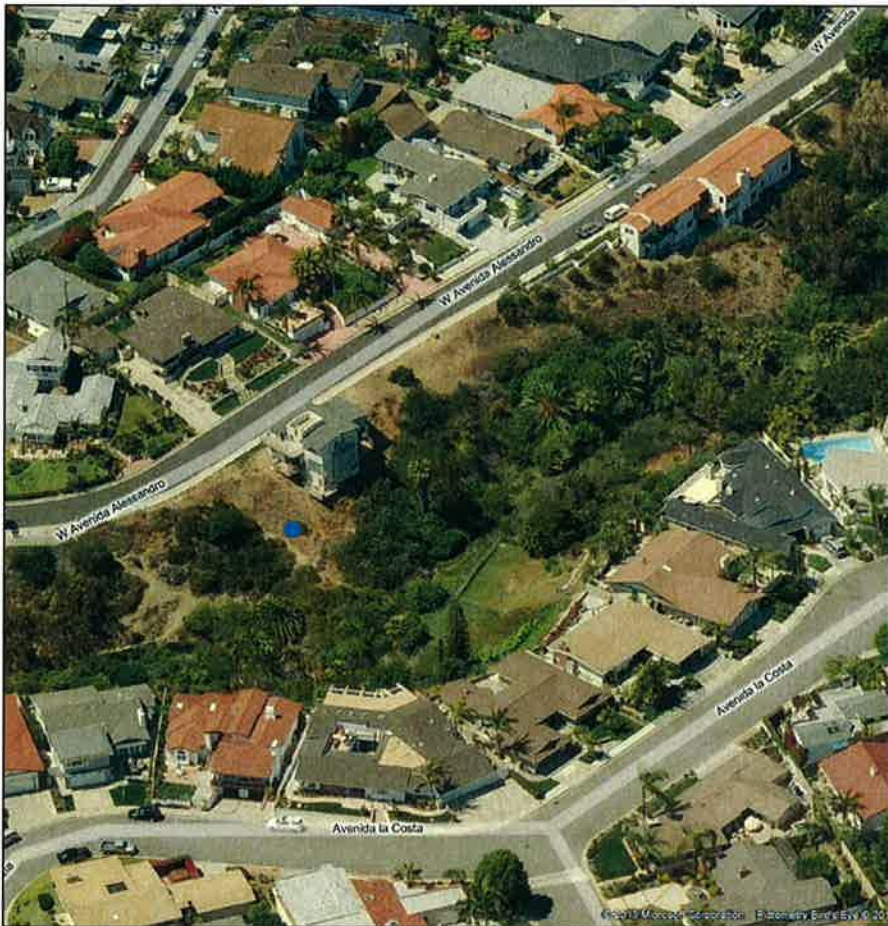
Consideration of Alternate Land Uses

Discussion

The main reason the Planning Commission agreed to consider alternative land uses for the previous properties was to increase moderate income housing opportunities. The Housing Element's residential land inventory showed that while there is adequate zoned land to meet the need for new housing in the lower- and above-moderate categories, there is a shortfall of 70 dwelling units in the moderate-income category (up to 120 percent of area median income – an annual income of about \$108,360 for a four-person household). Other reasons to consider applying alternate land uses may be to 1) improve land use compatibility, 2) to more closely reflect adjacent uses or 3) to anticipate and/or encourage land use trends.

229 West Avenida Alessandro

This 35,850 square foot, irregularly-shaped lot is located on a buildable portion of a steep, coastal canyon (Trafalgar Canyon). There is one house on the lot, which is bordered by houses to the north, west and south, and across the canyon to the east. The property is designated Residential Low Density and is located within the Coastal Zone boundary, as are all of the properties that border this one. The property was the subject of a lot split in 1998. As part of that action, the California Coastal Commission designated a maximum building pad of 4,245 square feet. As explained in Attachment 1, the property owner would like to remodel the house to create a duplex



and believes Residential Medium Density is appropriate due to the lot's unique size, shape, location and setbacks from adjacent houses. The lot's setting is shown in Figure 1. The approved building pad would allow one large house under the current zoning. Hence, the existing 1,902 square foot, 4 bedroom/2.5 bath house could be expanded or a new, larger house built. Changing the land use designation and zoning to Residential Medium Density is necessary to build a duplex with two, "moderate-size dwelling" that would occupy the building pad area.

Figure 1 - 229 W Avenida Alessandro

Consideration of Alternate Land Uses

This is an unusually large lot for the neighborhood; however, its suitability for development is constrained by its shape, slope, utility easements, and by building pad boundaries intended to protect sensitive vegetation and canyon side.

Figure 2 - Zoning Standards for Residential Low Density (RL) and Residential Medium (RM) zones

- RL:** Allows single-family houses
Maximum Density = 7 dwellings/net acre
Minimum Front Yard Setback = 20 feet
Maximum Lot Coverage = 50%
Allowed # dwelling units on site = one dwelling
- RM:** Allows single family houses, duplexes, condominiums and apartments
Maximum Density = 24 dwellings/net acre
Minimum Front Yard Setback = 15 feet
Maximum Lot Coverage = 55%
Allowed # dwelling units on site = $4245/1800 = 2.36$, or two dwellings

130-162 Avenida Rosa: This is a block of nine contiguous lots in the Downtown area and located on what is predominantly a local residential street. The lots “back up” to Mixed Use zoned lots on Avenida Victoria and are near the City Fire Department and Senior Center. Avenida Victoria has a mix of commercial and residential uses.



Figure 3 - 130-162 Avenida Rosa

Across Avenida Rosa Street from the subject lots is a large neighborhood designated Residential Medium Density. This neighborhood has a mix of houses and apartments, with Neighborhood Commercial uses nearby on El Camino Real.

The Mixed Use designation allows a variety of commercial uses on the ground floor, with dwellings above at a density of up to 24 dwellings per net acre. The lots are 40

Consideration of Alternate Land Uses

feet by 100 feet -- relatively small for commercial uses when required parking and minimum required floor area ratios are considered. The neighborhood context is shown in Figure 3. This is part of Downtown's outer tier as shown in Figure 4, and was intended to accommodate an eventual transition to a mix of commercial and residential uses. Properties along the north side of Avenida Rosa were included in the Mixed Use designation because they were immediately adjacent to Mixed Use-designated properties to the rear, fronting Avenida Victoria. Consequently, an MU/RM zone boundary follows the centerline of the Avenida Rosa right-of-way. In addition, the area is within the Coastal Zone and its Mixed Use designation helps address the need for coastal visitor-serving and residents' commercial needs in the Downtown Area.



Figure 4 – Downtown Mixed Use Development, 1993 General Plan, City of San Clemente

RECOMMENDATION

229 West Avenida Alessandro. The property owner correctly notes that with a Residential Medium Density designation, development of a duplex within the same pad area in which a large single-family house could be developed would be possible and would net an additional dwelling unit and be spaced well away from other houses. In either case, a maximum lot coverage of 4,254 square feet is theoretically possible, although actual lot coverage, when required setbacks and usable yard or deck areas are considered, is likely to be less. The site is on a sensitive canyon bluff and added development would need to be carefully designed and sited to minimize environmental and aesthetic effects. While it is likely the site could physically accommodate a duplex if it were designated Residential Medium Density, such a land use change would not be consistent with the designation of surrounding properties and could set a precedent leading to increased density in

Consideration of Alternate Land Uses

this mostly single-family residential neighborhood. Such a change would not significantly add to the City's affordable housing stock. For these reasons, staff does not support studying the request as an alternate land use in the General Plan. The property owner has the option of applying for a general plan amendment and rezoning at any time and going through the normal City and California Coastal Commission processes, outside of the preparation of a new General Plan.

130-162 Avenida Rosa. There are several "pros" and "cons" for considering whether Residential Medium Density (RM) may be an appropriate land use designation for these lots:

- a) The neighborhood has remained predominantly residential although it's been designated Mixed Use for 20 years;
- b) The properties are immediately across from RM zoned properties that are developed with houses and apartments;
- c) If designated Residential Medium Density, the nine lots could support development of up to about 18 to 20 additional dwellings in duplexes, freestanding, small houses or apartments. Such development could be more compatible with adjacent, existing RM and within easy walking distance of Downtown jobs, shops and services.
- d) These are relatively small lots and will require land assembly for efficient development of commercial or mixed uses;
- e) Such a change would be almost a mirror reflection of zoning boundaries on the north side of Downtown, between Avenidas Miramar and Serra (Figure 4).

Arguments for keeping the existing land use designation include:

- f) It helps provide appropriately-zoned, long-range capacity to expand Downtown commercial development and/or parking facilities, consistent with the 1993 General Plan;
- g) It preserves the opportunity for coastal visitor-serving uses, including small Bed and Breakfast Inns, hotels, motels, timeshares, offices and other services as well as residential;
- h) Changing the land use designation would move the zone boundary to the common rear yard line of properties on Avenida Victoria and Avenida Rosa, a less desirable location than a street boundary due to land use compatibility factors (e.g. setbacks, noise, privacy);
- i) It would reduce the range of allowed uses for these lots and as a result, may meet with property owner and/or California Coastal Commission resistance.

In balance, staff believes that it would be appropriate to consider including Residential Medium Density for these properties as part of the consultant's General Plan environmental studies. These would assess such a change's effects on land use compatibility, traffic and circulation and provide a basis for further Commission and City Council discussion.

One option that staff and the consultant have discussed is to modify the allowed uses in the MU 3 zone to allow dwellings as a "freestanding use", without requiring commercial uses. This would allow more flexibility in the MU 3 zone because existing, freestanding housing could remain as a legal, conforming use and new housing or commercial could be built in response to market demands.

Consideration of Alternate Land Uses

The Commission should provide direction to staff and the City's planning consultant, The Planning Center, to include the properties located at 130-162 Avenida Rosa in the General Plan for evaluation under two scenarios: 1) their "preferred" General Plan land use as designated by the City Council for study purposes, and 2) apply "alternative land use" designations, as noted above, to increase housing opportunities. The decision as to which land use designations to finally use in the Planning Commission's recommended Draft General Plan would return after completion of the draft environmental impact report (EIR) and related consultant studies, early next year. *Deciding to study the properties under an alternate land use should not and does not indicate the properties' land use will be changed as part of the new General Plan.*

Alternatively, the Commission could decide not to take any action, or to consider applying alternate land uses to fewer than the nine properties. In this case, owners of properties not included under the alternate land use could apply separately for consideration of different land use and zoning from the current Mixed Use designation.

Attachments

1. Letter from Cheryl Moe
2. Aerial Photo, 229 W Ave Alessandro
3. Zoning Map, 229 W Ave Alessandro
4. Parcel Map 89-112, 229 W Ave Alessandro
5. Building Site Area, 229 W Ave Alessandro
6. Schematic Development Plan, Parcel 2, 229 W Ave Alessandro
7. Aerial Photo, 130-162 Avenida Rosa
8. Zoning Map, 130-162 Avenida Rosa
9. Assessor's Parcel Map, 130-162 Avenida Rosa

ATTACHMENT 1

cMoe Architecture

P.O. Box 287
San Clemente, CA 92674
Phone: (949) 742-1748
E-Mail: cmoearchitecture@cox.net

Dec. 19, 2012

Mr. Jeffrey Hook
City of San Clemente, Principal Planner
100 Avenida Presidio
San Clemente, CA 92672
HookJ@san-clemente.org

and Mr. Lew Avera, Chairman
San Clemente Planning Commission
and Planning Commissioners

Dear Mr. Hook, Mr. Avera and fellow Commissioners:

I am writing to you, to request a change in the Land Use Designation for the property located at 229 W. Avenida Alessandro, San Clemente, from RL to RM.

This property has unique parameters that support this change. This property is very large, 35,850 sf, with a Building Site Area (or footprint) of approx. 4,245 sf, a very long street frontage of 270 linear feet, steep topography that slopes away from the street and a preferable south easterly sun expose. The property carries a City drainage easement on the south of the property, but not on the east side of the property. This coastal canyon property is within walking distance of the downtown, commercial zones, the beach path, bike routes and bus routes. All of this promotes an enjoyable, live-able, walk-able, work-able and sustainable San Clemente.

This zoning change would help improve the City's ability to meet its Regional Housing Needs and expand the availability of housing in San Clemente by allowing more housing opportunities for moderate-income housing in the Coastal Zone, while maintaining the character of the neighborhood, as this is very important. Because of the location of the building site area, all structures would be setback from the neighbor's side and rear property lines, anywhere from 31 feet to 160 feet. Please see the attached site plan. Much of the building area slopes away from the street, therefore the dwellings would have a lower profile than those across the street. The street has 153 feet of non-building area which maintains an open streetscape to an already wider than typical street in this neighborhood. The infrastructure already exists to support this development.

This lot carries Perpetual Conditions of a Building Site Area of 4,245 sf. Because of the hillside conditions, it could accommodate one very large and very high-income single-family residence that could be approximately 10,000 sf with a two-car garage.

Or by changing the zoning from RL to RM, a duplex could be constructed with 2 moderate size dwellings, around 2,500 sf, each, each having with a two-car garage. Thus providing more off-street parking for the allowed Building Site Area.

We have owned our property for approximately 13 years, we value and protect our unique neighborhood and plan on maintaining the property within our family for generations to come.

Please include this property in your list of properties to be reviewed by your consultant for "alternate land uses" when updating the General Plan.

Sincerely,

Cheryl Moe
Property Owner & Architect

EXHIBIT 1 Parcel Map No. 89-112
EXHIBIT 2 Exhibit C Building Site Parcel 2
EXHIBIT 3 Site Plan

ATTACHMENT 2



229 W Ave Alessandro

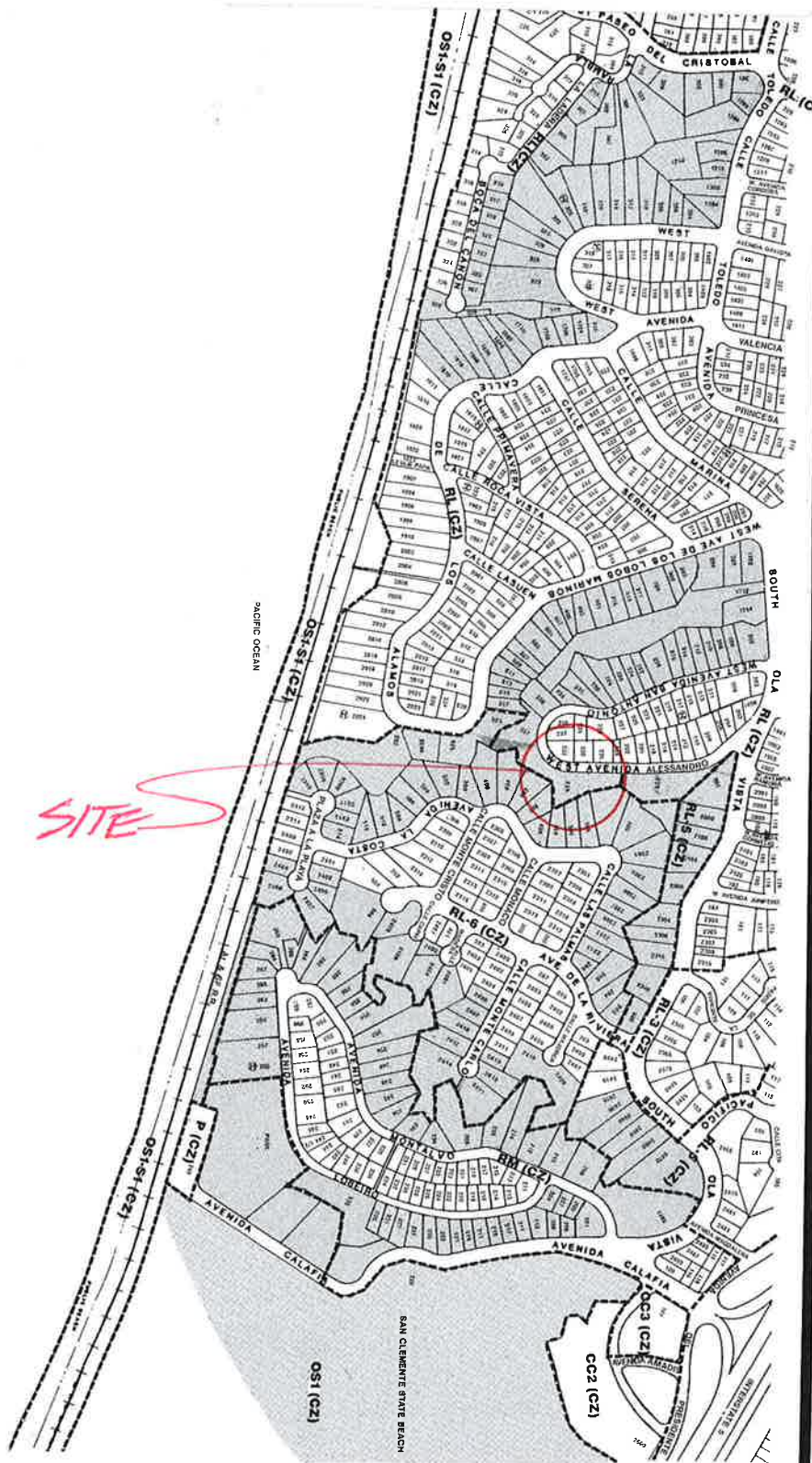


133 ft

CityGIS

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ATTACHMENT 3



SEE SHEETS 6 & 9



CITY OF SAN CLEMENTE PRECISE ZONING PLAN

ADOPTED BY CITY COUNCIL
ON 08/25/08
ORD. # 1172

REVISION BLOCK

SCALE: 1" = 200'



SHEET 3

PARCEL MAP NO. 89-112

IN THE CITY OF SAN CLEMENTE, COUNTY OF ORANGE, STATE OF CALIFORNIA

CONTAINING 2 PARCELS
TOTAL AREA: 1.397 ACRES
DATE OF SURVEY: MAY 1995
ALL OF TENTATIVE PARCEL
MAP NO. 89-112

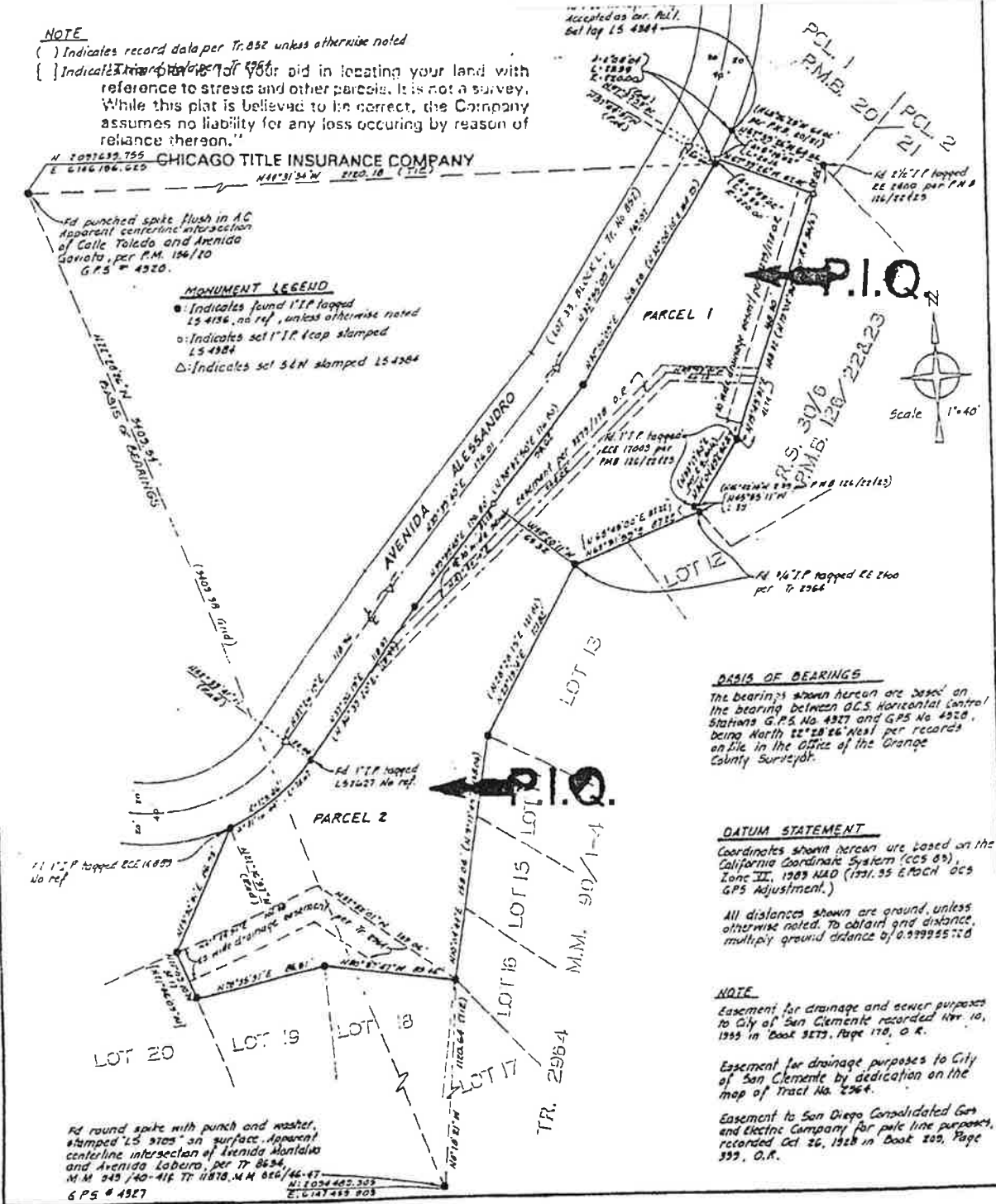
BEING A SUBDIVISION OF PORTION OF BLOCK 11 OF TRACT No. 852 AS PER MAP RECORDED IN BOOK 26, PAGES 17 TO 21 INCLUSIVE, OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY, AND A PORTION OF LOTS 18 AND 19 IN TRACT No. 2964 AS PER MAP RECORDED IN BOOK 90, PAGES 1, 2, 3, & 4 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

TOAL ENGINEERING INC.

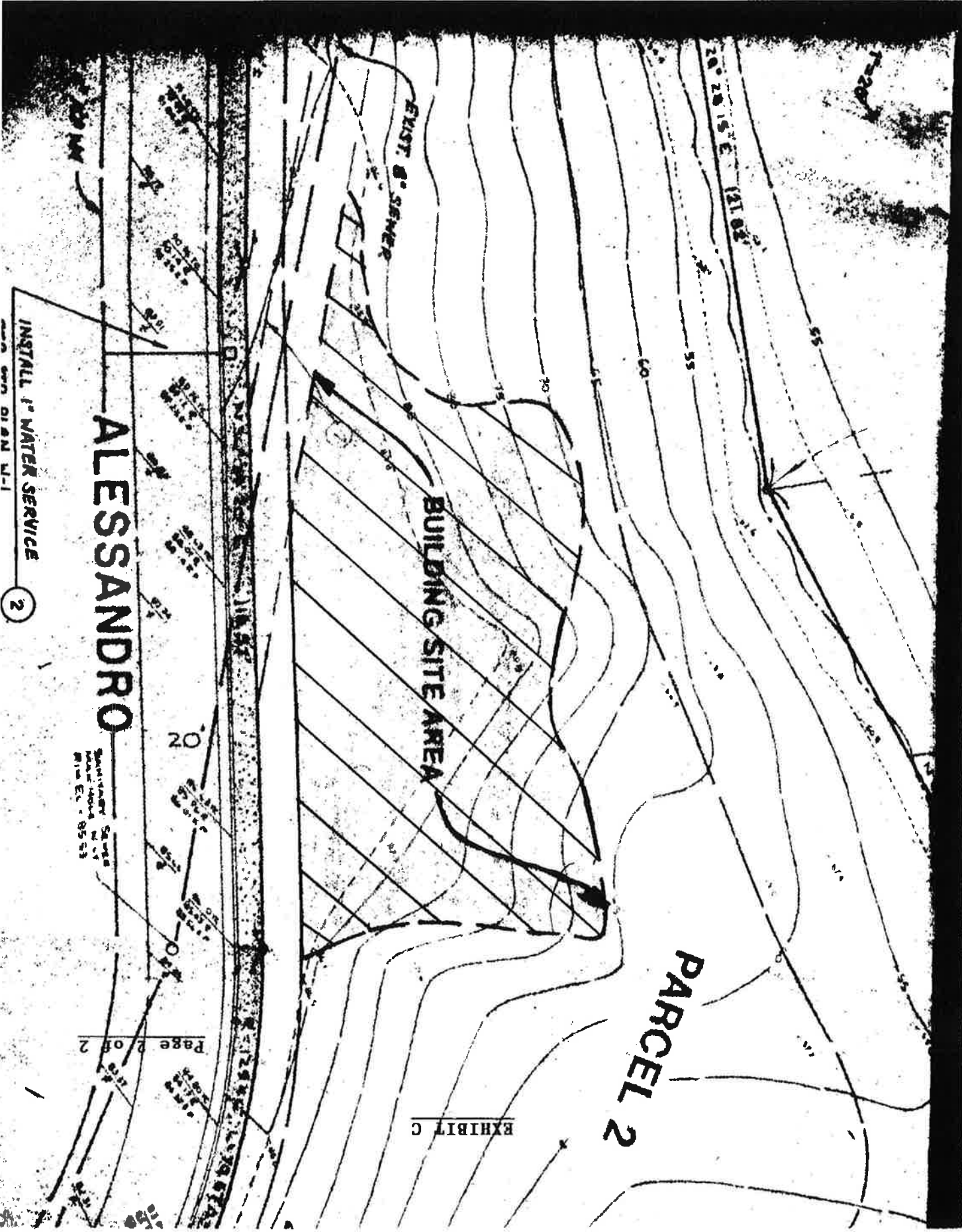
ATTACHMENT 4

NOTE

- () Indicates record data per Tr. 852 unless otherwise noted
- { } Indicates this data is for 1964 bid in locating your land with reference to streets and other parcels. It is not a survey. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon.



301
24



ALESSANDRO

BUILDING SITE AREA

PARCEL 2

EXIST. 8" SEWER

INSTALL 1" WATER SERVICE

2

Surveyed by George
Mason, 1894, at 10
ft. Elev. 95.53

ATTACHMENT 6

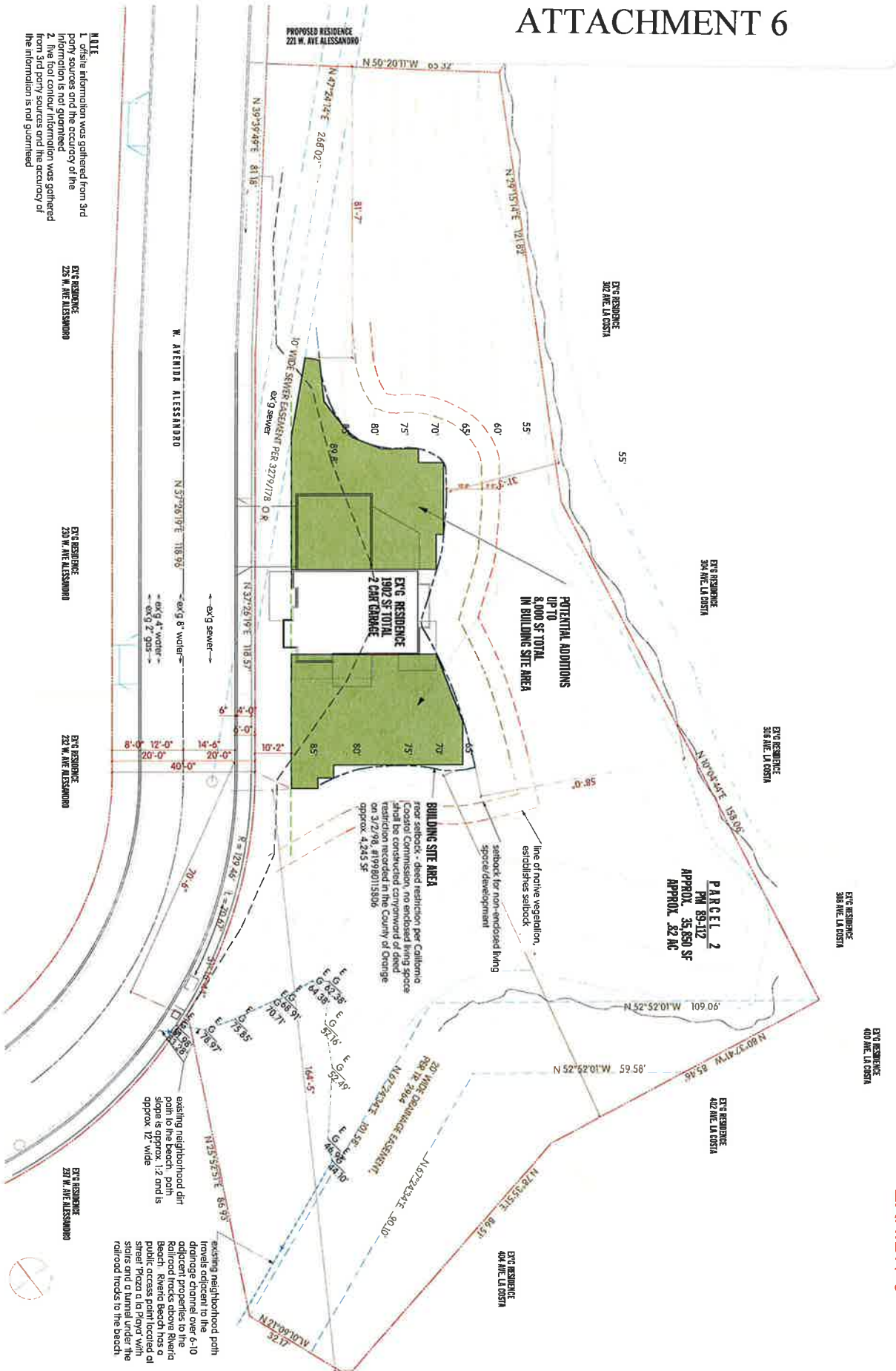


EXHIBIT 3

NOTE
 1. Official information was gathered from 3rd party sources and the accuracy of the information is not guaranteed.
 2. The tool colour information was gathered from 3rd party sources and the accuracy of the information is not guaranteed.

EVC RESIDENCE
 225 W. AVE. ALESSANDRO

EVC RESIDENCE
 230 W. AVE. ALESSANDRO

EVC RESIDENCE
 231 W. AVE. ALESSANDRO

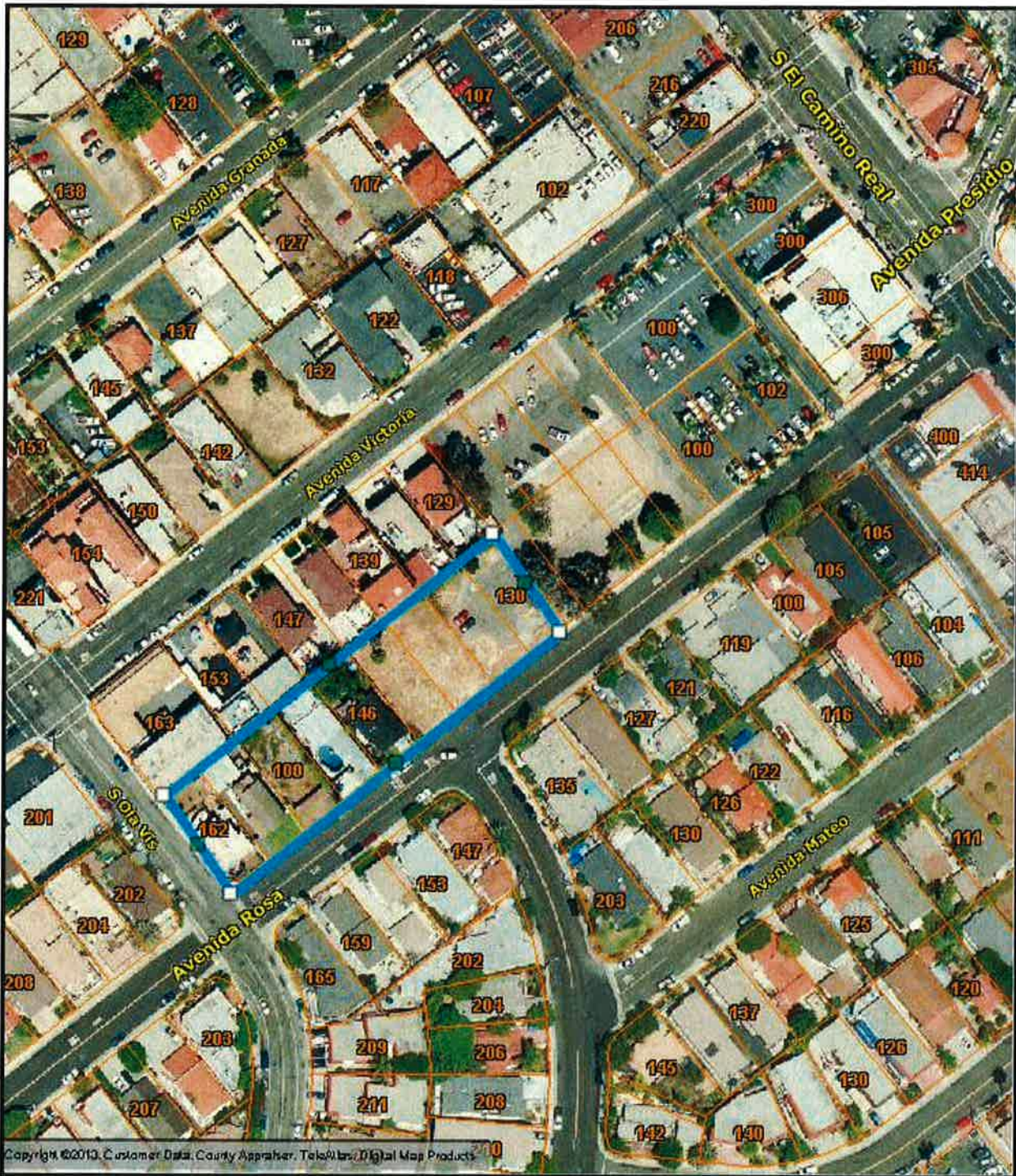
EVC RESIDENCE
 227 W. AVE. ALESSANDRO

A

229 W. Avenida Alessandro
 San Clemente, CA 92672
 PARCEL 2 OF PARCEL MAP 89-112

C.M.O.E.
 ARCHITECTURE
 PO BOX 287
 SAN CLEMENTE, CA
 cmoeARCHITECTURE@cox.net

DATE	DESCRIPTION
06/10/2012	REVISED
12/22/2012	REVISED



130-162 Ave Rosa



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SEE SHEETS 2 & 3

SEE SHEETS 1 & 15

ADOPTED BY CITY COUNCIL
ON FEB. 7, 1996
ORD. #1172

REVISION BLOCK

SCALE: 1" = 200'

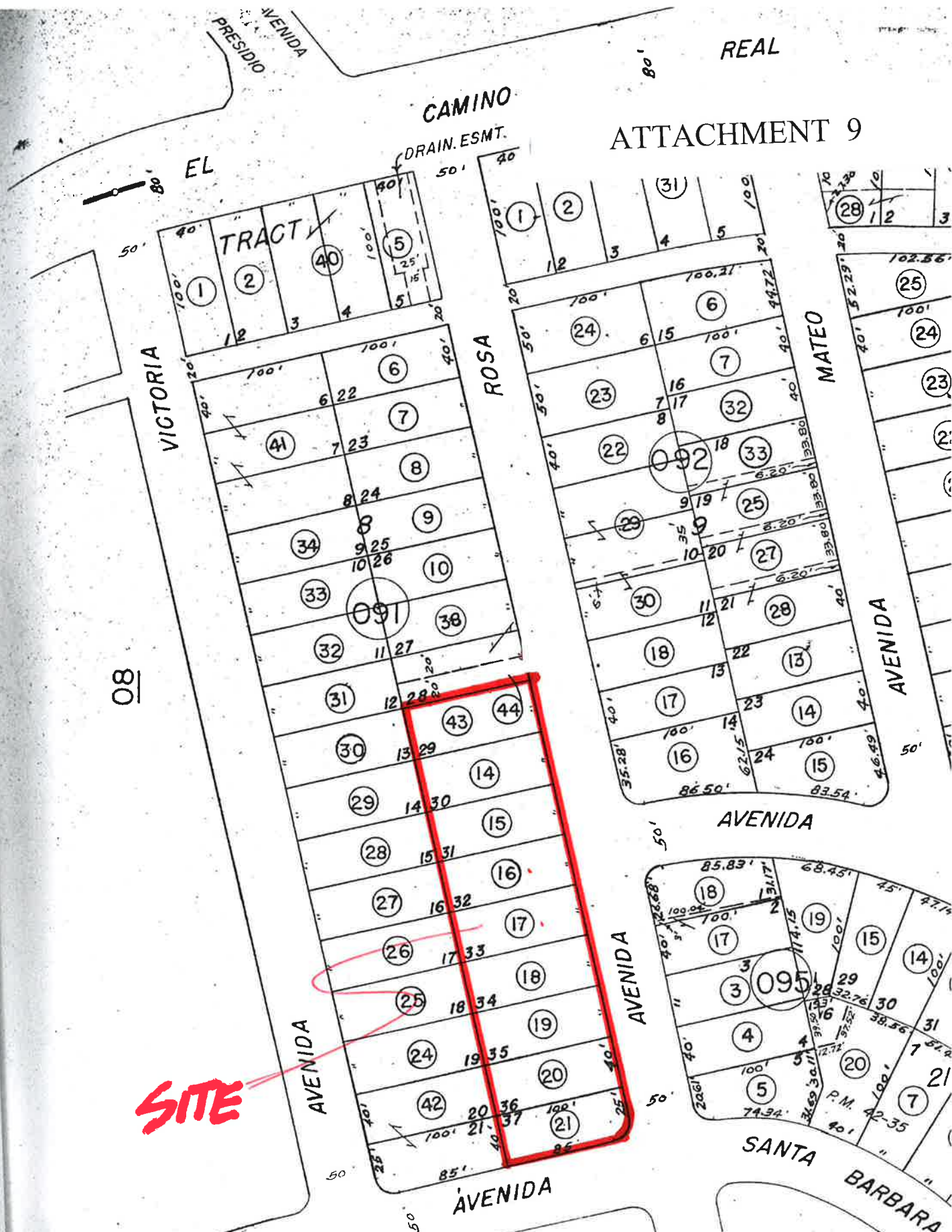
NORTH

SHEET 8



CITY OF SAN CLEMENTE PRECISE ZONING PLAN

ATTACHMENT 9



08

SITE

MARCH 1950

TR. NO. 779
TR. NO. 785

10
M.M. 23-19-25
M.M. 23-36-7