



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: October 22, 2014

PLANNER: Sean Nicholas, Associate Planner *SN*

SUBJECT: Architectural Permit 14-329, Site Plan Permit 14-346, and Minor Conditional Use Permit 14-347, Estrella Shopping Center (Phase I), a request to consider a façade enhancement for an existing shopping center and a request for the sale of beer and wine for off-site consumption located at 550 Camino de Estrella within the Community Commercial (CC-2) zoning district. This is for the portion of the project site that was the K-Mart facility.

REQUIRED FINDINGS

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

Architectural Permit (AP), Section 17.16.100, to allow for a facade update to an existing commercial center.

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

Site Plan Permit (SPP), Section 17.16.050, to allow modifications to the site of a commercial center.

- a. The proposed development is permitted within the subject zone pursuant to the approval of a SPP and complies with all the applicable provisions of the Zoning Ordinance, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed.
- b. The site is suitable for the type and intensity of development that is proposed.
- c. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed development will not be unsightly or create disharmony with its locale and surroundings.

- e. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.

Minor Conditional Use Permit (MCUP), Section 17.16.060, for the sale of beer and wine for off-site consumption.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a MCUP and complies with all the applicable provisions of the Zoning Ordinance, 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.

BACKGROUND

The property is a 318,257 square foot lot with a 98,603 square foot building. Phase I of the Estrella Shopping Center is the portion of the site that was previously occupied by K-Mart/Sears Essential since 1971. In the past four decades, there has only been minor updates to the site and buildings such as paint and signage on-site. This is the first full scale remodel to the center.

Adjacent properties include the rest of the shopping center to the west, Interstate 5 to the east, single family residential and duplexes to the north in Dana Point, and a planned residential development zoned Residential Medium Low Density (RML-PRD) to the south.

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project and supports the request, subject to the proposed conditions of approval.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations, including adjacent residents. Staff has received input from the public on this request which has been very supportive of the project.

PROJECT DESCRIPTION

The applicant is proposing to remodel a shopping center that was built in 1971. This is the first time the shopping center has been substantially remodeled due to a lease agreement with the Sears Corporation. The property owner recently was able to buy out the remaining years of the lease and is now proposing façade and site enhancements that will allow new tenants, Sports Authority, Steinmart, and Sprouts, to locate in the center. The three new tenants are retail uses. In addition, the Citibank building is located on site, but it is not part

of the architectural facelift because the bank operates and functions as a standalone tenant not connected to the rest of the center. Phase I of the project meets the parking requirements with 329 parking spaces required and 390 parking spaces provided.

Signage is shown on the building elevations, however it is not part of the application. The signage will be reviewed for consistency with the Sign Ordinance and require a Master Sign Program when the applicants submit a formal sign package for review.

Development Standards

Table 1 outlines the development standards and how the project is consistent with these standards.

Table 1 - Development Standards for Community Commercial Zoning District

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
Building Height (Max.)	45 feet, 3 stories	42 feet-tower element 38 feet-primary building 1 story	Yes
Setbacks (Min.):			
• Front	0'	20' for bank building, 340' for primary tenants	Yes
• East Side Yard	0'	40' for commercial building	Yes
• West Side Yard	0'	360' for commercial building (Phase I)	Yes
• Rear Yard	0'	60' for commercial building	Yes
Maximum Floor Area Ratio (FAR)	.5	.31	Yes
Lot Coverage	60%	31%	Yes
Required Parking (Minimum):	329	390	Yes
Landscaping (Minimum)	15% of lot*	5% of the lot*	No*
	78 parking lot trees (1/5 spaces)	81 parking lot trees	Yes

* See landscape discussion below for flexibility in the code.

Architecture

The City Urban Design Element requires Spanish architecture for this site and identifies the site as a gateway into the City. The applicant's architect and staff have worked closely together to ensure the design of the project meets this requirement. The architecture will be smooth white stucco, and utilizes two piece red clay tile throughout. The applicant is also proposing to add 1,215 square feet to the building on the east side adjacent to the freeway. The purpose for additional square footage is to fill a void in the building, square off the inside, and to create a tower at the corner of the building. The copper domed tower near the freeway will provide an architectural element to that end of the building. Through the Design Review process, staff and DRSC recommended the applicant take a more simple and elegant approach to the Spanish design. This resulted in simplified planes, better massing, and subtle but elegant details. The design collaboration between staff, DRSC, and the architect, the project's Spanish architecture now meets the design standards of the City. Staff has included conditions of approval requiring staff review and approval of all details prior to installation.

Landscaping/Site Design

The project site has been underutilized for some time. With this project, the parking lots will be resurfaced and re-striped. Also landscaping and decorative paving will be added throughout the parking area. Municipal Code Section 17.68.050(B) requires 15% of the site for new development be landscaped. Municipal Code Section 17.64.060(C) requires one tree per five parking spaces, or 78 parking lot trees, and a 10 foot landscape buffer between the street and the parking lot area. Municipal Code Section 17.68.020(A)(2)(a) states that existing sites going through discretionary review, partial compliance with this requirement can be approved, thus giving flexibility to the landscape requirements for existing facilities. The reasoning for this flexibility is that sometimes it is not possible to meet the landscape requirements when dealing with existing conditions, and the site is remaining mostly unmodified.

The applicants are proposing 15,335 square feet of landscaping, which is 5% of Phase I. The landscape area includes: the space adjacent to Camino de Estrella, the area below the gas station, the tree planters proposed throughout the parking lot, and in front of the stores. The applicants are proposing 81 parking lot trees. Staff has worked with the applicant to get as much landscaping as possible without eliminating the parking on-site. While the landscaping percentage falls short of what is required of new development, the proposal does exceed the required number of parking lot trees. Landscaping in the parking lot was essential to softening the look of the parking area. To improve the overall landscaping when the center re-opens, staff has required as Condition of Approval number 10 that the minimum size for the trees be a 36 inch box. In addition, irrigation systems shall be installed in all landscaped areas to improve survival, and the standard condition of approval for maintenance and pruning has been included to ensure that the trees are maintained to provide a canopy, shade, and to soften the look of the parking lot area.

During the evaluation of the parking lot design, development of a pedestrian path through the parking lot was considered. Unfortunately, given the layout of the parking it is not

feasible to install a pedestrian path without reducing parking. As stated earlier, the new tenants need all of the parking to located at the center. There is a pedestrian path that leads from the bus stop on Estrella to the front of the two free standing buildings and the front of the old Big Lots building (included in Phase II). This will provide some pedestrian access from Estrella, and there will be an ADA accessible path of travel from Mira Costa to the Sprouts, Steinmart, and Sports Authority.

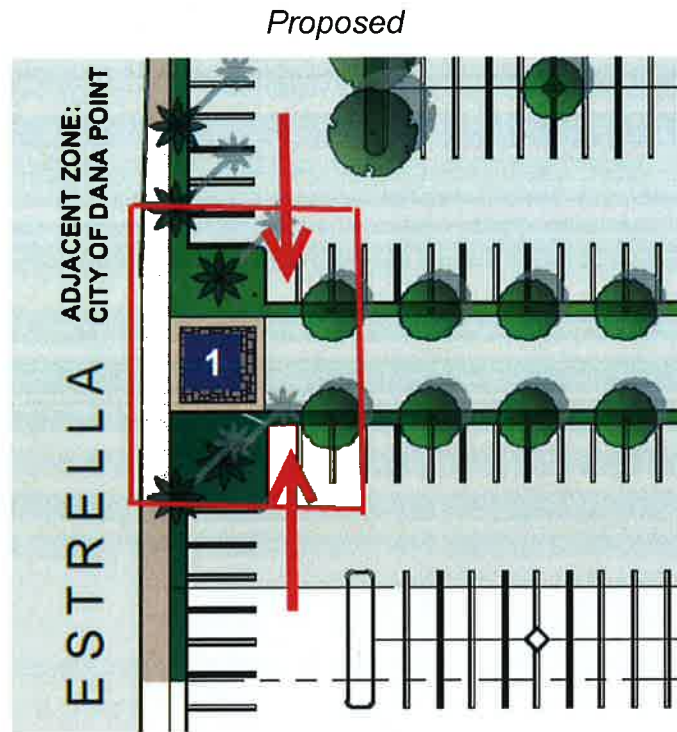
Lastly, the applicant has stated that Sprouts will store their carts inside the store. Condition of approval number 11 has been added which requires all shopping carts for the three tenants be kept inside the stores, unless they are in the cart returns. Two new parking lot cart returns have been added to the parking lot and will have landscaping surrounding them. The applicant has also stated that the tenants proposed are not shopping cart dependent, and having minimal space dedicated to shopping carts is not negative to the project. Should the City determine that there is a shortage of cart returns, condition of approval number 12 has been added to require additional shopping cart returns without impacting parking spaces and landscaping.

Traffic/Parking

The required parking for Phase I is 329 spaces, and 390 spaces are provided. The parking lot will be re-paved and re-striped for ease of circulation. The layout meets engineering standards and is a typical 90 degree-in parking lot configuration. The applicant is modifying the secondary access by closing off the drive aisle so the first opening is farther down into the site to reduce circulation conflicts near the entrance (see Exhibit 1). Traffic Engineering has reviewed this change to the on-site circulation, and supports the changes. Closing circulation at the top of the secondary entrance provides an opportunity for additional landscaping and parking spaces. Exhibit 1 shows the area modified to create extra parking and landscaping.

Exhibit 1: Secondary Entrance Circulation Modification
Existing





PROJECT ANALYSIS

Architectural Permit

This project requires an Architectural Permit to allow for the façade enhancements and minor addition to the building. The project site has not had many improvements throughout the years, and this will be a substantial improvement over the existing condition. As stated earlier, the Spanish architecture is consistent with both the goals and policies of the new General Plan as well as the required findings of consistency with the Design Guidelines. Staff has included conditions of approval to ensure that details are reviewed and approved, and through the Quality Assurance Program staff will inspect the development throughout construction. For that reason, staff, believes that the required findings can be made because:

- The project is consistent with the General Plan, Zoning Ordinance, and Design Guidelines.
- The project is designed to be Spanish architecture.
- The project is vast improvement to an underutilized shopping center, and the community surrounding the project have expressed support. Thus it will not negatively impact the surrounding area.
- The re-vitalization of the shopping center will help relieve other issues associated with deterioration of the site and code enforcement complaints.

Site Plan Permit

This project requires a SPP for the enhancements to the site. The applicant is proposing to improve landscaping throughout the site without impacting the number of parking. The Municipal Code allows flexibility with landscaping when dealing with existing development, and staff is supportive of approving the Site Plan Permit with the reduced landscaping because:

- The design does not impact parking, as parking will become very important with the revitalization of the shopping center.
- Does fill in and provide new landscaping in all of the existing planters, and requires the necessary irrigation being installed to ensure survival.
- The larger trees being installed in the parking lot, and the number of trees being installed will improve the overall design of the parking lot, and soften the look of the development from Camino de Estrella.

Minor Conditional Use Permit

The project requires a MCUP to allow for the sale of beer and wine for off-site consumption. This is for Sprouts so that they can provide a full service to the community associated with their products. Sprouts is the only grocery store in this portion of town west of Interstate 5. Additionally, the types of products provided at Sprouts are different than the larger standard grocery stores on the east side of Interstate 5. Overall, Sprouts will provide a much needed niche market in this area, and for all of San Clemente, as this is the only Sprouts in the area. Allowing them to sell beer and wine for off-site consumption is consistent with Sprouts other facilities. The grocery store operations, including the sale of beer and wine, will not negatively impact the surrounding area. For these reasons, staff is supportive of approving the MCUP for the sale of beer and wine for off-site consumption.

Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the project on the August 27, 2014 and September 10, 2014. Attachments 3 & 4 are the applicable staff reports and minutes. The DRSC generally supported the proposed project with the following recommended modifications identified in Table 2.

Table 2 - DRSC concerns and project modifications

<i>DRSC Concerns</i>	<i>Project modifications</i>
The project needs to incorporate as much red tile towards the primary elevation as possible. This can be accomplished by utilizing a full hip roof for one of the store fronts.	<i>Modified as requested.</i> The applicant revised plans and the Steinmart entry now utilizes a full hip roof.
The middle tower element should be removed to simplify the design and utilize a simple stucco detail for the Steinmart elevation.	<i>Modified as requested.</i>
Bike racks should be incorporated somewhere at the front of the facility	<i>Partially modified.</i> The applicant has indicated they have sufficient space to provide bike racks and are supportive of having them, but they have not indicated where on the site they will be. Staff has added condition of approval 13 which requires bike racks to be identified on the site plan, and a design approved by the City Planner prior to issuance of Building Permit.
Landscaping needs to be added wherever possible without impacting the amount of available parking.	<i>Modified as requested.</i>
The project should utilize the copper dome for the tower adjacent to the Sports Authority entrance.	<i>Modified as requested.</i> The applicant has also enhanced the overall design of the tower to ensure that it is Spanish architecture.
Roof equipment has to be adequately screened.	<i>Partially Modified.</i> The applicant has modified the facades which has created additional height that should screen most of the roof equipment. Condition of approval 18 requires the applicant to screen the roof equipment to the satisfaction of the City Planner.
The Sports Authority entrance needs to be enhanced to fully embrace the Mission Revival details.	<i>Modified as requested.</i> The applicant has added additional details to the entry of the Sports Authority and is now consistent with San Clemente Spanish architecture.

GENERAL PLAN CONSISTENCY

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

Table 3 - General Plan Consistency

Policies and Objectives	Consistency Finding
<i>"We support the continuation and enhancement of commercial centers to meet the needs of community residents..." (LU-7.01)</i>	<i>Consistent.</i> The project is a redevelopment of a shopping center that has been underutilized for years. Staff has received comments from many surrounding the facility excited about the remodel and tenant mix.
<i>"Within the Camino de los Mares focus area, development projects, including major remodels, shall have a Spanish architectural design, consistent with the Design Guidelines." (LU-7.06)</i>	<i>Consistent.</i> The project has been designed in Spanish architecture consistent with the requirements of the Design Guidelines.
<i>"We require high quality design for buildings at visually significant locations in gateway areas adjacent to or opposite I-5 offramps..." (UD-2.01)</i>	<i>Consistent.</i> The project is a high quality remodel of the shopping center adjacent to an I-5 onramp, and opposite an I-5 offramp.
<i>"Scale and Massing. We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan." (UD-5.10)</i>	<i>Consistent.</i> The project site is existing and the facades are being enhanced to be a benefit to the surrounding community. There will be no massing or scale impact to the surrounding area.
<i>"Landscape Maintenance. We require property owners to properly maintain vegetation on developed sites, remove and abate weeds, and replace unhealthy or dead landscape plants." (UD-5.20)</i>	<i>Consistent.</i> The project is conditioned to require the property owner to maintain all landscaping according to the approved final landscape plan.

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division processed and completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA). The Planning Division has determined the project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301, because the project consists of a façade and site improvements and less than 2,500 square feet of additional square footage and less than 50% of the existing square footage to an existing shopping center.

CALIFORNIA COASTAL COMMISSION REVIEW

The subject property is not located within the Coastal Zone, thus no coastal review is required.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and approve the proposed improvements to the existing shopping center.

This is the recommended action. This action would result in the applicant developing the project as proposed.

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

This action would result in any modifications being incorporated into the project which could include the redesign of some of the features, or additional landscaping being required.

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

This action would result in the applicant's proposed improvements being denied. The applicant would have the option of appealing the denial to the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347, Estrella Shopping Center Phase I (K-Mart site), a request to consider façade and site enhancements, a minor addition, and the sale of beer and wine for off-site consumption located at 550 Camino de Estrella, subject to the attached Resolution and conditions of approval.

Attachments:

1. Resolution No. PC 14-044
Exhibit 1 – Conditions of Approval
2. Location Map
3. Design Review Subcommittee Staff Report and Minutes from August 27, 2014
(excerpted)
4. Design Review Subcommittee Staff Report and Minutes from September 10, 2014
(excerpted)
Plans

RESOLUTION NO. PC 14-044

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, APPROVING ARCHITECTURAL PERMIT 14-329, SITE PLAN PERMIT 14-346, AND MINOR CONDITIONAL USE PERMIT 14-347, ESTRELLA SHOPPING CENTER PHASE I, A REQUEST TO ALLOW A FAÇADE AND SITE ENHANCEMENT TO AN EXISTING SHOPPING CENTER AND ALLOW FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION LOCATED AT 550 CAMINO DE ESTRELLA

WHEREAS, on August 27, 2014, an application was submitted, and deemed complete on October 16, 2014, by Joseph Kornwasser/Bill Sandre, 5670 Wilshire Boulevard #1250, Los Angeles, CA, 90036, to allow for façade and site enhancements for an existing shopping center including an addition of 1,215 square feet, and the sale of beer and wine for off-site consumption at 550 Camino De Estrella, San Clemente, CA 92673, the Assessor's Parcel Number 691-101-23; and

WHEREAS, on September 11, 2014 and October 16, 2014 the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements and recommend approval subject to the attached conditions of approval; and

WHEREAS, on August 27, 2014, and September 10, 2014 the proposed project was reviewed by the Design Review Subcommittee, which supported the design of the project with recommended changes; and

WHEREAS, the Planning Division processed and completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA). The Planning Division has determined the project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301, because the project consists of a façade and site improvements and less than 2,500 square feet of additional square footage and less than 50% of the existing square footage; and

WHEREAS, on October 22, 2014 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; and

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

Section 1: The project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301, because the project consists of a façade and site improvements and less than 2,500 square feet of additional square footage and less than 50% of the existing square footage.

Section 2: With regard to Architectural Permit (AP) 14-329, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan, in that this site is identified as being a gateway into the City that requires Spanish architecture, and the architect as designed a project consistent with the specified style. The use of smooth white stucco, red clay tile roofs, simple and elegant detail features, towers to help provide emphasis and key locations onsite, and Spanish Tile and landscaping help to provide emphasis and appropriate scale to the design. The applicant has developed a project that reads as three separate facilities, but yet have common architecture and connectivity.
- B. The architectural treatment of the project complies with the Zoning Ordinance, in that the project conforms to the development standards for the zone, as well as providing building setbacks where none is required. The heights are all within the allowed maximum, and while the building facades are tall, the facility is all one story, and does not impact any public view corridors. While the project site does not meet the 15% landscape requirement necessary of new commercial development in the Community Commercial Zoning Designation, the Municipal Code does allow for flexibility for this requirement for existing commercial centers which are trying to improve the existing condition. The applicant is proposing to exceed the number of parking lot trees and utilizing a larger tree initially to offset the not meeting the 15 % landscaping.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines. The Design Guidelines specify various building forms and massing requirements. The buildings are all taller one story buildings, but features have been designed to be at the pedestrian scale, and simple details to help break up the massing of the existing structures all ensures the project is consistent with Spanish architecture as well as the Design Guidelines.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood, in that this area has been identified as a City gateway in the new General Plan which requires Spanish architecture, and this is the first major remodel of the center ever. The architect and applicant are proposing Spanish architecture of the façade of the improvements as well as other site improvements that will ensure consistency with the surrounding development.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the project is being brought up to code to current building standards, and will add and enhance the existing landscaping onsite. Staff will ensure through the building and construction phase that the details are included so that the development matches the designs approved by

Planning Commission and consistent with the General Plan and Zoning Ordinance.

Section 3: With regard to Site Plan Permit (SPP) 14-346, the Planning Commission finds as follows:

- A. The proposed development is permitted within the Community Commercial (CC-2) zoning district and complies with all the applicable development standards of the Zoning Ordinance, in that the project is an existing retail center and this is just a façade enhancement, minor addition and site improvements. The architectural updates are consistent with the gateway requirements of the General Plan. While the project site does not meet the 15% landscape requirement necessary of new commercial development in the Community Commercial Zoning Designation, the Municipal Code does allow for flexibility for this requirement for existing commercial centers which are trying to improve the existing condition. The applicant is proposing to exceed the number of parking lot trees and utilizing a larger tree initially to offset the not meeting the 15 % landscaping.
- B. The site is suitable for the type and intensity of development that is proposed in that the project is an existing retail center and this is just a façade enhancement, minor addition and site improvements. The architectural updates are consistent with the gateway requirements of the General Plan. While the project site does not meet the 15% landscape requirement necessary of new commercial development in the Community Commercial Zoning Designation, the Municipal Code does allow for flexibility for this requirement for existing commercial centers which are trying to improve the existing condition. The applicant is proposing to exceed the number of parking lot trees and utilizing a larger tree initially to offset the not meeting the 15 % landscaping.
- C. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity as the proposal meets the development standards, and will be built according to all applicable building, fire and safety codes.
- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings as the project consists of a high quality architectural design that conforms to the City's Design Guidelines and the requirements of the General Plan at gateways, in that the retail center is being redesigned to be Spanish architecture and the applicant is proposing improved landscaping for the project site.
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location, in that the project site has been rundown and underutilized for a number of years, and the proposed project will bring

in new tenants and new architecture that will revitalize the shopping center and be an improvement over the existing conditions.

Section 4: With regard to Minor Conditional Use Permit (MCUP) 14-347, the Planning Commission finds as follows:

- A. The proposed use is permitted within the Community Commercial zoning district and complies with all the applicable development standards of the Zoning Ordinance in that the Sprouts market would like to sell beer and wine for off-site consumption only, and the only other location that has alcohol sales onsite is the liquor store, which serves a different clientele.
- B. The site is suitable for the type and intensity of use that is proposed in that the retail space is existing and alcohol sales already exists onsite and this will only be associated with the Sprouts market.
- 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 it will allow Sprouts to provide a full range of service to residents in the area of the project site.
- D. The proposed use will not negatively impact surrounding land uses in that the site is existing and the improvements have been supported by the surrounding community members and will enhance the overall shopping center by allowing Sprouts to be a full service market.

Section 5: The Planning Commission of the City of San Clemente hereby approves Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347, Estrella Shopping Center Phase I, a request to consider façade and site enhancements for an existing shopping center including an addition of 1,215 square feet, and the sale of beer and wine for off-site consumption located at 550 Camino De Estrella, 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 October 22, 2014.

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 October 22, 2014, 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*****Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347, Estrella Shopping Center Phase I**

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. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.) _____
3. Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. The use shall be deemed to have commenced on the date the use becomes legally operational, including issuance

of a Certificate of Occupancy from the City of San Clemente. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)_____

4. A use shall be deemed to have lapsed, and Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347 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.)_____

5. The owner or designee shall have the right to request an extension of Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347 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.)_____

6. The applicant shall develop the proposed structure consistent with design and details as approved by the Planning Commission on October 22, 2014. Any deviation from the approved site plan, floor plans, elevations, details, 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. *[Citation - Section 17.12.180 of the SCMC]* (PIng.)_____

7. Signage is not part of this review. Any signage for this proposed development shall be reviewed in conformance with the Sign Ordinance and shall require the owner or designee to submit for review and obtain approval of a Sign Permit or Master Sign Program as necessary in accordance with the City's Sign Ordinance. *[Citation - Section 17.16.240.D & 17.16.250.D of the SCMC]* (PIng.)_____

CONDITIONS TO BE SATISFIED PRIOR TO ISSUANCE OF BUILDING PERMITS

8. Prior to the issuance of building permits, the owner 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 Insurance Program]* (PIng.)_____ (Bldg.)_____

Spanish Style Architecture

9. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following:
(PIng.)_____
- A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. *[Citation – City of San Clemente Design Guidelines, November 1991]*
 - B. Stucco walls with a 'steel, hand trowel' (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. *[Citation – City of San Clemente Design Guidelines, November 1991]*
 - C. The west elevation shall be stuccoed to match the front elevation as this is part of the front façade and a very visible portion of the project site and shall match the design of the frontage.
 - D. The buildings shall be primarily white, with appropriate colors used for accents. The City Planner shall approve all final building and accent colors.
 - E. All proposed Spanish tile, wrought iron, and wood details shall be approved by the City Planner.
 - F. The depth of the roof for any tenant shall not be less than 13 feet.
 - G. All columns, whether associated with entries into stores or with the tower elements, shall be fully dimensioned and scaled to provide appropriate mass for the features for which they are supporting. The City planner shall review the massing and dimensions of the columns and ensure that they are designed appropriately.

10. Prior to issuance of building permits, the applicant shall receive approval from the City's Landscape Architect a landscape and Irrigation plan for all existing and proposed landscape areas. All trees associated with the project in the parking area shall be a minimum 36 inch box tree. No certificate of occupancy will be granted until the landscaping and irrigation has been installed, inspected, and approved in the field consistent with the approved landscape plan. As a component of the plan, the applicant shall work with staff to locate trees adjacent to Camino de Estrella.

■ (PIng.)(BP&R)_____

11. All carts associated with the tenants of Phase I shall keep all shopping carts inside so they are not visible from the parking lot. If in the future outdoor storage is requested by a tenant a design solution must be presented to Design Review Subcommittee and approved by the Zoning Administrator.

■■ (PIng.)_____

12. If it is determined that the two (2) parking lot shopping cart corrals are not sufficient to manage carts on-site, the applicant shall be required to work with staff to develop additional cart corrals on-site without impacting parking or landscaping.

■■ (PIng.)_____

13. The applicant and architect shall work with staff to locate an appropriate number and designed bicycle parking at accessible and convenient locations on-site.

■■ (PIng.)_____

14. Any deviation from the approved site plan, floor plans, elevations, details, 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. *[Citation - Section 17.12.180 of the SCMC]*

(PIng.)_____

15. Prior to the issuance Certificates of Occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that all exterior lighting is designed, arranged, scaled, and directed or shielded per the approved plans, and in such a manner as to contain direct illumination on site, thereby preventing excess illumination onto adjoining site(s) and/or street(s). *[Citation - Section 17.24.130 of the SCMC]*

(PIng.)_____

16. If determined necessary by the water department, an approved double-detector check backflow assembly shall be installed as near to the point of connection to the potable water system as practical, given functional and aesthetic considerations. An isolation valve shall be installed on any/all fire lines at the point of connection to the water main, and appropriately screened to the satisfaction of the City Planner. *[Citation - Section 13.04.350.D of the SCMC]*

■(Util.)_____ (PIng.)_____

- 17. The property owner or designee shall maintain all landscaped areas as approved on the final landscape plans in an orderly, attractive and healthy condition. This shall include proper pruning, mowing of turf areas, weeding, removal of litter, fertilization, replacement of plants when necessary, and the regular application of appropriate quantities of water to all landscaped areas. The property owner or designee shall maintain all irrigation systems as approved on the final landscape plans in proper operating condition. Waterline breaks, head/emitter ruptures, overspray or runoff conditions and other irrigation system failures shall be repaired immediately. All trees shall be maintained to allow them to become canopy trees and provide appropriate coverage over the parking and landscape areas.

[Citation - Section 17.68.060.A&B of the of the SCMC]

(PIng.)_____

- 18. The applicant shall ensure that all roof mounted equipment is screened to the satisfaction of the City Planner.

■■ (PIng.)_____

- 19. The applicant shall provide ADA walkway along Camino de Estrella parkway and protect the existing palms.

■■ (BP&R.)_____

- 20. Prior to certificate of occupancy, the applicant shall work with the adjacent property owner (Phase II) to record a reciprocal parking agreement so all parking is available for all tenants.

■■ (PIng.)_____

- 21. As part of the landscape improvements, the applicant shall clean up and enhance the area surrounding the Citibank building. While architecturally it is not a part of the project, landscape enhancements can be made surrounding the building to ensure consistency with other improvements on-site.

■■ (PIng.)_____

Building

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

(Bldg.)_____

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

- 23. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check.

(Bldg.)_____

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

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

(Bldg.)_____

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

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

(Bldg.)_____

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

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

(Bldg.)_____

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

- 27. The sale of beer and wine for off-site consumption shall be limited to the normal operational hours of Sprouts. Any proposed change in the hours of operation shall require an amendment to this Minor Conditional Use Permit. *[Citation – Division 9 (Alcoholic Beverages), Section 25631 to 25633of Business & Professions Code, State of California]*

(PIng.)_____

- 28. 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 Minor Conditional 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.)_____

- 29. The on-site sale for off-site consumption of beer and wine use shall be deemed to have lapsed, and MCUP 14-347 shall be deemed to have expired, ninety (90) days after the date the on-site sale for off-site consumption of beer and wine ceases operation and/or the business closes at such location. *[Citation - Section 17.12.150(C) of the SCMC]*

(PIng.)_____

Fees and Plan Check Deposit

- 30. Prior to the issuance of any permits, in the event that Grading Permits are required, plan check fees shall be submitted for the Engineering Department plan check of soils reports and grading plans. *[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]*

(Eng.)_____

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

(Eng.)_____

Reports –Soils and Geologic, Hydrology

- 32. Prior to the issuance of any permits, in the event that Grading Permits are required, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

- 33. Prior to the issuance of any permits, in the event that Grading Permits are required, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, treatment of cut and fill, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

Grading

- 34. Prior to the issuance of any permits, in the event that Grading Permits are required, the owner or designee shall submit for review, and obtain the approval of the City Engineer, a precise grading plan, prepared by a registered civil engineer, showing all applicable frontage improvements and onsite improvements, including but not limited to, grading, building pad grades, storm drains, sewer system, retaining walls, water system, etc., as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]*

(Eng.)_____

35. Prior to the issuance of any permits, if deemed applicable by the City Engineer, the owner or designee shall submit authorization from any easement holders for allowance of improvements with their easement. *[Citation – Section 15.36 of the SCMC]* ■ (Eng.)_____

Improvement Plans

36. Prior to issuance of any permits, in the event that Grading Permits are required, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for frontage improvement plans, prepared by a registered civil engineer. The owner or his designee shall be responsible for the construction of all required frontage and onsite improvements as approved by the City Engineer including but not limited to the following: *[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 frontages. This includes construction of compliant sidewalk around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way varies behind the curbface, a sidewalk easement will likely be required to be granted to the City prior to the final of permits for any portion of sidewalk within the property needed to go up and around the drive approach or other obstructions.
- B. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.
37. The following standards shall apply for all landscape plans, unless approved otherwise by the City Engineer or Beaches, Parks, and Recreation Director:
(Eng.)_____ (BPR.)_____
- A. All parkway trees shall maintain the following distances from improvements:
- 10'0" from water, sewer and storm drain lines.
 - 5'0" from street lights, utility boxes, fire hydrants, P.I.V.'s, F.D.C., etc.).
 - 15'0" from drive approaches.
 - 25'0" from curb return at street intersections.
38. Unless otherwise approved by the Water District, an approved reduced pressure principal backflow assembly shall be installed on any/all potable water systems, and any/all irrigation systems, above ground, directly after each water meter as practical, and at a minimum height of 12" from the bottom of each assembly to ground level.
■ (Util.)_____

39. Prior to the issuance of any permits, the applicant shall obtain the approval of the City Engineer of an Administrative Encroachment Permit, for any improvements within the City's existing storm drain easement that exist within the proposed parking lot area. *[Citation – Section 12.20 of the SCMC]* ■ ■ (Eng.)_____

NPDES

40. Prior to issuance of any permit, in the event that Grading Permits are required, 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.)_____
41. Prior to issuance of any permit, in the event that Grading Permits are required, 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 project is greater than 1 acre, a Notice of Intent (NOI) for coverage under the General Construction Storm Water Permit must be filed with the State Water Resources Control Board (<http://www.waterboards.ca.gov/stormwtr/construction.html>) and a copy of the NOI, a WDID number and a copy of the Storm Water Pollution Prevention Plan (SWPPP) must be filed with the City;
- B. If the site is determined to be a "Priority Project" (as defined by the Orange County's MS4 Permit for the South Orange County Model WQMP, http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/) a final Water Quality Management Plan (WQMP) must be approved by the City prior to issuance of any permits. The final WQMP shall be recorded with the Orange County Recorder's Office and filed with the City prior to Certificate of Occupancy. Site design plans shall incorporate all necessary WQMP requirements, including but not limited to covered trash enclosures.

42. Prior to release of financial security, the owner or designee shall have completed the stenciling of all catch basins and/or storm drain inlets with labels 3" high in black letters, on either the top of the curb or the curb face adjacent to the inlet "NO DUMPING - DRAINS TO OCEAN". These markers shall be maintained in good condition by the Property Owner. *[Citation – Section 13.40 of the SCMC]*
(Eng.)_____

Lot Merger

43. Prior to final building acceptance and occupancy, if determined necessary by the Building Official, the developer shall prepare and obtain the approval of the City Engineer of a lot merger for the existing separate parcels under the building and/or parking lot(s). *[Citation – Section 15.36 of the SCMC]*
(Eng.)_____

Financial Security

44. Prior to issuance of any permits, in the event that Grading Permits are required, the owner shall provide separate improvement surety, bonds, or irrevocable letters of credit, as determined by the City Engineer for 100% of each estimated improvement cost, as prepared by a registered civil engineer as approved by City Attorney/City Engineer, for the following: grading improvements; frontage improvements; sidewalks; sewer lines; water lines; onsite storm drains; and erosion control. In addition, the owner shall provide separate labor and material surety for 100% of the above estimated improvement costs, as determined by the City Engineer or designee. *[Citation – Section 15.36 of the SCMC]*
(Eng.)_____

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATES OF OCCUPANCY

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

* 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

Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347, Estrella Shopping Center Phase I
550 Camino de Estrella





Memorandum Planning

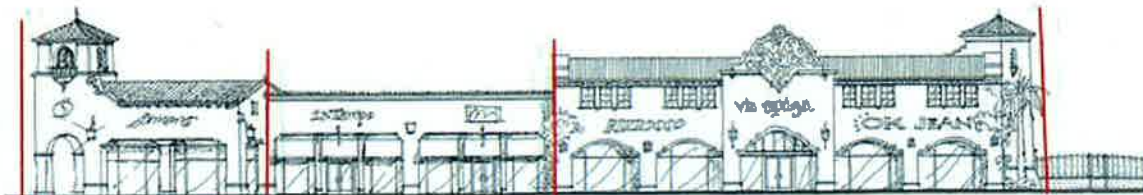
Wednesday, August 27, 2014

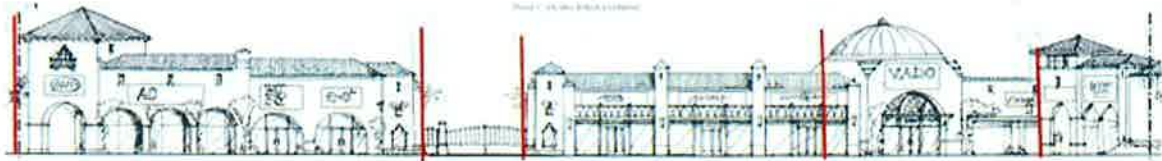
To: Design Review Subcommittee
 From: Sean Nicholas, Associate Planner
 Subject: Preliminary Design Review-Estrella Shopping Center Remodel
 Copies: Jim Pechous, City Planner

The property owners of the shopping center located on Camino De Estrella (K-Mart/Big Lots Center), have requested the Design Review Subcommittee complete a preliminary review of enhancements for the shopping center as depicted in Attachment 1. The formal review is scheduled for September 10th.

While the applicant has made progress with the overall design, staff still has concerns that the design appears to be a large box with three plant on façade entries. This is not consistent with the Design Guidelines for building form and massing (Section II.C.3.b, included as attachment 2), and other recent projects and remodels approved in the community. Staff's position is that the applicant needs to look at the in between spaces so the development reads more as three separate buildings developed over time. This can be accomplished in a number of design ways, for example: varying wall planes, roof lines and types, window types, openings, arches, murals, style, heights, and incorporate different/varying elements that will enhance the overall design. Also keeping in mind the importance of five sided architecture will assist in designing this approach. These are examples taken from the Plaza San Clemente project which shows the idea which staff is recommending to emulate:

This is one large building though the façade works and feels as if it is 3 distinct buildings:

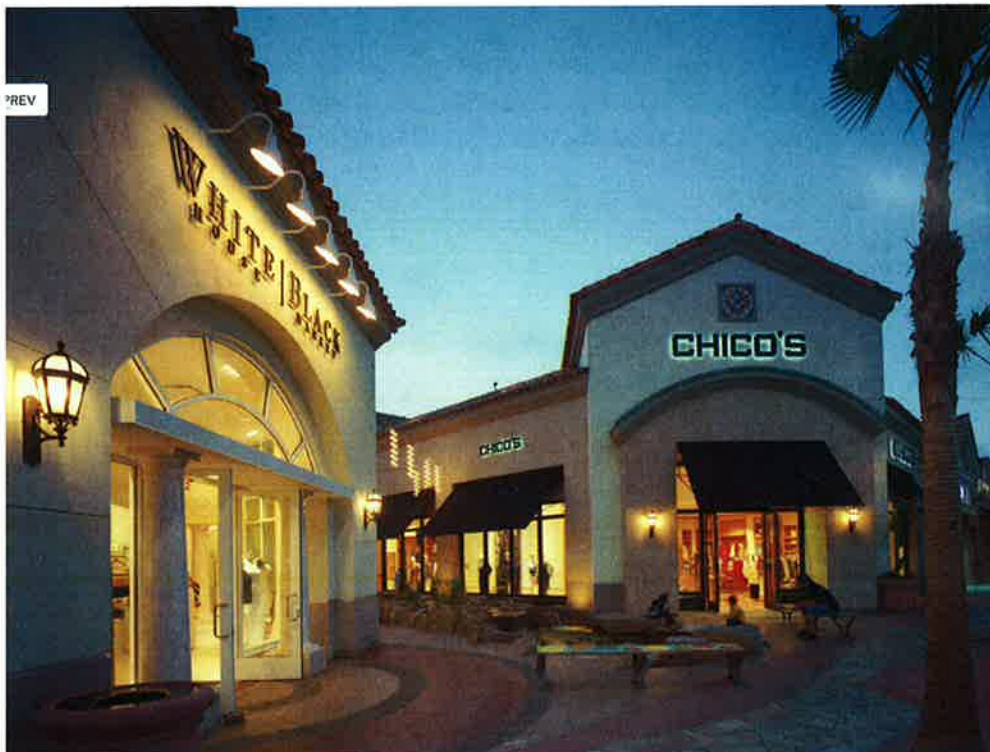




Similarly, this is 2 very large buildings that read as many separate buildings built next to each other over time, the movement of the building (up and down, in and out) really help to create the pedestrian environment/scale, unique tenant facades, and make the buildings feel real, rather than just a big box façade (which in reality they are):



Staff also found great examples of the details, movement, and architectural quality on other projects the applicant's architect, Nadel, has designed. These examples show design quality, scale, massing, and pedestrian environment the community is looking for:





Staff seeks Design Review Subcommittee concurrence with the above recommendations and any additional comments.

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW SUBCOMMITTEE
AUGUST 27, 2014**

Subcommittee Members Present: Bart Crandell, Julia Darden and Jim Ruehlin

Staff Present: Jim Pechous, Cliff Jones, John Ciampa and Sean Nicholas

1. MINUTES

Minutes from August 13, 2014

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS:

A. Amendment to Cultural Heritage Permit 12-027/Amendment to Minor Exception Permit 12-086, Mino Residence (Ciampa)

A request to construct a new house with walls exceeding 42 inches and a pool within the required setbacks located adjacent to two historic homes. The project is located at 240 Avenida La Cuesta.

Associate Planner John Ciampa presented the staff report.

Subcommittee Member Darden asked if the applicant was open to other tile colors since the house is not true Spanish design and a color other than red might actually respect the historic structure more.

The owner Mike Mino responded stating that they just received the roof samples at their house and the tiles are an earth tone brown color that is similar to other colors for homes in the adjacent area.

Subcommittee Member Ruehlin asked if the fence/wall is still part of the original proposal. He stated that when he reviewed the project when it previously came to the Planning Commission he voted against the project because he did not feel the previous wall design was compatible with the neighborhood.

The applicant's Architect, James Chinn, responded stating that the fence/wall design will start at the north corner of the house and will be a mixed wall/fence design. The goal for the wall/fence is to keep the owners dogs in the yard and they are flexible with the fence design to ensure it is compatible with the neighborhood.

The DRSC was pleased to see the revised project had been reduced in size. The DRSC requested the design of the back of the house be improved

Staff explained that they work with the applicant to establish a timeline for the rehabilitation improvements and try and establish a win-win for the community and the property owner.

The DRSC supported staff's recommended rehabilitation improvements with the modifications identified, supported the timeline for the improvements, and recommended the project move forward to the City Council for consideration.

D. Pre-app for Estrella Shopping Center – K-Mart/Big Lots Location
(Nicholas)

A request to review the preliminary architectural design for the remodel of the Estrella Shopping Center (K-Mart/Big Lots).

Associate Planner Sean Nicholas presented the staff report. Staff indicated that staff received a revised elevation on Monday August 25th, and forwarded this to the Design Review Subcommittee. Mr. Nicholas indicated that this is a further enhancement of the design previously provided to DRSC, so while the comments provided in the staff report apply, it is a different elevation before the Subcommittee. Mr. Nicholas narrated a PowerPoint which highlighted the applicant's primary goal of getting permits for construction by early December, and the time table put together by staff to meet those goals. Mr. Nicholas noted that staff has utilized their standard review time, and the timeline informs the applicant's design team the turnaround times which they need to make every submittal.

Mr. Nicholas also showed the evolution of the design before DRSC and indicated this process started only three weeks ago. The property owner for the K-Mart site, Joe Kornwasser, gave some background of the history of the site and their goals to find balance between improvements to the site and making a project fiscally work. Staff also re-iterated that the City's goal is a win-win scenario where the applicant gets a well-designed and successful shopping center and the City gets a well-designed project at a City gateway consistent with City requirements. Therese Hotvedt, representing Burnham and the property owner of the rest of the site, indicated they are following up quickly behind Kornwasser and will be submitting a design for the rest of the site consistent with the architecture being reviewed so it appears as one development.

Staff showed images of features that would help the overall design of the project and make it more "San Clemente" and consistent with the Design Guidelines. A lot of that is simplification of planes and details, and really focus on massing and scale.

Subcommittee Chair Crandell stated that the most important aspect of the project to him is the massing and scale and to make sure that it is done

appropriately, rather than over detailing the project with no connection as to why the improvements are there. Subcommittee Members Darden and Ruehlin agreed. Subcommittee Member Ruehlin also suggested pulling from iconic buildings in the community could help with designing the project; particularly looking at iconic towers.

Subcommittee Chair Crandell said he understood that this was a preliminary review, and that the submittal package was already being prepared and the comments from today's meeting would not be reflected in that submittal. To fast track the application, he recommended that the applicant bring sketches to the first formal review meeting indicating how the applicant was going to address today's comments. If acceptable, they then could be incorporated into the application package forwarded to the Planning Commission.

Chair Crandell summarized the purpose of the DRSC. Any recommendation made would be based upon written City Guidelines and/or City Policies. The Subcommittee will not design the project for the applicant and that the Subcommittee is simply a recommending body. Decisions to approve, deny, or modify a project are made by the Planning Commission.

Discussion regarding openings/entries, approach to design, towers, and scale took place to help the architects simplify down the design. Staff also indicated that they have not received signage information. Staff also indicated that the project is on schedule and the applicant is working towards obtaining the necessary permits.

Subcommittee Member Ruehlin asked about making the parking lot more safe and pedestrian friendly.

Staff indicated that the project is going to Development Management Team (DMT) tomorrow, Thursday August 28th, for initial review, and staff and the applicant's architect, David Anderson, are going to go take a look at a few projects and elements in the community to help with the design.

The project is scheduled to return for DRSC review on September 10th.

E. Minor Architectural Permit 14-259 /Minor Exception Permit 14-260, Cutlip Remodel (Jones)

A request to consider an addition to a nonconforming residence located at 114 Avenida Barcelona.

Associate Planner Cliff Jones presented the staff report, presented the plans, and the color/materials board.



Design Review Subcommittee (DRSC)

Meeting Date: September 10, 2014

PLANNER: Sean Nicholas, Associate Planner

SUBJECT: **Architectural Permit 14-329, Site Plan Permit 14-346, and Minor Conditional Use Permit 14-347, Estrella Shopping Center (Phase 1),** a request to consider a façade enhancement for an existing shopping center. This is for the portion of the project site that was the K-Mart facility.

BACKGROUND:

The proposed project was reviewed as a preliminary application at the Design Review Subcommittee (DRSC) meeting of August 27, 2014. General comments and recommendations were provided to the applicant regarding the overall need to scale the massing, proportions, and design details to comply with Spanish architecture required in this area. The applicant has modified the plans to address that discussion.

DRSC review is required per Section 17.12.020, Review Authorities, to provide architectural review of the proposed project in accordance with the City's Design Guidelines and Municipal Code.

An Architectural Permit (AP) is required per Section 17.16.100 of the Zoning Code. The purpose and intent of the AP is to provide for architectural review of certain classes of development projects to ensure their compliance with the General Plan Urban Design Element and the City's Design Guidelines.

The project site is zoned Community Commercial (CC-2). The project site is part of a larger multi-tenant (retail and restaurant) development. It is anticipated that the adjacent property owner will be submitting improvements for the rest of the shopping center soon.

ANALYSIS:

The previous submittal reviewed by DRSC had several issues of concern, most notably massing and proportionality. The applicant has taken these comments and revised the development to be more consistent with the Design Guidelines and General Plan requirements of Spanish architecture.

The project is a façade enhancement and includes approximately 1,200 square feet of additional building area with this project. For the complete remodel of the shopping

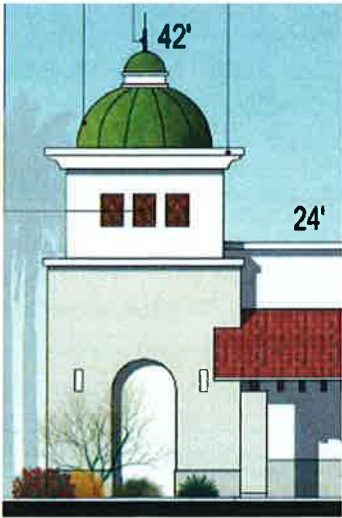

center (this phase and the second phase), all of the parking requirements are met. The total landscaping provided is still being determined as the applicant needs to provide additional information regarding the existing landscaped areas, as well as additional landscaped areas associated with these recommendations.

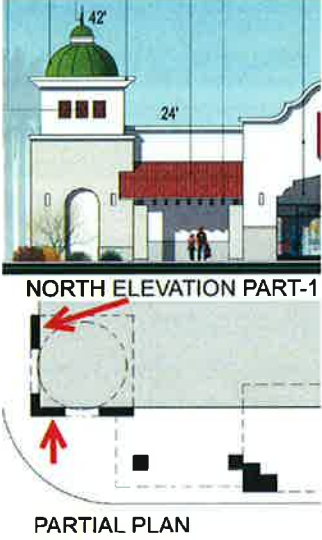


Signage has not been formally submitted. Signage is shown on the plans, but staff does not have any comments nor information regarding the signage proposal. Signage will need to return to DRSC for review.





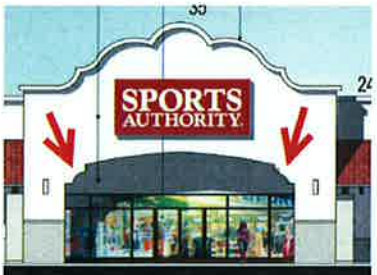

Recommendations:

To move the design of the project forward to Planning Commission, and to ensure consistency with the Design Guidelines, staff has developed the following recommendations. Table 1 provides a breakdown of the proposed design elements, staff's recommendation, and the basis for the recommendation. Staff seeks Design Review Subcommittee's comments and recommendations.


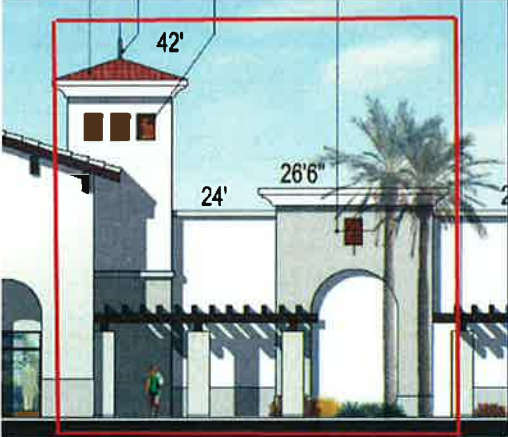
Table 1 – Proposed Elements, Staff Recommendation, and Basis for Recommendation

Proposed Element	Staff Recommendation	Basis for Recommendation
<p>Staff is supportive of the dome element of the tower, though some additional detail and scaling needs to occur.</p> 	<p>These are examples from the similar Ralphs tower that staff feels will enhance the design.</p> 	<ol style="list-style-type: none"> 1. The proportions of the tower seem off. The lower horizontal plane break should be higher above the 24 foot primary roof line. 2. Adding the simple decorative features at the corners of the lower break will fill in those areas appropriately. 3. The cornice under the dome should be reduced and simplified. 4. The arch at the bottom should be widened and increased in height and utilization of a similar stone cap around the arch would be beneficial to the design.

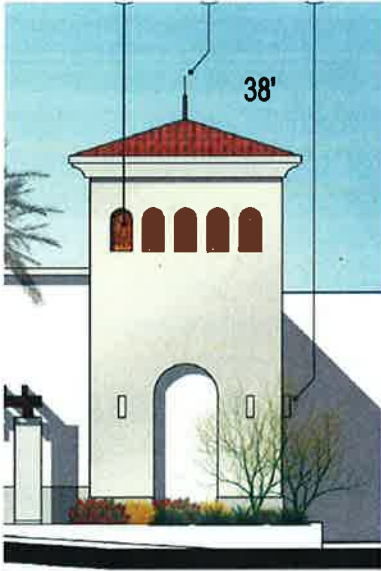

Proposed Element	Staff Recommendation	Basis for Recommendation
<p>Dimensionality of the elements are a concern to staff because the elements in the field will appear flat and not authentic.</p>  <p>NORTH ELEVATION PART-1</p> <p>PARTIAL PLAN</p>	<p>The areas noted with the arrows should be wider to appear as if they are supporting the elements above them. This will provide appropriate proportionality and shadow lines.</p>	<p>While these are façade enhancements, and the tower is not functional, more depth should be given to the elements so they are authentic in design and appearance.</p>
<p>The applicant is proposing tiles in these insets, and a simpler more authentic approach can be utilized.</p> 	<p>This simple design will provide a more authentic appearance.</p> 	<p>Utilized on several projects, this "chevron" design is a simple and elegant treatment to break up the use of tiles.</p>

Proposed Element	Staff Recommendation	Basis for Recommendation
 <p>H ELEVATION PART-1</p> <p>The collonade areas indicated by the arrows should be redesigned to resemble a more traditional arcade.</p>	 <p>This example from the Ole Hanson Beach Club is a good example of the arcade element.</p>	<p>This would help meet the Design Guideline requirements regarding pedestrian scale and be a traditional Spanish design.</p>
<p>The parapet wall embraces the Mission style, but the two end pieces should be better defined columns to bookend the entry. A decorative feature should be included at the top of the newly defined columns.</p>  <p>LEAF 4</p>	<p>A smaller scale example from the Santa Barbara Train Station to complete the entry detail.</p> 	<p>Again this provides the correct massing and proportionality of the entry into Sports Authority.</p>
<p>The corners of the segmented arch should be traditional.</p>  <p>LEAF 4</p>	<p>Here is an example of a corner detail from the City Golf Clubhouse.</p> 	<p>This detail proposed is more traditional. Staff recommends, if the applicant is not able to get the feature completed, a condition of approval be added requiring City Planner, or designee, to review and approve this design element.</p>

Proposed Element	Staff Recommendation	Basis for Recommendation
<p>There are several recommendations for the boxed area to simplify the design.</p> 	<p>The first recommendation would be to remove the darker plant on façade and simply do a column detail break that has more dimensionality and allow for the transition to the higher roof element. Here is an example of such an element with a traditional top feature from Plaza San Clemente:</p>  <p>Additionally, staff recommends removing the trellis elements, unless they will be used for landscaping, and do two things; 1) provide a simple stucco design similar to this to provide relief (scale, location on the façade, and proportions should be modified for the building):</p>  <p>2) To help the transition, and simplify the design between tenants, staff recommends using large pots or in ground plantings, irrigation, and trees to fill the space:</p>	<p>This will reduce and simplify the design, while making it more traditional and elegant. It will also enhance the pedestrian experience and scale which is required per the Design Guidelines.</p>

	 <p>The same landscape approach and details should be utilized on the other side of the Steinmart up to the transition to the Sprouts.</p>	
Proposed Element	Staff Recommendation	Basis for Recommendation
<p>Similar to the recommendations made above on the other side of the Steinmart entry, similar features should be incorporated. To simplify the design, staff recommends removing the tower.</p> 	<p>Removing the tower, and bringing in the design features discussed for the other side of the Steinmart entry will simplify the design, save costs, and make the scale and propositions more traditional and enhance the pedestrian experience.</p>	<p>The modifications will be consistent with the Design Guidelines and simplify the architecture.</p>

Proposed Element	Staff Recommendation	Basis for Recommendation
<p>With the goal to simplify the design and to be more traditional, staff has four (4) comments on this elevation.</p> 	<p>1) Consideration should be given to utilizing a different parapet wall cap. To introduce some additional red tile, staff recommends a tile parapet cap design similar to this:</p>  <p>2) Staff again recommends removing the trellis unless used for vines, and utilize the same approach of landscaping as discussed above, or perhaps utilizing stucco insets and allow for landscaping similar to what is shown on the side of the building.</p> <p>3) A traditional cloth awning (perhaps in green to match the Sprouts color palette) and wrought iron components to help break up this space.</p>  <p>4) As noted for the Sports Authority entry the opening should be a true segmented arch with corner detail.</p>	<p>These recommendations will simplify the design, introduce additional landscaping and additional red tile, awnings, and have true proportions, bringing the project into consistency with the Design Guidelines.</p>

Proposed Element	Staff Recommendation	Basis for Recommendation
<p>As recommended with the other tower, there are a few minor modifications that will enhance the design and make the tower more traditional and consistent with the Design Guidelines.</p> 	<p>As recommended above the arch should be widened and increased in height with a stone cap application which will provide some additional detail.</p> <p>The tower foundations, as recommended above, need to be increased in mass so it does not appear to be just a flat façade.</p> <p>The arches should have a minimum of a 12 inch inset and do not need the tile component. A simple approach to the arches as shown here would be appropriate:</p>  <p>The roof should utilize a 5/12 roof pitch to have accurate proportionality for an accent tower. This will increase the height, but be more authentic in design, scale, and massing.</p>	<p>These details will make the tower more traditional and authentic, and bring it into conformance with the Design Guidelines for accent elements such as towers.</p>

General recommendations on the overall project:

- 1) All details shall be conditioned to be reviewed and approved by the City Planner, or his designee, prior to installation in the field.
- 2) All standard conditions of approval such as Stucco finish, no control joints, and roof tile boosting shall be included in the Resolution.
- 3) The tile roof's above the Steinmart and Sprouts shall have a minimum depth of 16 feet to provide an authentic appearance.
- 4) All lights need to be decorative and sized to be proportionate to the area which it is located. All light designs and sizes shall be reviewed and approved by the City Planner, or his designee, prior to installation in the field.

- 5) The arches within the two towers proposed are not functional, and staff recommends utilization of tile features in these arches. A tile design shall be approved by the City Planner, or his designee, prior to installation.

Conclusion

The applicant and staff have worked quickly in four weeks to develop the project to this point. Staff's position is with the design as shown, and the additional detail simplifications and modifications recommended, that it will simplify the project as well as make the development consistent with the Design Guidelines. Signage will need to be brought back for review once submitted.

Staff seeks DRSC comments and any additional recommendations.

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW SUBCOMMITTEE
SEPTEMBER 10, 2014**

Subcommittee Members Present: Bart Crandell, Julia Darden and Jim Ruehlin

Staff Present: Jim Pechous, Amber Gregg, Sean Nicholas, Aeryn Donnelly

1. MINUTES

Minutes from the August 27, 2014 meeting were approved.

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEM

A. Minor Cultural Heritage Permit 14-257, Flowers and Friends (Gregg)

A request to consider a 66 square foot addition and façade remodel to an existing 111 square foot flower kiosk. The project is located at 1844 N. El Camino Real and is in the Mixed Use land use designation, and the Pedestrian, Architectural, and Coastal Zone Overlays (MU3-P-A-CZ).

Associate Planner Amber Gregg presented the staff report and reviewed staffs recommendations. Subcommittee Chair Crandell thanked the applicant for his desire to invest in the building.

Subcommittee Member Darden stated that signage is a very important component to her and wanted to reiterate the signage requirements in the Architectural Overlay to ensure they comply.

Subcommittee Member Ruehlin noted that it is a very important site and it's wonderful that Mr. Keith Jones, the applicant, is remodeling it. Subcommittee Member Ruehlin verified the parking requirement and the landscape area.

Subcommittee Chair Crandell asked the designer, Jim Ettinger, and the applicant to reconsider tract lighting under the eave and the light fixtures for the illuminated sign. He requested they be more consistent with the building design and reflect the architectural style. He verified the posts were 6' x 6' and the at the tails were 4' x 4', with real rafter tails 24" on center. Mr. Ettinger concurred.

Subcommittee Chair Crandell suggested reducing the overhang of the rack to 12" as opposed to 24", this would create a more authentic look as well as reduce the cost of the roof for the applicant. He suggested using a "float vent" under the barrel tiles as opposed to the circular vents and then install

a one foot plaster pop-out to create the inspirational look the applicant had presented to the Subcommittee in the historic photo of a Spanish Colonial Revival building located in Dana Point. The applicant really liked Subcommittee Chair Crandell's ideas and noted that their goal was to create a project matching the inspirational photo presented but they are unsure about costs at this time. The applicant noted that they will go out to bid once they get approvals and if its financially feasible they will incorporate the recommendations. The Subcommittee understood and noted that any changes could be reviewed and approved by the City Planner.

The Subcommittee recommended the project move forward to the Zoning Administrator for review.

B. Architectural Permit 14-329, Estrella Shopping Center (Nicholas)

A request to review the preliminary architectural design for the remodel of the Estrella Shopping Center (K-Mart/Big Lots).

Associate Planner Sean Nicholas presented the staff report.

Subcommittee Member Ruehlin asked about the parking lot. The Architect, David Anderson, described the approach to meet ADA requirements and get the improvements started, and then come back to finish all of the site improvements.

Subcommittee Member Darden asked about the triggers for landscaping and bringing the landscaping up to code. Associate Planner Nicholas stated that when we the City is reviewing existing facilities and sites, the Code allows flexibility through the discretionary process. Mr. Nicholas added that preserving the number of parking spaces is a key component of this project and there is a balance of trying to get as much landscaping as possible through this process, enhance the pedestrian experience, and not impact parking. Many of Staff's recommendations today include adding more landscaping, especially to the building areas to help with massing.

Subcommittee Member Darden, stated that it is important to get landscaping, while not losing parking, but canopy trees will be very important and allowing them to grow and become canopy trees.

Subcommittee Chair Crandell asked about the location of cart corrals and the functionality of Sprouts in terms of carts. Associate Planner Nicholas said that needs to be addressed on the next site plan. If there is uncertainty, staff will add a condition of approval to address this issue to ensure there are no issues prior to building permits.

Subcommittee Member Darden stated she is also concerned about cart corrals and storage for Sprouts and would like to see that addressed.

Subcommittee Member Ruehlin asked about bike parking. The Architect, Mr. Anderson, stated that this is a part of the Green Code and stated they need to meet this requirement.

Subcommittee Member Ruehlin also asked about pedestrian access due to the expanse of the parking lot area. The architect described where the accessible path of travel is. Additionally, the architect and staff described their efforts to make a pedestrian access and it was not possible without substantially reducing parking.

Subcommittee Member Ruehlin stated it is important to make sure there is pedestrian access throughout the development. The architect stated they are continuing to work on that issue.

Subcommittee Member Darden brought up the bus stop and providing access to Sprouts. The architect indicated they will continue to review the issue.

Mr. Pechous asked about the Casino busses. Mr. Anderson stated he did not know the history.

Subcommittee Member Darden expressed appreciation of the architects willingness to work with DRSC and staff to make changes and ensure the project meets City requirements in order to get through the process. Subcommittee Member Darden indicated that the DRSC is striving to make the project best for the community and the applicant.

Subcommittee Member Darden asked about the status of signage. Associate Planner Nicholas stated that signage is not a part of the project as of yet and it does not need to for the project to move forward. If the applicant develops signage in the future that requires a Master Sign Programs, the designs will come back to DRSC. The architect indicated that they do not usually get involved in signage, that this is something that the ownership is more involved with and they simply coordinate with the sign contractors. Subcommittee Member Darden appreciated the comments, but stated that she finds when signage is considered as a part of the architecture the end result is a better marriage between the two. She added that the DRSC just wants to make sure the signage is complimentary to the building architecture and the expectations are that the quality of signage will be high.

Associate Planner Nicholas stated while there is no sign package, signage has been discussed quite a bit and staff has relayed to the applicant on

several occasions how essential high quality signage is. Staff has also expressed on several occasions the past history of freeway oriented signage in the community and potential concerns there, so the applicant is aware.

Associate Planner Nicholas then stated that staff has discussed the recommendations made by staff with the architect and that the architect has stated that they are supportive of all the proposed changes except for two items: 1) questions about the copper dome roof on the tower on the far left and whether another approach would be agreed upon; and 2) the applicant has decided to switch facades and put the Mission revival frontage in the middle and the two tile roof elements on the edges.

The Subcommittee agreed that they felt having the dome tower is special and iconic and is the superior design choice. While something else could be done, the Subcommittee was more supportive of the copper dome.

The architect indicated that he understood the comments and will provide feedback to the property owner.

Subcommittee Member Darden made it clear that they are not in favor of the lights on the dome tower similar to Ralphs, so she wanted to make it clear that no lights should be used. Mr. Anderson agreed and indicated there would be no lights on the dome.

Subcommittee Member Ruehlin suggested looking at the columns to ensure that they are more traditional in design and less modern. The architect clarified the comment and said he would look and address them. Subcommittee Member Darden added that her concern is to ensure that they do not look like plant on elements. Associate Planner Nicholas stated that is a major concern of staff as well along with concerns about appropriate building massing. The architect talked about a stepped wainscot to help with the design.

Subcommittee Member Ruehlin discussed the issue of five-sided architecture, and that he has concerns about the rear elevation facing the residents. The architect indicated that the use is staying the same, and that they are cleaning up the rear of the building. They are proposing to paint the rear to match the front, but they were not looking to make any changes to the rear. Additionally facing the sun, it will be hard for things to grow.

Subcommittee Member Darden indicated something minor at the top could be nice to just give some detail.

Subcommittee Member Ruehlin also asked about roof equipment screening. Mr. Nicholas indicated that roof screening is required.

Subcommittee Chair Crandell complimented the architect and Mr. Nicholas on their work to get this updated. He recommended potentially adding a hip roof to the Stein Mart building to have more red tile roof towards the front as it is the most identifiable component of the architecture. He also said to go through and look at each section individually and see if it is Spanish, some elements work well and some do not. Mr. Crandell also recommended taking features from this First phase and apply it to Phase Two to create a unified sense of design. Mr. Crandell suggested looking at the City Guidelines in terms of arch massing and proportion. Mr. Crandell also agreed with staff that the Mission style entry needs to have some kind of “framing” for the feature, whether it is columns or some other component. Lastly he recommended sending sketches to DRSC so there are no surprises for everyone once we get to Planning Commission.

Subcommittee Member Ruehlin asked that lighting onsite be dark skies compliant and have no light trespass.

The architect stated that he will do his best to get updates as they move forward so everyone is on the same page. He agreed that it would help the project.

The Subcommittee recommended the project move forward to the Planning Commission for review.

3. NEW BUSINESS

None

4. OLD BUSINESS

A. Base of Pier Restroom - Mural Options (Donnelly)

A request by staff to review the two tile niche image options for the Base of Pier Restroom project previously approved by the Planning Commission. The project is located at the south side of the base of the historic municipal pier within the Pier Bowl Specific Plan within the Beach and Parks – Open Space land use designation at 615 Avenida Victoria.

Park Planner Aeryn Donnelly summarized the staff report.

Subcommittee member Darden expressed support for a custom artistic solution to the tile murals, and opined that two options should be prepared if the murals will be screen-printed or recreated by an artist.