




STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: July 22, 2015

PLANNER: Adam Atamian, Associate Planner 

SUBJECT: Zoning Amendment 14-364/ Site Plan Permit 14-365/ Conditional Use Permit 14-366/ Cultural Heritage Permit 14-367, Santiago Mixed-Use, a request to consider forwarding a recommendation to the City Council to amend the Zoning Ordinance and Zoning Map to rezone 1010 South El Camino Real, more specifically Lots 3, 4, and 5 of Tract 822, from the Neighborhood Commercial (NC 2) zone to a new Mixed Use (MU 3.2) zone utilizing new development standards for a mixed use development consisting of 7 residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real.

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.

Zoning Amendment (ZA), Section 17.16.040, to add a new Mixed-Use zone, MU 3.2, and associated development standards to the Zoning Ordinance and amend the Zoning Map for Lots 3, 4, and 5 of Tract 822.

- a. The proposed amendment is consistent with the General Plan.
- b. The proposed amendment will not adversely affect the public health, safety and welfare.

Site Plan Permit (SPP), Section 17.16.050, to allow a new mixed-use building.

- 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.

Conditional Use Permit (CUP), Section 17.16.060, to allow residential units in a Mixed-Use zoning district, and to allow an elevator shaft to exceed the height limit of the building, up to six feet.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a CUP 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.

Cultural Heritage Permit (CHP), Section 17.16.100, to allow a new multi-family residential building in the Architectural Overlay and located within 300 feet of a historic property.

- 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.
- f. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village.
- g. The proposed project will not have negative visual or physical impacts upon any historic structures located within 300 feet of the subject site.
- h. The proposed project complies with the purpose and intent of the Architectural Overlay District.

BACKGROUND

This project was presented at the Planning Commission meeting of May 6, 2015. The project was continued to the June 17 Planning Commission meeting because the Commission requested additional information from staff and the applicant. This information included a view impact analysis with visual simulations from the I-5 freeway, research regarding a potential shared parking agreement, the minimum/maximum floor area ratio (FAR) for the commercial portion of the project, and the possibility to underground nearby power lines and moving the adjacent bus stop on South El Camino Real. These issues were not discussed at the meeting because the applicant requested that the project be continued in light of some items discussed during the Planning Commission's review of the City-initiated Zoning Ordinance update earlier that evening.

Staff is recommending that this application be tabled until the City-initiated Zoning Ordinance update is complete and the MU 3.2 development standards are in effect. However, to provide the information previously requested by the Commission, this staff report specifically addresses the issues raised at the May 6, 2015 Planning Commission meeting. For a more comprehensive review of other aspects of the project not covered in this staff report, please refer to Attachments 7 and 8 for the staff report and minutes of the Planning Commission meeting of May 6.

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project for compliance with applicable development regulations. The DMT determined that the project meets the minimum development standards, pending approval of the proposed Zoning Amendment and the project's compliance with adopted standards.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations. Public notices for this request were posted at the subject property (1010 South El Camino Real), printed in the San Clemente Sun Post, and mailed to the owners of properties located within 300 feet of the project site. Public notices were also mailed to the owners of properties within 300 feet of the areas proposed to be rezoned to the new mixed use designation. Though this application is specifically to rezone the subject property, staff provided notice to these additional property owners to make them aware of the zoning changes and development standards that may be applied to the rest of the General Plan's Mixed-Use 3.2 land use designation area.

Public Comment

At the April 22, 2015, May 6, 2015, and June 17, 2015 Planning Commission meetings, multiple members of the public spoke about this project. Since that date, additional public comments have been received verbally and in writing. Letters addressed to the Planning Commission have been forwarded to the Planning Commission and are also available for public review at the Planning Commission meeting.

Story Pole Staking

The applicant was required to erect story poles per Zoning Ordinance Section 17.24.110.E, Visual Analysis Tools, because the application proposes a new structure that is three or more stories within a Mixed Use zone and an Architectural Overlay. The story pole staking was erected on April 21, 2015 and is in compliance with the requirements specified in Zoning Ordinance Section 17.12.060.A, Story Pole Staking.

PROJECT DESCRIPTION

The applicant is proposing the following: 1) amend the Zoning Ordinance and Zoning Map to reflect the Centennial General Plan’s Mixed-Use (MU 3.2) land use designation for a certain portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real located between Avenida Presidio and the I-5 freeway; 2) establish development standards for the MU 3.2 zone; and 3) construct a new mixed-use development with a Spanish Colonial Revival design.

The mixed-use project consists of one 17,050 square foot building with 2,035 square feet of deck areas. The building includes a 4,416 square foot, two-story commercial portion at the street frontage facing South El Camino Real, and seven dwelling units which total 12,634 square feet on three levels at the rear, or alley, side of the property. The building provides two levels of parking areas. The proposed commercial parking, 12 spaces total, is located in the upper parking level garage with access taken from Avenida Santiago. Some of the residential parking, two spaces, is located in the upper level garage with the commercial parking, while the other 16 required spaces are located in a predominantly subterranean parking garage that takes access off the alley.

Proposed Development Standards

Table 1 outlines the proposed development standards for the new MU 3.2 zone, how the project complies with these standards, and how these development standards are consistent with the standards currently listed in the Centennial General Plan, and City Council direction to amend the General Plan.

Table 1 - Development Standards for the new MU 3.2 zone

Standard	Applicant’s Proposed Development Standards	Project Details	Current General Plan
Density (Max.):	1 dwelling unit per 1,800 square feet of lot area.	7 dwelling units (1 dwelling unit per 1,847 square feet)	24 dwelling units per acre (= 1 per 1,800 square feet), Project complies.
Building Height (Max.):	Not to Exceed 30’ PL* and 35’ TOR**. and 2 stories facing El Camino Real, and 37’ PL/ 42’ TOR average.	34’-6” off S. El Camino Real, 38’-11” maximum average TOR.	With Residential: 3 stories; TOR: 45 ft.; PL: 37 ft. (Project complies) For more information on the City’s current Zoning Amendment related to Building Height in this area, please refer to Attachment 10.

Standard	Applicant's Proposed Development Standards	Project Details	Current General Plan
Elevator Tower Height (Max.):	6' over Building Height Limit	4' over Building Height Limit (39' total).	Not discussed, but existing Zoning Ordinance allows 6' extension over height limit in all zones.
Setbacks (Min.): • Front • Street Side Yard (facing Ave. Santiago) • Interior Side Yard • Rear Yard	0' 0' 0' 0'	6" 3'-10" 3'-0" 1'-0"	Not specified, but Project consistent with existing MU 3 zone.
Maximum Floor Area Ratio (FAR) w/ Residential	1.5	1.3	1.5, Project complies
Min./Max. FAR for Commercial Portion of MU Project	.30/.75	.34	Not specified, but less than the .35 minimum required in the existing MU 3 zone.
Lot Coverage	100%	86%	Not specified, but Project consistent with existing MU 3 zone.
Urban Open Area Amount of Open Urban Area to be Landscaped Number of 15-gallon trees, or equivalent, required	30% of lot area 25% 10	40% 25% 13 (with 4 additional in City Right-of-Way)	Not specified, but Project consistent with existing MU 3 zone.
Parking – Please refer to Table 2 for Parking related standards and project details.			

* Plate Line Height

** Top of Roof Height

The project is consistent with the applicant's proposed development standards for the new MU 3.2 land use designation in the General Plan, which consist of density, building height, and Floor Area Ratio (FAR). Staff has received City Council direction to amend the General Plan to reduce the maximum heights within this land use designation to effectively limit buildings to be no taller than a typical two-story building when viewed from South El Camino Real and a maximum of three stories when viewed from the alley. The applicant's proposal, and the proposed height standard, is consistent with this direction for the portion of the building facing South El Camino Real. However, the building has more than three stories visible from the alley, which is inconsistent with the City Council's direction. For most of the other development standards not listed in the General Plan, such as setbacks, lot coverage, and landscaping requirements, and what the applicant proposes, is to apply the standards that currently regulate the existing MU 3 zone.

PROJECT ANALYSIS

Minimum and Maximum FAR for Commercial Portion of a Mixed-Use Project

The minimum and maximum commercial FAR requirements ensure that mixed-use projects are adequately proportioned and not overwhelmingly residential. The applicant proposes a minimum FAR for commercial uses of .3, and a maximum of .75. The existing MU3 zone requires a minimum FAR of .35 for commercial, and the same maximum. As the General Plan specifies that the South El Camino Real Focus Area is primarily anchored by neighborhood-serving retail uses (page LU-35), staff is concerned that the minimum commercial FAR for the MU 3 zone may not be appropriate in the new MU 3.2. Further, the General Plan Land Use Designations Summary Table (Table LU-1) specifies that the residential density for this zone is lower than the density for MU 3 or the new MU 3.1, while the development standards listed are relatively the same. This indicates that the intention is for the MU 3.2 zone to have a higher proportion of commercial than the existing MU 3.

Parking

The project provides 30 parking spaces on site. 16 spaces are located in the subterranean garage, with the other 14 located one level above. In order to meet minimum parking requirements the applicant proposes to apply the reduced commercial parking requirement provided in the existing MU 3 zone to the new MU 3.2 zone. Typically, general office and retail uses both require one parking space per 300 square feet of building area. The Zoning Ordinance provides a reduction in these standards for the MU 3 zone so that retail requires one parking space per 400 square feet, and general office requires one space per 350 square feet. Currently, the only areas that benefit from this reduced parking rate are the Downtown/ Del Mar T-Zone, and the North Beach Study Area.

Staff does not support the use of the reduced parking ratio in the MU 3.2 zone for two reasons. First, the other mixed-use zones with reduced parking rates are retail concentration areas, in that they represent a core of visitor-serving business activity, away from which commercial density decreases. The new MU 3.2 zone is not a core because it is only on one half of the street. The new MU 3.2 zone acts more as a buffer between

existing commercial and residential zones than as an epicenter of a pedestrian/ downtown core. These pedestrian districts assume that people will park once to visit multiple businesses. The new MU 3.2 zone does not establish a pedestrian district, and it is very unlikely that parking among differing uses will overlap.

Staff is supportive of the use of an on-site, shared parking agreement between the commercial uses to meet minimum parking requirements. Shared parking allows parking facilities to be shared by multiple uses whose activities are not normally conducted during the same hours, or when hours of peak use vary. In the case of mixed-use projects, any parking for the residential component of the project that exceeds the minimum of two per dwelling unit may be considered for shared parking. The proposed project has an excess of four parking spaces more than this minimum. However, staff is only supportive of the sharing of the three guest parking spaces, as these are provided on the same level as the commercial parking.

Table 2 shows two examples of how shared parking could be applied to this project. This would allow all uses on-site to require no more than 30 parking spaces while providing opportunity for a variety of commercial uses. This would be accomplished by limiting the types of commercial businesses that could occupy the building to ensure that those spaces are available during times when guest parking is typically used the most on weekends and after 5 pm on weekdays.

Table 2 – Shared Parking Examples

Use	Required Parking			
	Mon-Fri Day	Mon-Fri Night	Sat-Sun Day	Sat-Sun Night
EXAMPLE 1:				
Retail (2695 SF)	9	0	9	0
Office (1,721 SF)	6	0	0	0
Residential Min. (7 units)	15	15	15	15
Guest Parking	0	3	3	3
Total	30	18	27	18
EXAMPLE 2:				
Restaurant (48 seat max)	9*	12	12	12
Office (1,721 SF)	6	0	0	0
Residential Min. (7 units)	15	15	15	15
Guest Parking	0	3	3	3
Total	30	30	30	30

*Seating limited to 36 seats Mon-Fri during daytime hours.

View Impact Analysis

General Plan Land Use Element policy LU-13.05 requires that, “New development shall be designed to minimize obstructions of ocean views from the I-5 freeway.” The intent of this policy is to reduce the occurrence of projects that significantly block or detract from ocean views visible from the freeway to maintain the City’s reputation as a beach community.

While the view from the freeway is not a designated public view corridor, the General Plan’s definition of “Public View Corridor” establishes a basis to evaluate this ocean view. This definition states that, “Approximate boundaries of a view corridor are identified using a motorist’s, cyclist’s or pedestrian’s line of vision and are typically defined or enframed by landforms, structures and vegetation.” In this way, the context of a view is understood as the accumulation of multiple features within a given line of sight. In the case of an ocean view from the I-5 freeway, the “view” can be reasonably identified to consist of the skyline, the ocean, the landforms, landscaping, and the built environment that is within the viewshed. These features help to inform the viewer about the significance, location, depth, and relationship between the ocean and the viewer’s location. This evaluation considers the “impacts to ocean views” as more than simply the amount of ocean obstructed by any particular structure, but instead as the cumulative degradation of a view’s experience looking toward the ocean.

In evaluating a potential project’s impacts to public view corridors, the City has typically required a Public View Corridor Impact Analysis. For staff’s View Impact Analysis, a similar approach has been adopted. This document generally follows a prescribed process that includes: 1) a review of applicable General Plan goals, objectives and policies; 2) a determination of potential areas of impact; 3) a selection of vantage points within the identified areas of impact; 4) the selection of visual analysis tools; 5) identification of character defining features present in the existing view corridor; 6) an assessment of the project-related visual impacts; and 7) an evaluation of the project’s consistency with the General Plan goals, objectives, and policies identified in step 1.

For staff’s View Impact Analysis, the applicable General Plan goal has been identified as Land Use Element policy LU-13.05, discussed above. The potential areas of impact have been identified by staff and the Planning Commission at the meeting on May 6, 2015 as the experience of the viewer traveling southbound on the I-5 freeway looking at the ocean in the direction of the proposed project. Staff has provided the applicant and their consultant with specific direction regarding the selection of vantage points to incorporate in the visual simulations requested by the Planning Commission.

The applicant has provided a View Impact Analysis prepared by a consultant, included as Attachment 2, which contains the visual simulations of the project as seen from two perspectives from the south bound travel lanes of the freeway. The first is from a 45 degree angle from the north, representing what travelers would see when they are north of the project site heading south. The second is from a point that is perpendicular to the project site, representing what travelers would see looking west as they pass the project. These pictures, along with photographs of the current site characteristics, are provided below. These simulations are the basis for staff’s View Impact Analysis, discussed below.

45 Degree Perspective



90 Degree Perspective



As noted above, the context of what constitutes an ocean view can be described as the landforms, structures and vegetation visible when looking at the ocean from the freeway. More specifically, character defining features are those distinctive, tangible elements and visible physical features indispensable to maintaining the character of the ocean view. The character defining features that contribute to the ocean view are composed of: 1) Natural Features, such as the ocean, horizon, and sky; 2) Landscaping; 3) Architecture; 4) Streetscape; and 5) View Exposure. Definitions of these terms are included as attachment 3.

To quantify the project's impacts to the ocean view, a view assessment matrix was developed to determine the importance of each character defining feature from the selected vantage points. This view assessment matrix is provided as Attachment 4. Using the above photographs of the existing conditions and the visual simulations of the proposed project, staff evaluated how the proposed project would affect each feature. Evaluations placed high, medium or low ratings on each of the five components described above, based on the specified criteria and the examples described in the matrix. Staff's evaluation of the overall impact to ocean views is provided below in Table 3.

Table 3 – View Impact Matrix

Component	Existing Ranking	Post-Development Ranking	Potential Impact
Natural Features	Medium	Low	Yes
Landscaping	Medium	Low	Yes
Architecture	Medium	Medium	No
Streetscape	Medium	Medium	No
View Exposure	High	Medium	Yes

Based on the rankings above, staff identified three potential character-defining feature impacts from the proposed project. These impacts are to the Natural Features, Landscaping, and View Exposure of the ocean views from the freeway.

Natural Feature Impact

The prominent natural features present in the selected vantage points are the ocean, the horizon, the downward sloping terrain, and the sky. The main impacts to the Natural Features from both vantage points is due to the partial to complete obscuring of the portion of the ocean and the sloping terrain directly behind the proposed building. The most prominent obstruction is the elevator tower, centrally located in the building. As the visual simulations demonstrate, the project directly encroaches upon a portion of an uninterrupted public view of the ocean from certain locations on the freeway. The 45 degree simulation shows how the project, from some perspectives, will virtually block the entire portion of the ocean behind the building. As the traveler heads further south, the freeway elevation will lift the viewer so that less ocean is blocked, as shown in the 90 degree simulation.

In addition to blocking direct views of the ocean, the project also blocks views of the natural slope that descends from the freeway to the ocean. This slope typically provides viewers

with an understanding of the elevation of the ocean in relation to their position. What results is a view from the freeway that only informs the viewer about the presence of an ocean, not their physical relationship to it. However, much of this impact would occur with any two story development on this lot. Reducing view impacts to some of the natural features that help to develop the context of the ocean view should be balanced with the goals of the General Plan related to this area to encourage revitalization.

Landscaping Impact

The neighborhood landscaping is a prominent feature of the existing ocean view. The tree cover softens the urban edge, and helps frame the ocean view. It establishes a relationship between the vantage point of the freeway and the ocean that informs the viewer of their distance from the ocean. For the portion of this feature behind the building, this relationship is lost, and the building becomes the interaction between the ocean and the urban edge.

View Exposure Impact

In this area of the City, the existing view exposure of the ocean from the freeway is of a medium duration. The duration of time a typical freeway traveler would take to pass by the particular area affected by this project is approximately five seconds. However, there is high public exposure due to the freeway traffic volumes. The View Exposure impact is due primarily to the project's encroachments into the ocean view identified above, which are expected to somewhat reduce the duration of time people are exposed to the ocean view as they travel through it. Though there is a potential for cumulative impacts to reach a significant level of impact, the current views that would still exist if the project were constructed as proposed would maintain a significant view of the ocean from the freeway.

View Impact Analysis Summary

The proposed project is anticipated to have a moderate negative impact to the ocean view of travelers on the I-5 freeway. Consisting of the ocean, the horizon, the sloping hill, the view exposure, and the area's landscaping, architecture, and streetscape, the ocean view is an important feature that helps to support the City's reputation as a beach community. The intent of General Plan Land Use Element policy LU-13.05 is to maintain this beach connection as much as possible while balancing the goals of the South El Camino Real mixed-use corridor. Due to the location of the subject site, the proposed project will have impacts to ocean views from the I-5 freeway that moderately diminish the viewer's connection to the ocean. In both the 45 and 90 degree simulations, the rear, upper bulk of the building plays a primary role in the ocean view obstruction. While complete minimization of view impacts is not necessarily required, reductions to this area of the building, or other modifications that help maintain the viewer's connection with the ocean, would greatly increase this project's consistency with this aspect of the General Plan.

Underground Utilities and Moving the Bus Stop

At the Planning Commission meeting of May 6, 2015, the Planning Commission asked about the feasibility of having the applicant underground the utility lines running along the alley

behind the project, and about moving the bus stop in front of the project to provide more street parking on the subject block.

Staff consulted the Public Works Department regarding these two questions. As far as the undergrounding of the utility lines in the alley, staff also contacted SDG&E for their input. SDG&E staff noted that in addition to electricity, these lines also carry telephone, fiber optic and cable lines. They stated that undergrounding these types of facilities would be a difficult process and a severe economic hardship to the applicant. This is due to what SDG&E terms a "back lot line feed" of 35 homes on the block directly west of the project site. A "back lot line feed" is a situation where power is supplied by a power line running along the rear property lines of the homes on a block. In this particular location, this power line branches off a utility pole in the middle of the alley. SDG&E provided a map that shows the properties that would be affected by the undergrounding of the alley utility poles, included as Attachment 16. SDG&E staff said that it is not possible to underground the alley utility poles without undergrounding the power to all of these residences as well. Undergrounding the utility poles on this stretch of the alley would require the approval of all affected property owners as all of their electrical panels would need to be moved from the back of their homes to the front. This would likely cost many hundreds of thousands, if not millions, of dollars.

Regarding the moving of a bus stop to increase street parking in front of the proposed project site, Traffic Management staff were not supportive of this idea as it would only remove existing parking elsewhere within walking distance. Additionally, mixed-use projects are an ideal location for public transit stops due to the variety of users on-site. Staff is supportive of leaving the bus stop in its current location as an amenity to the project.

CONCLUSION

Since the Planning Commission meeting of May 6, 2015, staff and the Planning Commission have reviewed the potential development standards for the new MU 3.2 land use designation as part of the City-initiated Zoning Ordinance update. However, the City's Zoning Ordinance update project is currently tabled to provide time for the new Planning Commission to become more familiar with the issues related to this area. Due to this situation, staff's position regarding the applicant's proposal is in a similar predicament, and staff is not able to provide a full evaluation of the applicant's proposed development standards at this time. A full draft of the applicant's proposed zoning amendment is included as Attachment 1 for review. Staff recommends tabling this application until the City-initiated Zoning Ordinance update is complete and the MU 3.2 development standards are in effect and staff may evaluate the project utilizing the applicable zoning regulations. However, if the Planning Commission would like to provide feedback on the project, staff invites the Planning Commission's specific input on the following items:

1. The appropriateness of the applicant's proposed development standards for the MU 3.2 zone.
2. The appropriateness of the use of a shared parking agreement to meet the City's general parking standards.
3. The consistency of the project with General Plan Land Use Element policy LU-13.05 regarding impacts to ocean views.

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA)

No formal environmental review is required at this time because staff is recommending the application be tabled.

However, if the application should move forward with a recommendation for approval, the Planning Division will resume conducting an environmental assessment per the California Environmental Quality Act. The specific type of environmental review (categorical exemption, Negative Declaration, Mitigated Negative Declaration, etc.) will depend on the outcome of the Planning Commission hearing. The environmental review will be based, in part, on the Planning Commission's review of the project's impacts to aesthetic resources and any potential project modifications required. Pursuant to CEQA notification and determination guidelines, the assessment and any necessary environmental documents will be completed and made available to the public prior to the final approval of any project.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and table the application until the City-initiated Zoning Ordinance update is complete.

This is the recommended action, and would result in the applicant being provided feedback on the items listed above, and the item being tabled until the City-initiated Zoning Ordinance update is complete and the MU 3.2 development standards are in effect. This will allow the Planning Commission to review the application once the development standards are finalized, and will allow the applicant to proceed without the need for an accompanying zoning amendment.

2. The Planning Commission can forward a recommendation for approval of the proposed Zoning Amendment and mixed-use project to the City Council.

This action would result in the application being forwarded to the City Council for approval to develop the project as proposed.

3. 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, such as modifications to the proposed development standards, or proposed building or site. This action would result in the application being forwarded to the City Council for approval to develop the project with modifications.

4. The Planning Commission can recommend denial without prejudice of the proposed project.

This action would result in the application being forwarded to the City Council with a recommendation of denial for the project as proposed. The denial without prejudice

would allow the applicant the opportunity to return with a modified project without waiting the required one year for a denied application.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission table this application until the City-initiated Zoning Ordinance update is complete.

Attachments:

1. Proposed Zoning Ordinance and Zoning Map Amendment
 2. View Impact Analysis, provided by applicant
 3. View Component Definitions
 4. View Assessment Matrix
 5. Location Map
 6. Site Photos
 7. Planning Commission Staff Report, dated May 6, 2015
 8. Planning Commission Meeting Minutes, dated May 6, 2015
 9. Planning Commission Staff Report, dated April 22, 2015
 10. Planning Commission Meeting Minutes, dated April 22, 2015
 11. Design Review Subcommittee Staff Report, dated November 26, 2014
 12. Design Review Subcommittee Meeting Minutes of November 26, 2014
 13. Design Review Subcommittee Staff Report, dated January 14, 2015
 14. Design Review Subcommittee Meeting Minutes of January 14, 2015
 15. General Plan Land Use Element South El Camino Real Focus Area Sections
 16. SDG&E Utility Map
- Plans

ATTACHMENT 1

Section 1: Table 17.40.030 of the City of San Clemente Municipal Code shall be amended to read as follows (additions are shown in red lettering):

Table 17.40.030

Mixed-Use Zone Uses

Use	MU 3, MU 3.2	MU 3-CB	MU 5.1
1. Commercial Uses			
Antiques	P	P	P
Art Galleries	P	P	P
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P

Table continues with no further modifications.

Section 2: Table 17.40.040 of the City of San Clemente Municipal Code shall be amended to read as follows:

Table 17.40.040

Mixed-Use Zone Development Standards

Standards	MU 3	MU 3.2	MU 5.1
Lot Area, Minimum	6,000 s.f.	6,000 s.f.	6,000 s.f.
Lot Frontage, Minimum	Refer to Section 17.24.140 , Lot Frontage Requirements, Minimum, of this title.		
Lot Width, Minimum	60 ft.	60 ft.	60 ft.
Density, Maximum Residential	1 Dwelling Unit/1,800 s.f. of Lot Area	1 Dwelling Unit/1,800 s.f. of Lot Area	1 Dwelling Unit/1,200 s.f. of Lot Area
Unit Size, Minimum ^[1]	600 s.f.		
Front Yard Setback, Minimum	0 ft.	0 ft.	10 ft. ^[2]
	Please refer to Section 17.64.060(C) , Landscaping, for landscaping setbacks for parking areas.		
Interior-Side Yard Setback, Minimum	0 ft.	0 ft.	5 ft. ^[3]
	Please refer to Section 17.24.170 , Residentially Zoned Property, Development Adjacent to, for setbacks from residentially zoned property.		

Standards	MU 3	<u>MU 3.2</u>	MU 5.1
Street-Side Yard Setback, Minimum	0 ft.	<u>0 ft.</u>	8 ft. [4]
	Please refer to Section 17.64.060(C), Landscaping, for landscaping setbacks for parking areas.		
Rear Yard Setback, Minimum	0 ft.	<u>0 ft.</u>	5 ft. [5]
	Please refer to Section 17.24.170, Residentially Zoned Property, Development Adjacent to, for setbacks from residentially zoned property.		
Lot Coverage, Maximum	100%	<u>100%</u>	55%
Floor Area Ratio, Commercial Projects: [6]			
Maximum FAR	.75	<u>.75</u>	
Maximum FAR with Public Benefit	1.0	<u>1.0</u>	.35
Floor Area Ratio, Mixed-Use Projects: [7]			
Project FAR			
Maximum Project FAR:	1.5 ^B	<u>1.5</u>	
Maximum FAR with Public Benefit	2.0 ^B	<u>2.0</u>	
Commercial FAR*			
Minimum/Maximum FAR*	.35 [8]/.75	<u>.30/.75</u>	
Maximum FAR with Public Benefit	1.0	<u>1.0</u>	

Standards	MU 3	<u>MU 3.2</u>	MU 5.1
Building Height, Maximum			
For Commercial Projects	TOR: 33 ft.; PL: 26 ft.; and 2 stories		TOR: 33 ft.; PL: 26 ft.; and 2 stories
For Mixed-Use Projects			

Standards	MU 3	<u>MU 3.2</u>	MU 5.1
Lots greater than 12,000 square feet	TOR: 45 ft.; PL: 37 ft.; and 3 stories	General: TOR: 42 ft.; PL: 37 ft. Not to exceed from elevation at midpoint of lot facing South El Camino Real: TOR: 35 ft.; PL: 30 ft.; and 2 stories.	
Lots 12,000 square feet or smaller	TOR: 33 ft.; PL: 26 ft.; and 2 stories. An exception for 3 stories, 45 ft. to TOR, and 37 ft. to PL may be granted through the CUP process. Please refer to Section 17.40.050(C)(1)(c) , Exceptions to the Development Standards for Lots of 12,000 Square Feet or Smaller, MU3 Zone.		
For Residential Projects			TOR: 33 ft.; PL: 26 ft.; and 2 stories
Parking	For parking requirements, please refer to Chapter 17.64 , Parking and Access Standards, of this title, as well as the City's General Plan (Land Use and Urban Design Elements) and Urban Design Guidelines. In the MU3 Zone, parking is to be located behind buildings (or to the side of buildings when parking behind buildings is impossible).		
	The calculation for parking for the Downtown Parking Study Area shall be made as follows:		
	1. The number of off-street parking spaces which shall be provided for an alteration of use or addition of square footage shall be the net increase ¹ in parking spaces required for the project as a result of the alteration or addition of square footage. ²		
	2. Waivers of the parking requirements may be approved by the City, in accordance with Section 17.64.125(A) (Waivers) within the Downtown Parking Study Area, of this title.		
Landscaping	Refer to Chapter 17.68 , Landscaping Standards, of this title, for landscaping requirements.		

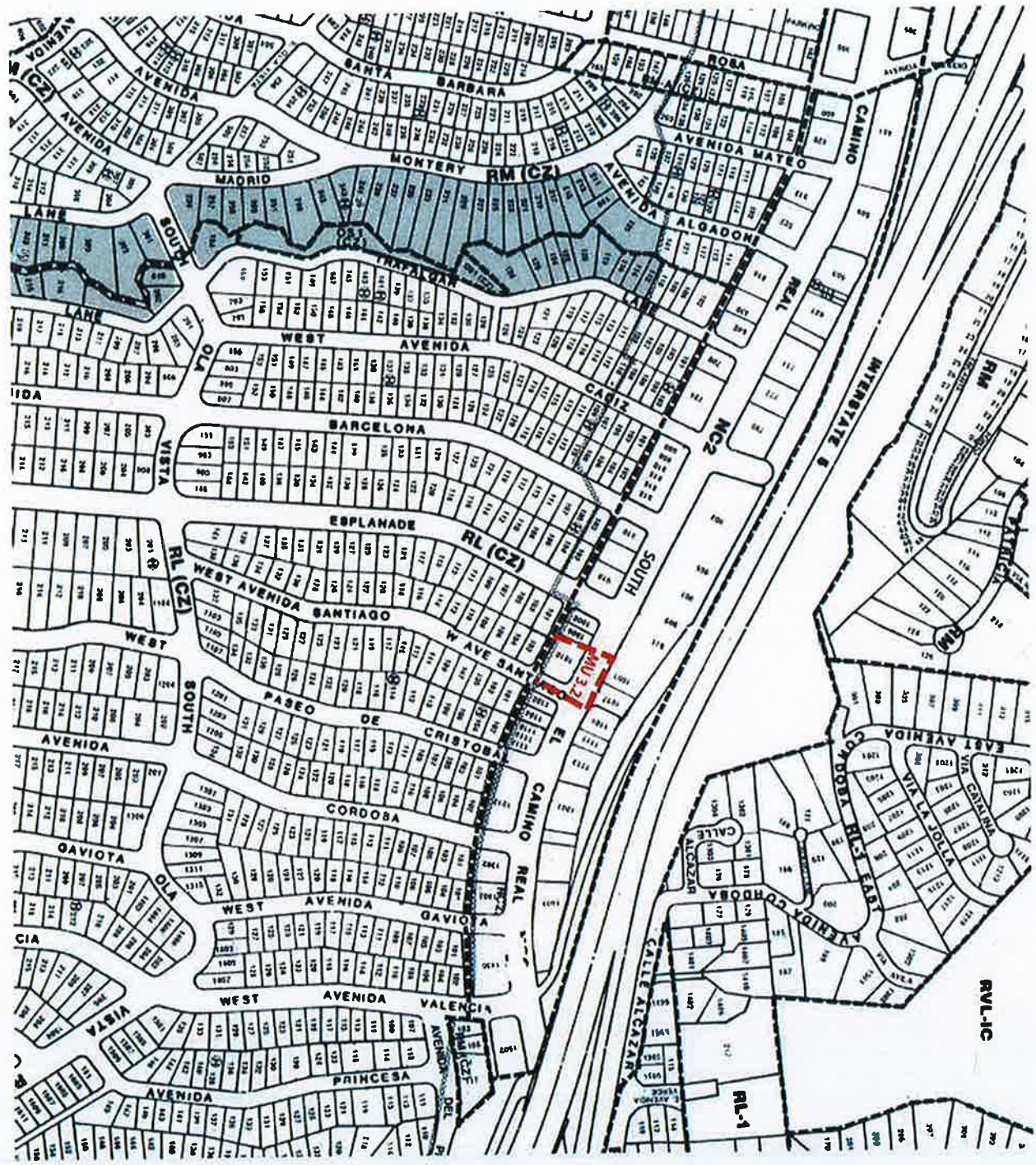
Standards	MU 3	MU 3.2	MU 5.1
Other	Refer to Section 17.40.050(A) , Residential/Nonresidential Use Restrictions for MU 5.1, for restrictions on the location of different types of development.		

Section 3: Table 17.64.050 of the City of San Clemente Municipal Code shall be amended as follows (additions are shown in red lettering):

Table 17.64.050 - Number of Parking Spaces Required

Use	Number of Parking Spaces Required
1. Commercial Uses	
Convenience Stores or Mini-Markets	Please refer to Section 17.28.120, Convenience Stores.
General Retail Stores	In MU 3 and MU 3.2 : One per 400 square feet. Elsewhere: one per 300 square feet
5. Professional Offices, Financial Institutions and Related Uses	
Banking Institutions	One per 300 sq. ft.
Offices, General and Professional	In MU 3 and MU 3.2 : One per 350 sq. ft. Elsewhere: One per 300 sq. ft.
8. Restaurants	
Bars, Cocktail Lounges	One per four seats, based on seating capacity or occupancy signs posted by the Orange County Fire Department.
Restaurants	In the MU3 and MU 3.2 zoning districts: One per five indoor seats. Elsewhere: One per four indoor seats. Required parking based on seating capacity or occupancy signs posted by the Orange County Fire Department, except in the following cases:
	1. Single destination restaurants over 3,000 square feet: One per 120 square feet of interior space.
	2. Drive-thru/take-out/fast food restaurants: One per 35 square feet of public seating area, plus one per 200 square feet of all other gross floor area, with one lane for each drive-up window with stacking spaces for six vehicles.

Section 4: Page 8 of the City of San Clemente Precise Zoning Map shall be amended to illustrate as follows:





MEMORANDUM

To: Nick Buchanan
From: Kristen Bogue, RBF Consulting, a Michael Baker International Company
Date: May 29, 2015
Subject: Santiago Mixed Use Project – Photosimulation Analysis

PURPOSE

The purpose of this technical memorandum is to provide a visual analysis of potential impacts to scenic views of the Pacific Ocean from Interstate 5 (I-5) as a result of the proposed Santiago Mixed Use Project, located in San Clemente, California. The project site is specifically located at the northwest corner of the intersection of South El Camino Real Avenue and West Avenida Santiago.

BACKGROUND AND HISTORY

The City of San Clemente adopted the City of San Clemente Centennial General Plan (Centennial General Plan) on February 14, 2014. The Centennial General Plan is a comprehensive update of the City's vision for development that included a five year process with significant public input and visioning to guide growth and development through 2028. To encourage vital economic growth and revitalization in the commercial district along South El Camino Real (including the project site), the City changed the land use designation of this area from Neighborhood Commercial with a height limit of 33 feet to Mixed-Use (MU 3.2), and increased the permitted density and building height. The allowed building height for MU 3.2 under the Centennial General Plan is three stories, and a maximum of 45 feet to top-of-roof (TOR).

In February 2015 the City Council initiated an amendment to the General Plan that proposes reducing the height limit on S. El Camino Real from the existing three stories and 45-foot height limit above existing grade to a 35-foot above the S. El Camino Real street frontage, and 42 feet TOR as the lot slopes following existing grade.

City of San Clemente General Plan EIR

The Centennial General Plan Environmental Impact Report (EIR), adopted on February 4, 2014, was prepared in conjunction with the Centennial General Plan to determine environmental impacts to the City and its surroundings, including aesthetics. Based on the Centennial General Plan EIR, the following impacts related to aesthetics were determined to be less than significant through implementation of proposed General Plan, its policies, and adherence with existing laws, codes, and statutes with building heights of 45 feet to TOR in the MU 3.2 zone:

- a. Buildout in accordance with the Centennial General Plan would not substantially alter scenic vistas in San Clemente;

- b. Buildout in accordance with the Centennial General Plan would not substantially alter scenic resources within a state scenic highway;
- c. Buildout in accordance with the proposed Land Use Plan would alter the visual appearance of San Clemente, but would not substantially degrade its existing visual character or quality; and
- d. Future development in accordance with the General Plan would not result in a new substantial source of light or glare that would affect views.

As shown above, the Centennial General Plan EIR determined that buildout of the Centennial General Plan [including the approved MU 3.2 zone (and project site), and associated height limits]) would not substantially alter scenic vistas in San Clemente, and/or degrade its existing visual character or quality.

PHOTOSIMULATIONS

In an effort to clarify the project's potential for view blockage of the Pacific Ocean, from Interstate 5 (I-5), the City has requested the Applicant to prepare two photosimulations. Key View locations were selected in consultation with the City of San Clemente on May 19, 2015. A Key View is an area (in this case, the project site) that can be seen from a particular public location, and represents viewer groups with the highest potential to be affected by the project considering exposure and sensitivity. Two Key View locations along southbound Interstate I-5 were chosen to illustrate scenic views looking west toward the Pacific Ocean; refer to Exhibit 1, Key View Locations Map.

Methodology

RBF Consulting, a Michael Baker International Company (RBF Baker), took photographs from the two selected Key View locations on May 20, 2015. Primary photographs were taken using a Canon 5D Mark II Panoramic camera with a 50 millimeter lens, as it yields an accurate representation of human visual perception. Back-up photographs were taken using a Nikon D1X digital camera with a fixed 50 millimeter lens, which captures a similar field of view.

RBF Baker then created a three-dimensional wire frame model using Applicant-provided Computer Aided Design and Drafting (CADD), and Revit (RVT) files. Imaging software was used to align the computer model to the site photographs. The computer model was then superimposed over photographs from each of the Key Views, and minor camera alignment changes were made to all known reference points within view. Foreground masking of objects was performed with Adobe Photoshop to enhance realism.

Findings

Key View 1

Key View 1, located along southbound I-5 to the north of the project site, is shown in Exhibit 2, Key View 1. As shown in Exhibit 2, existing views of the Pacific Ocean and surrounding ornamental vegetation would not be substantially blocked with implementation of the proposed project. Most areas of the Pacific Ocean blocked by the new building are already substantially screened by existing trees and vegetation. Expansive views of the Pacific Ocean from the north of the proposed building remain.

Key View 2

Key View 2, located along southbound I-5 to the east of the project site, is shown in Exhibit 3, Key View 2. As illustrated in Exhibit 3, the majority of existing views of the Pacific Ocean would not be obstructed by the

new building. The new building would not rise above the visible horizon and the majority of existing expansive views to the Pacific Ocean remain.

Allowable Height Restrictions

The approved Centennial General Plan allows a maximum height in the MU 3.2 zone of 45 feet TOR. The proposed allowable height limits in MU 3.2, per a Draft Amendment to the General Plan, would be 35 feet above the South El Camino Real street frontage, and 42 feet TOR as the lot slopes toward the alley to the west. As shown in Exhibit 4, 45-Foot Elevation Depictions, the project would be well below the currently allowed Centennial General Plan 45-foot limit. Further, the project would be 34 feet, 6 inches in height along South El Camino Real, and would have an average maximum TOR of 38 feet. As such, the project would also be in compliance with the proposed height restrictions in the MU 3.2 zone.

It should be noted that, if the proposed General Plan Amendment is approved and the height limit is reduced to 35 feet, the new height limitation would only be two feet higher than the original 33-foot limit that was allowed under the old NC (Neighborhood Commercial) designation. Any new building built under the proposed General Plan Amendment would result in similar heights (within two feet) as past development along S. El Camino Real. Thus, any new development (per the proposed General Plan Amendment) would not result in an increase in an increase in view blockage compared to a building that would have been allowed under the old NC land use designation, which was in effect, until recently, over the last twenty plus years.

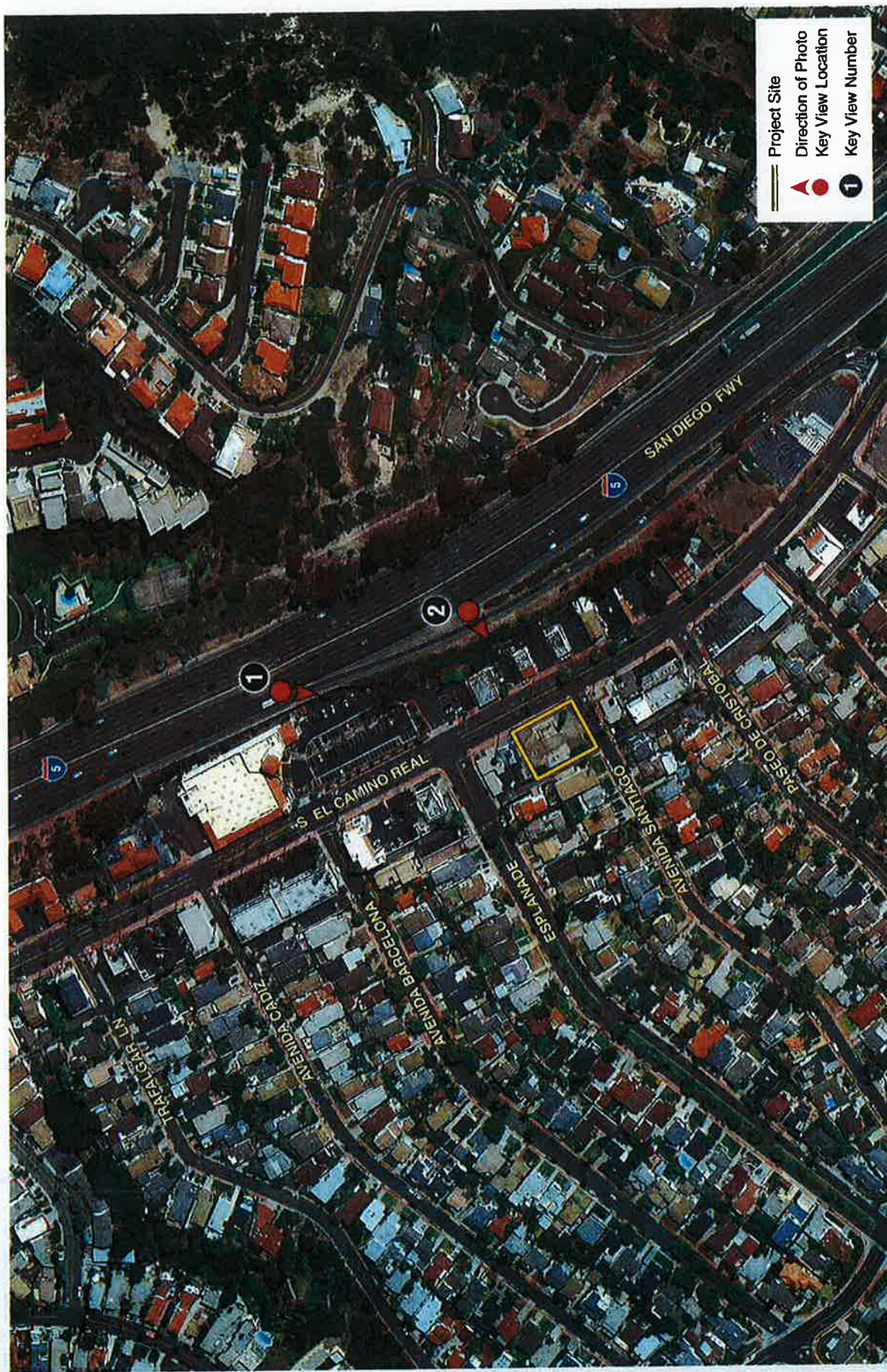
CONCLUSION

Thus, in conclusion, the project is consistent with the allowable height limits for the MU 3.2 zone in the adopted Centennial General Plan, and the proposed Draft Amendment to the General Plan. The project would not substantially block views of the Pacific Ocean from I-5, and would not rise above the visible horizon. Expansive views of the Pacific Ocean would remain. Further, as depicted in Exhibit 3, any development at the project site that is consistent with the existing General Plan land use height limitation of 45 feet would result in substantially more view blockage than the proposed project, although the General Plan EIR determined that these visual impacts were less than significant.

Exhibits

1. Key View Locations Map
2. Key View 1
3. Key View 2
4. 45-Foot Elevation Depictions

Exhibits



SCURCE: Google Earth Pro Aerial, May 2015.



SANTIAGO MIXED USE PROJECT • PHOTOSIMULATION ANALYSIS
Key View Locations Map

Exhibit 1

Existing

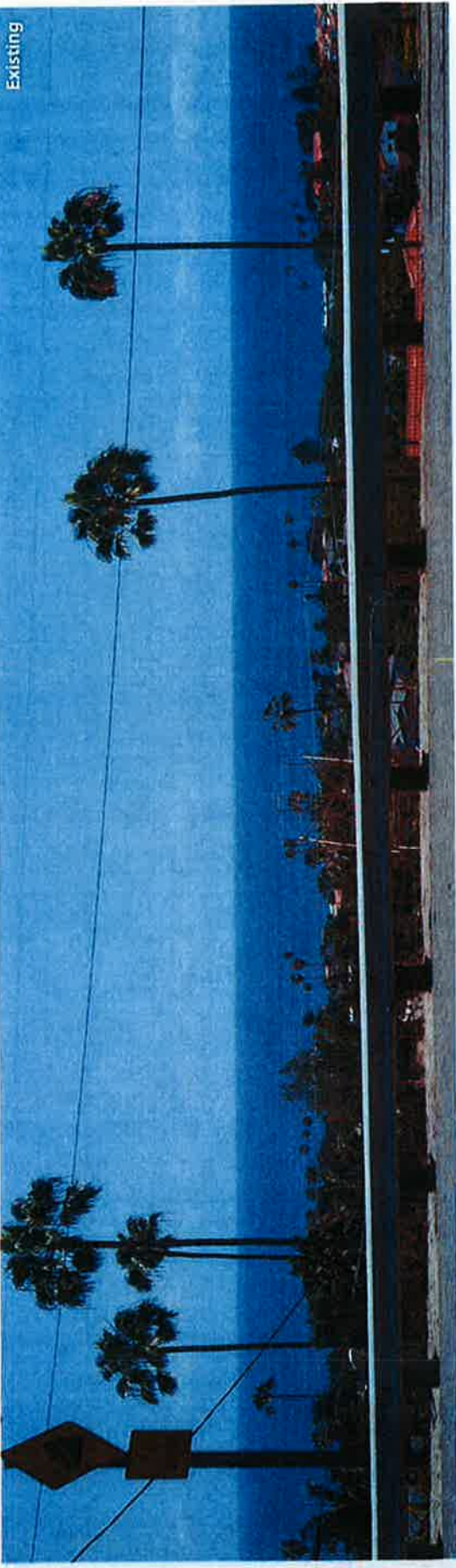


Proposed

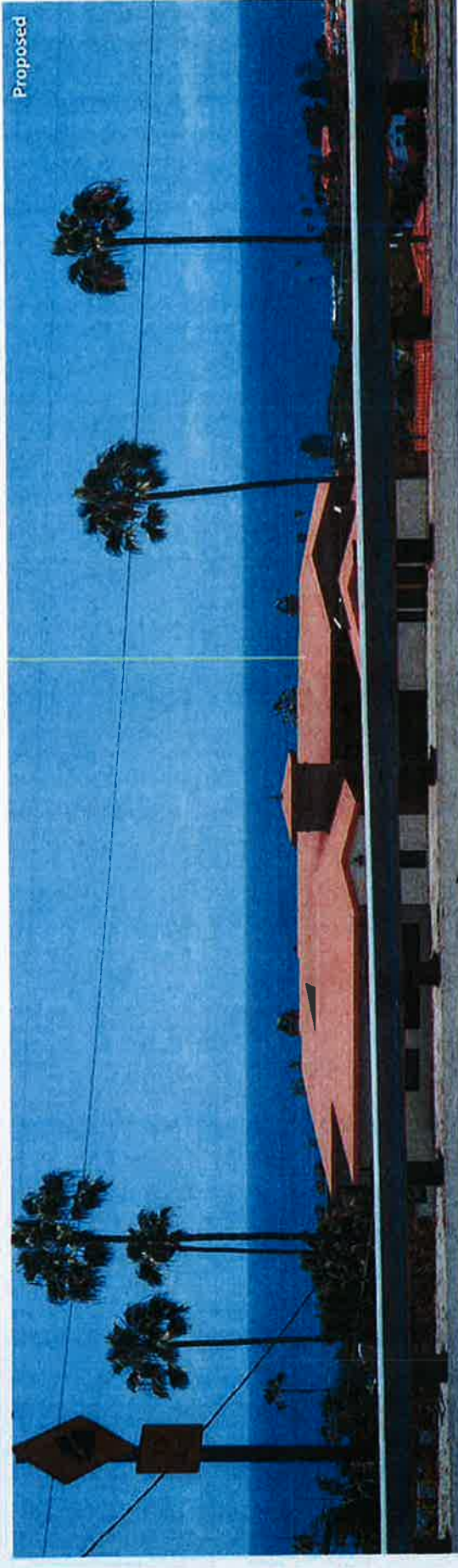


For comparison, all proposed site photographs are subject to demonstration. The subject to change, and are intended to provide the reader with information on the form, size, and scale of the proposed improvements with this project area.

© 2009 JET IMAGE CORP. HAS



Existing



Proposed

For comparative purposes, site photographs are utilized to demonstrate the general character at different points of the project area. These simulations are not intended to represent the actual appearance of the project area at the time of construction, and scale of the proposed improvements within the project area.

DATE: 09/24/2019 10:00 AM



For comparative purposes, the photographs are utilized to demonstrate the subject to change and are intended to provide the reader with information on the form, size, and scale of the proposed improvements within the project area.

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ATTACHMENT 3

City of San Clemente View Component Definitions

Character defining features are those distinctive, tangible elements and visible physical features that are indispensable to maintaining the character of the specified viewshed. For the purposes of this type of analysis, several criteria for ranking "character defining features" within a particular view include:

- **Natural Features:** Views of the ocean, the horizon, mountains, beach, coastal bluffs and canyons, Catalina Island, "Seal Rock" and other features that contribute to the overall beauty of the corridor.
- **Landscape:** Native plants, skyline or mature trees, shrubs and all other introduced plantings.
- **Architecture:** All of the existing buildings in the viewshed, including historic buildings, Spanish Colonial Revival buildings and all other styles of buildings and related structures.
- **Streetscape:** All the hardscape, street furniture, and street trees in the existing viewshed.
- **View Exposure:** The extent to which individuals have visual access within a public view. For example, a view of the ocean from a road in a gated community will have less exposure than a view along a public road or a bluff-top public park.

Criteria for Ranking Character Defining Features of the Existing Ocean View from Freeway (Pre-Development)

Component	Low	Medium	High
A. Natural features: ocean, horizon, sky	View of the ocean and horizon are interrupted by utilities, power poles, existing manmade features/structures that are poorly designed or clash with the visual character.	View of ocean, Catalina Island, the pier, and/or other significant natural and manmade features can be clearly seen but portions are partially obstructed or filtered by landscape, streetscape or other natural and manmade features. The horizon may also be somewhat constricted by development, landscape and other features.	There are uninterrupted views of the ocean, Catalina Island, the pier, and/or other significant natural and manmade features. There is a significant amount of skyline and horizon that helps to contribute to the openness of the ocean view.
B. Landscaping	The landscape within the ocean view is poorly designed, maintained, sparse and does not soften the urban edge. Non-native landscape dominates natural areas such as the coastal canyons and bluffs. Landscape directly blocks, rather than frames the important natural features of the ocean view.	There is continuous vegetation cover that is reasonably designed and maintained. Landscape softens the urban edge within the ocean view but may partially screen some of the natural features. There is some distinctive landscape present that moderately contributes to the aesthetic value of the ocean view.	The Landscape design and maintenance is exemplary. Landscape frames primary public views and enhances the visual quality. Native landscape located within coastal canyons, bluffs and other natural areas. There is high degree of distinctive landscape that due to color, textural variety and maturity contribute to the texture of the corridor
C. Architecture	Poorly designed or maintained eclectic architecture styles dominate within the ocean view. There are no distinguished historical/nostalgic architectural features within the ocean view. Buildings do not conform to architectural guidelines and their size, bulk or design contrast with the surrounding neighborhood, and detract from the ocean view. Buildings are poorly maintained and detract from neighborhood character.	The buildings within the ocean view are architecturally compatible with the surrounding area and generally conform to the City Architectural Design Guidelines. There are buildings with some historical/nostalgic value within the ocean view. Buildings are of a reasonable size and scale. The buildings exhibit an average level of maintenance and do not detract from the ocean view.	Buildings exhibit exemplary design and appropriate style of architect. There are significant historically resources that add to the historical and nostalgic value of the ocean view. Buildings are of a reasonable size and scale. The buildings exhibit a high level of maintenance and enhance the visual quality of the corridor.
D. Streetscape	Streetscape features are chaotic and provide little or no coherent visual pattern. Some streetscape features are sited so they block natural features and detract from the visual quality of the ocean view. Street features such as lights, sidewalks, landscape, street signs, parking spaces, utilities detract from the natural views or the pedestrian orientation of the corridor	The streetscape features neither add nor detract from the overall visual character of the corridor. The location of the streetscape does not significantly interfere with natural view. The streetscape is well maintained however the design of the street lights, sidewalks and other features are generic.	The streetscape features contribute to the visual character of the setting of the ocean view. The streetscape design softens the urban edge and frames public views. The streetscape includes design features such as landscape pockets, street trees, decorative street furniture and other features that enhance the ocean view.
E. View Exposure	There is little or no public exposure to the ocean view (e.g. there are low #'s of viewers of the ocean view). To determine exposure #'s traffic counts, population density and park, beach and tourist information should be considered. The ocean view is narrow and the time of exposure as the public travels through the corridor is short.	There is moderate public exposure to the ocean view (e.g. there are medium #'s of viewers of the ocean view). To determine exposure #'s traffic counts, population density and park, beach and tourist information should be considered. The ocean view is of medium width and the time of exposure to the view as the public travels through the corridor are medium.	There is high public exposure to the ocean view (e.g. there are large #'s of viewers of the ocean view). To determine exposure #'s traffic counts, population density and park, beach and tourist information should be considered. The ocean view is wide and the duration of time to the view as the public travels through the corridor is long.

Impact Evaluation of the Post Development Ocean View from Freeway

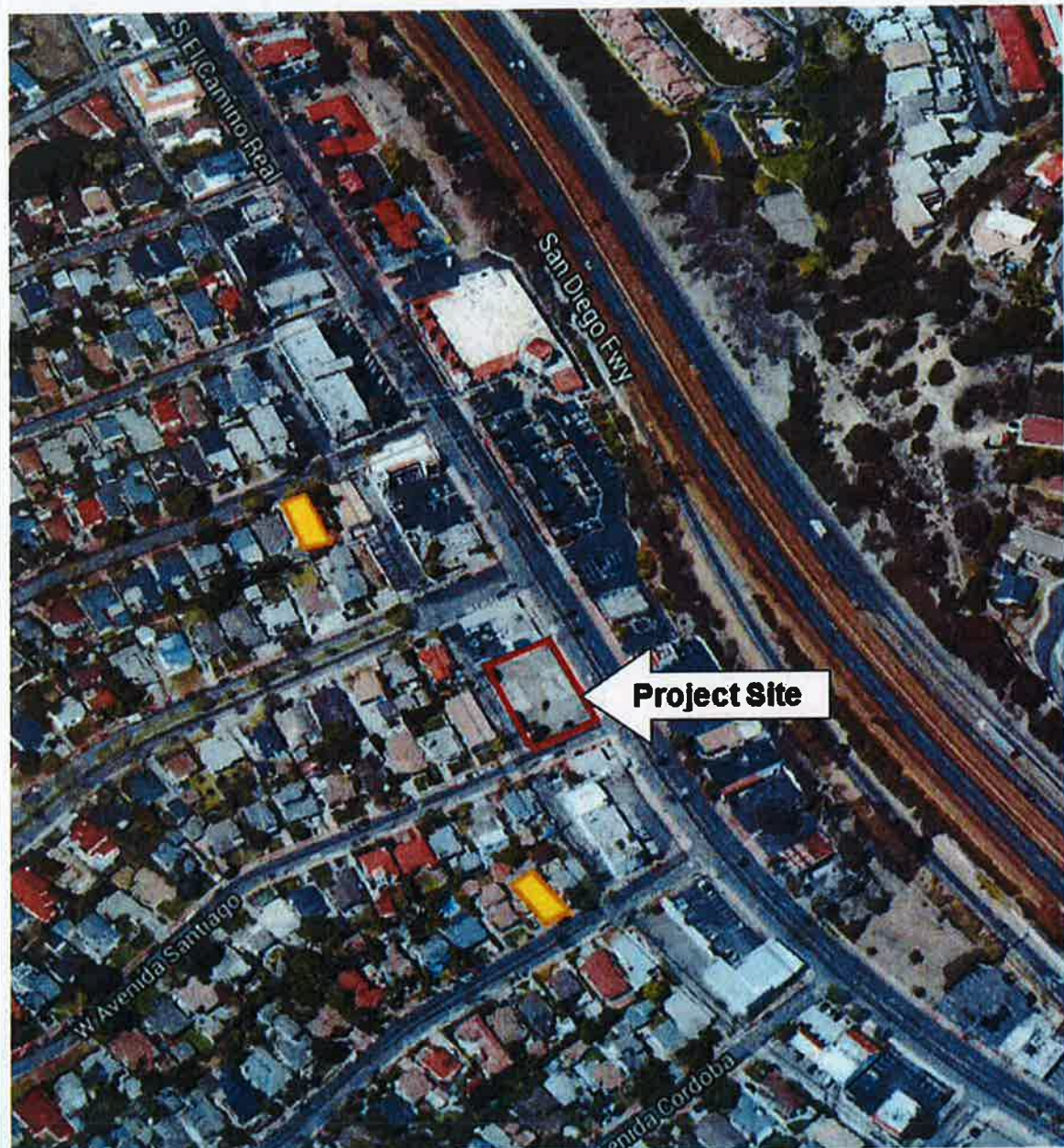
Component	Low	Medium	High
A. Natural features: ocean, horizon, sky	<p>The project directly encroaches upon what was an uninterrupted section of a public view of the ocean and other high rated natural features that help to provide context to the ocean view, such as distance from, or relationship to, the observer.</p>	<p>Primary views of natural features remain in full view; however, there may be minor view encroachments into the filtered view area.</p> <p>There are no impacts to the views of the ocean, horizon, or sky directly in the focal point of the ocean view but there may be some encroachment upon these features not in the direct line of the primary view (e.g. the area that directly relates to the perceived openness of the ocean view).</p>	<p>Views of the ocean, Catalina Island, the pier, and other significant natural and manmade features are maintained.</p> <p>The area of the view that helps contribute to the openness of the ocean view remains in place.</p> <p>The project improves on views of high rated natural features through the removal of items such as utilities, power poles, existing manmade features/structures that are poorly designed or clash with the visual character.</p>
B. Landscaping	<p>The project will have a significant impact on primary landscape features located within the view. e.g. Views of existing landscape features are removed or obstructed, the landscape that is replacing it is poorly designed, the percentage of landscape area is greatly reduced, the landscape provided will not soften the structures and/or will block rather than frames public views.</p>	<p>Distinctive and important landscape features in the ocean view are preserved or maintained and there are only minor reductions in the amount of landscape and to the quality of landscape in the ocean view.</p>	<p>Distinctive landscape due to color, textural variety and maturity is preserved or enhanced.</p> <p>The quality and/or quantity of landscape within the ocean view are improved.</p> <p>Landscape frames primary public views and enhances the visual quality of the ocean view.</p> <p>Native landscape located within coastal canyons, bluffs and other natural areas is preserved or enhanced.</p>
C. Architecture	<p>The project architecture is poorly designed.</p> <p>The project removes or significantly redesigns primary historic/nostalgic resources.</p> <p>The height, massing and scale significantly contrast with the neighborhood character</p>	<p>The architectural is compatible with the neighborhood and the City's Spanish Heritage but is not exemplary.</p> <p>The project has minor impacts to historical buildings and features but retains the primary aspects of the historic resource.</p> <p>The project design and other features will not detract from the neighborhood character.</p>	<p>Exemplary Spanish Colonial Revival (or other appropriate style of architect) is provided.</p> <p>Historically significant building/feature are rehabilitated, restored or preserved in accordance with the Secretary of the Interior Standards for the Treatment of Historic Properties.</p> <p>The project design and other features are in scale with the area and will add to the neighborhood character.</p>
D. Streetscape	<p>Streetscape features are chaotic and provide little/no coherent visual pattern.</p> <p>The streetscape features provided block primary components of the ocean view or significantly detract from the visual quality of the ocean view.</p> <p>Street features such as lights, sidewalks, landscape, street signs, parking spaces, or safety rails, detract from the natural views or the pedestrian orientation of the corridor</p>	<p>The project streetscape features maintain or slightly improve the visual and pedestrian character of the setting, provide some softening of the urban edge, and/or help frame public views.</p>	<p>The project streetscape features improve the visual and pedestrian character of the setting, softens the urban edge, helps frame public views</p>
E. View Exposure	<p>The project will result in the reduction of the numbers of people that are presently exposed to the ocean view.</p> <p>The project blocks significant portions of the public view and reduces the duration of time the public is exposed to the ocean view as they travel through it or significantly reduces to width of the corridor.</p>	<p>The project will result in a slight reduction in the number of people exposed to the public ocean view.</p> <p>The project does not block significant features or portions of the public view but has minor encroachments that will not significantly reduce the duration of time the public is exposed to the ocean view as they travel through it.</p>	<p>The project will enhance or will not result in any reduction of the number of people or the duration of public's view exposure of the public ocean view.</p> <p>The project does not reduce the duration of time the public is exposed to the ocean view as they travel through it or will it reduce the width of the corridor.</p>



ATTACHMENT 5

LOCATION MAP

Zoning Amendment 14-364, Site Plan Permit 14-365, Conditional Use Permit 14-366, Cultural Heritage Permit 14-367, Santiago Mixed-Use
1010 South El Camino Real



 Historic Properties within 300 feet of Subject Property

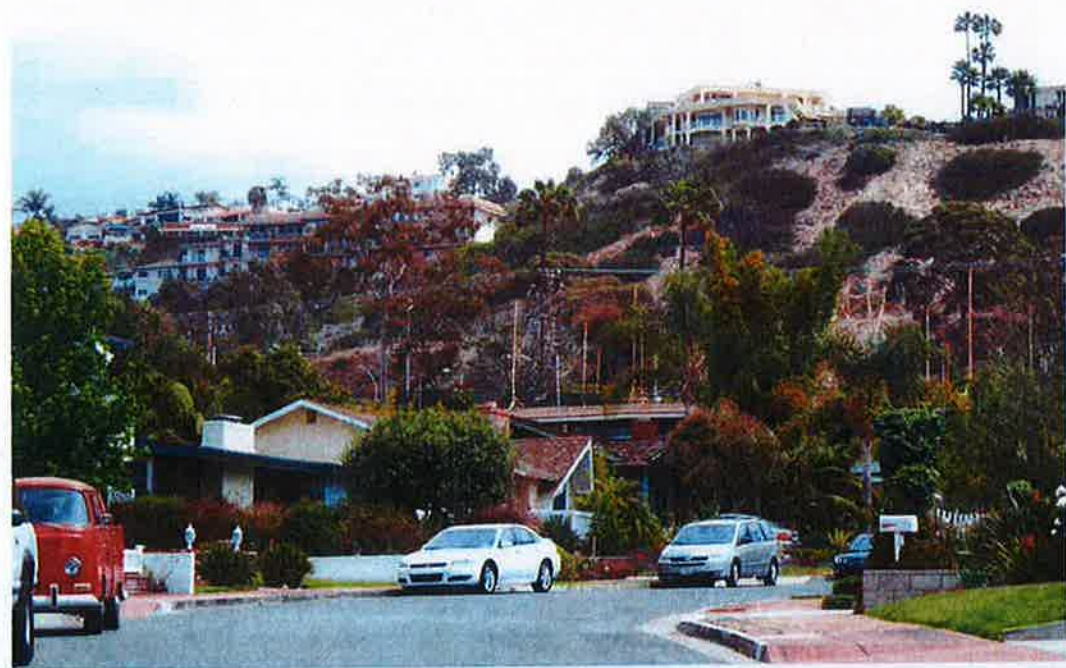
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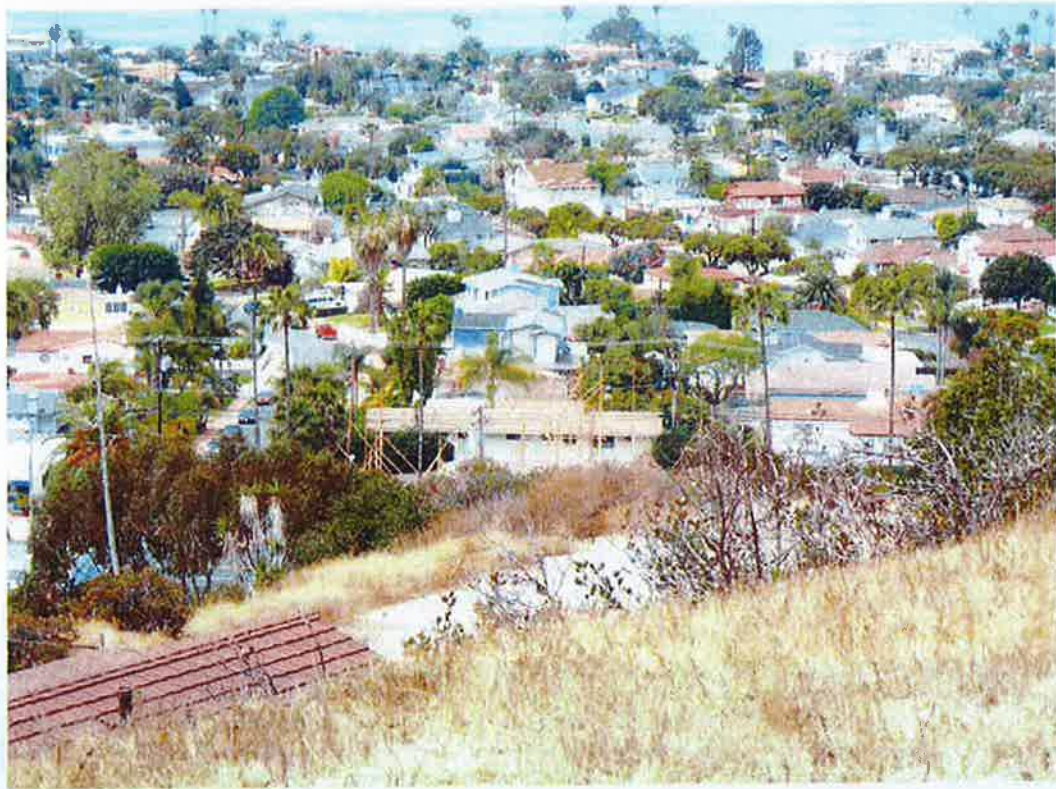














STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: May 6, 2015

PLANNER: Adam Atamian, Associate Planner

SUBJECT: Zoning Amendment 14-364/ Site Plan Permit 14-365/ Conditional Use Permit 14-366/ Cultural Heritage Permit 14-367, Santiago Mixed-Use, a request to consider forwarding a recommendation to the City Council to amend the Zoning Ordinance and Zoning Map to designate portions of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and consider a mixed use development consisting of 7 residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real.

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.

Zoning Amendment (ZA), Section 17.16.040, to add a new Mixed-Use zone, MU 3.2, and associated development standards to the Zoning Ordinance and amend the Zoning Map for portions of the west side of South El Camino Real between Avenida Presidio and the I-5 Freeway.

- a. The proposed amendment is consistent with the General Plan.
- b. The proposed amendment will not adversely affect the public health, safety and welfare.

Site Plan Permit (SPP), Section 17.16.050, to allow a new mixed-use building.

- 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.

Conditional Use Permit (CUP), Section 17.16.060, to allow residential units in a Mixed-Use zoning district, and to allow an elevator shaft to exceed the height limit of the building, up to six feet.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a CUP 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.

Cultural Heritage Permit (CHP), Section 17.16.100, to allow a new multi-family residential building in the Architectural Overlay and located within 300 feet of a historic property.

- 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.
- f. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village.
- g. The proposed project will not have negative visual or physical impacts upon any historic structures located within 300 feet of the subject site.
- h. The proposed project complies with the purpose and intent of the Architectural Overlay District.

BACKGROUND

In 2014, the City Council adopted the Centennial General Plan, a comprehensive update of the City's vision for development that included a five year process with significant public input and visioning to guide growth and development through 2028. During this process, the commercial district along South El Camino Real, which includes the subject property, was identified as a Focus Area. This stretch of El Camino Real has seen very little redevelopment in the past two decades due in part to a low Floor Area Ratio (FAR) of .35. The community vision for this area is to, "Create a transitional area between Interstate 5 and the Del Mar/T-Zone, featuring spectacular ocean views, attractive mixed-use housing with local-serving commercial uses, restaurants and hotels" (LU-35). To implement this goal and encourage revitalization of this area, the General Plan changed the land use designation

from Neighborhood Commercial to Mixed-Use, and increased the density of development permitted. The purpose of allowing residential uses and increasing the density is to encourage new development.

The subject property is a 12,930 square foot, vacant lot located on the northwest corner of the South El Camino Real and Avenida Santiago intersection. The natural topography of the lot slopes down away from South El Camino Real. The property was previously graded for use as a gas station. To accommodate that use a 10 foot tall retaining wall was installed and the lot was filled to bring the grade of the entire lot to that of South El Camino Real.

The gas station closed in the 1980s, the building was demolished, and the site has remained vacant ever since. The property was listed as a Leaking Underground Storage Tank (LUST) Cleanup Site by the State Water resources Control Board, however, on September 21, 1987, the site's cleanup status was declared completed, and the case was closed. Since 2001, the site has been the subject of ten Code Enforcement Division citations due to graffiti, unpermitted automotive and boat storage, trash and debris, and unmaintained trees and weeds.

The surrounding land uses include a two-story multi-family residential structure to the west, separated from the site by the alley. To the north is a two-story, multi-tenant commercial building which appears as a one-story building from South El Camino Real. Across Avenida Santiago is another two-story commercial building, which also appears as a one-story building from South El Camino Real. To the east, across South El Camino Real, are one-story commercial buildings. There is a 20-foot wide, City-owned alley abutting the property on the west side of the lot, which runs parallel to South El Camino Real.

The project is located within 300 feet of two historic properties located at 104 Paseo de Cristobal and 105 Avenida Barcelona. The project will be visible from both historic properties because both have direct lines of sight to the subject lot. These properties are shown on the Location Map, included as Attachment 2.

This project was continued from the Planning Commission meeting of April 22, 2015 because the applicant did not erect story poles within the required time frame stipulated in the Zoning Ordinance.

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project and supports the request, subject to the conditions of approval provided in Exhibit 1 of Attachment 1.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations. Public notices for this request were posted at the subject property (1010 South El Camino Real), printed in the San Clemente Sun Post, and mailed to the owners of properties located within 300 feet of the project site. Additionally, in compliance with the noticing requirements for a zoning amendment, public notices were mailed to the owners of

properties within 300 feet of the areas proposed to be rezoned to the new mixed use designation.

Public Comment

At the April 22, 2015 Planning Commission meeting, multiple members of the public spoke about this project. Since that date, additional public comments have been received verbally and in writing. Attachment 9 provides a copy of the written comments received from the public regarding this project.

Story Pole Staking

The applicant was required to erect story poles per Zoning Ordinance Section 17.24.110.E, Visual Analysis Tools, because the application proposes a new structure that is three or more stories within a Mixed Use zone and an Architectural Overlay. The story pole staking was erected on April 21, 2015 and is in compliance with the requirements specified in Zoning Ordinance Section 17.12.060.A, Story Pole Staking.

PROJECT DESCRIPTION

The applicant is proposing the following: 1) amend the Zoning Ordinance and Zoning Map to reflect the Centennial General Plan's Mixed-Use (MU 3.2) land use designation for certain portions of the Neighborhood Commercial (NC 2) zone along South El Camino Real located between Avenida Presidio and the I-5 freeway; 2) establish development standards for the MU 3.2 zone; and 3) construct a new mixed-use development with a Spanish Colonial Revival design.

The mixed-use project consists of one 17,050 square foot building with 2,035 square feet of deck areas. The building includes a 4,416 square foot, two-story commercial portion at the street frontage facing South El Camino Real, and seven dwelling units which total 12,634 square feet on three levels at the rear, or alley, side of the property. The building provides two levels of parking areas. The commercial parking, 12 spaces total, is located in the upper parking level garage with access taken from Avenida Santiago. Some of the residential parking, two spaces, is located in the upper level garage with the commercial parking, while the other 16 required spaces are located in a predominantly subterranean parking garage that takes access off the alley.

Proposed Development Standards

Table 1 outlines the proposed development standards for the new MU 3.2 zone, how the project complies with these standards, and how these development standards are consistent with the standards currently listed in the Centennial General Plan, and City Council direction to amend the General Plan.

Table 1 - Development Standards for the new MU 3.2 zone

Standard	Proposed Development Standards	Project Details	Current General Plan
Density (Max.):	1 dwelling unit per 1,800 square feet of lot area.	7 dwelling units (1 dwelling unit per 1847 square feet)	24 dwelling units per acre (= 1 per 1,800 square feet), Project complies.
Building Height (Max.):	Not to Exceed 30' PL and 35' TOR. and 2 stories facing El Camino Real, and 37' PL*/ 42' TOR** average.	34'-6" off S. El Camino Real, 38'-11" maximum average TOR.	<p>With Residential: 3 stories; TOR: 45 ft.; PL: 37 ft. (Project complies)</p> <p>For more information on the City's current Zoning Amendment related to Building Height in this area, please refer to Attachment 10.</p>
Elevator Tower Height (Max.):	6' over Building Height Limit	4' over Building Height Limit (39' total).	Not discussed, but consistent with existing Zoning Ordinance allowances.
Setbacks (Min.): • Front • Street Side Yard (facing Ave. Santiago) • Interior Side Yard • Rear Yard	0' 0' 0' 0'	6" 3'-10" 3'-0" 1'-0"	Not specified, but Project consistent with existing MU 3 zone.
Maximum Floor Area Ratio (FAR) w/ Residential	1.5	1.3	1.5, Project complies

Standard	Proposed Development Standards	Project Details	Current General Plan
Lot Coverage	100%	86%	Not specified, but Project consistent with existing MU 3 zone.
Urban Open Area	30% of lot area	40%	Not specified, but Project consistent with existing MU 3 zone.
Amount of Open Urban Area to be Landscaped	25%	25%	
Number of 15-gallon trees, or equivalent, required	10	13 (with 4 additional in City Right-of-Way)	
Parking – Please refer to Table 2 for Parking related standards and project details.			

* Plate Line Height

** Top of Roof Height

The project is consistent with the proposed development standards listed for the new MU 3.2 land use designation in the General Plan, which consist of density, building height, and Floor Area Ratio (FAR). While the General Plan discusses height limits taller than what the applicant proposes, staff has received City Council direction to reduce the maximum heights allowed to effectively limit buildings to be no taller than a typical two-story building when viewed from South El Camino Real. The applicant's proposal, and the proposed height standard, is consistent with this direction. For the development standards not listed in the General Plan, such as setbacks, lot coverage, and landscaping requirements, the City's direction, and what the applicant proposes, is to apply the standards that currently regulate the existing MU 3 zone.

Parking

The project provides 30 parking spaces on site. 16 spaces are located in the subterranean garage, with the other 14 located one level above. In order to meet minimum parking requirements the applicant proposes to apply the reduced commercial parking requirement provided in the existing MU 3 zone to the new MU 3.2 zone. Typically, general office and retail uses both require one parking space per 300 square feet of building area. The Zoning Ordinance provides a reduction in these standards for the MU 3 zone so that retail requires one parking space per 400 square feet, and general office requires one space per 350 square feet. Currently, the only areas that benefit from this reduced parking rate are the Downtown/ Del Mar T-Zone, and the North Beach Study Area.

Table 2 outlines the proposed parking breakdown for the project, how the project complies with these standards, and how these development standards are consistent with the standards currently specified for this commercial district.

Table 2 – Parking Calculation

Standard	Proposed Parking Standard with MU 3 Reduction	Proposed Parking	Current Parking Standards	Req. Parking	Project Deficiency per Current Req.
Required Parking (Minimum):					
• Commercial-Office	1 space /350 square feet	5	1 space /300 square feet	6	-1
Retail	1 space /400 square feet	7	1 space /400 square feet	9	-2
• Residential-Dwelling Units	Per Municipal Code for multi-family structures.	15	Per Municipal Code for multi-family structures.	15	0
• Guest	.333 spaces/ dwelling unit	3	.333 spaces/ dwelling unit	3	0
Total		30		33	-3

Staff does not support the use of the reduced parking ratio in the MU 3.2 zone for two reasons. First, the other mixed-use zones with reduced parking rates are retail concentration areas, in that they represent a core of visitor-serving business activity, away from which commercial density decreases. The new MU 3.2 zone is not a core because it is only on one half of the street. The new MU 3.2 zone acts more as a buffer between existing commercial and residential zones than the epicenter of a downtown core. Additionally, the other areas with reduced parking standards are pedestrian-intensive districts. These pedestrian districts assume that people will park once to visit multiple businesses. The new MU 3.2 zone does not establish a pedestrian district, and it is very likely that parking will not overlap, either between residences and commercial or between neighboring commercial.

Though the applicant's request includes the reduced parking requirements of the existing MU 3 zone, the project, as proposed, could still meet the parking requirements of the Zoning Ordinance with the approval of a shared parking agreement. The shared parking agreement would allow the uses on-site to share three spaces for the commercial and residential guest parking. This would be accomplished by limiting the types of commercial businesses that could occupy the building to ensure that those spaces are available during times when guest parking is typically used the most on weekends and after 5 pm on weekdays.

The project includes multi-modal amenities with bicycle parking facilities along the South El Camino Real building frontage. The site also has an Orange County Transportation Authority bus stop located in front of the building near the corner of South El Camino Real and Avenida Santiago.

Signs

The applicant has not included building and site signs as part of this application. However, per the Zoning Ordinance, the multi-tenant non-residential portions of the building require that a Master Sign Program be approved. To ensure that compliance with the City’s sign regulations, the commercial portion of the development will not be eligible to receive certificates of occupancy until the applicant has received approval of a Discretionary Sign Permit for a new Master Sign Program (Condition of Approval number 39). The building elevations demonstrate that there are logical locations on the building to locate signs that would complement the architecture and comply with the sign requirements for signs in the Architectural Overlay.

Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the project’s architecture, site design, landscaping, and historic resource impacts for consistency with the City’s Design Guidelines and the General Plan Urban Design Element on the November 26, 2014, and January 14, 2015. Attachments 4 – 7 include the staff reports and minutes of both meetings. The DRSC generally supported the proposed project finding that while the project was of a larger scale than surrounding development, it is compatible with applicable Design Guidelines and meets the intent of the new MU 3.2 land use designation. The DRSC had the following recommended modifications identified in Table 3.

Table 3 - DRSC Concerns and Project Modifications

DRSC Concerns	Project modifications
<p>The project should include more building setbacks on the upper levels to reduce the appearance of the third story from the neighborhood to the west. This will help reduce massing impacts to these properties.</p>	<p><i>Modified as requested.</i> The applicant revised plans to include building setbacks beyond what the Zoning Ordinance requires. The ground floor is setback 3.5 feet from the rear property line, the second story is setback 10’, and the third story is setback 20’. The DRSC noted that there still existed a difference in scale with the modifications, but the majority were satisfied that the increased upper floor setbacks improved the compatibility of the building with surrounding development.</p>

DRSC Concerns	Project modifications
The deck wall along the second floor deck should include more wrought-iron railing sections to break up the impact of the solid guard wall to reduce the amount of solid wall visible on the back side of the building.	<i>Modified as requested.</i> The applicant revised plans to provide a combination of railing and solid wall sections for the second floor deck area.
The front courtyard should be more open to the pedestrian experience. The walls along the front property line should be reduced to remove a "walled-in" appearance, and the upper floor should be modified to create a more open feel.	<i>Modified as requested.</i> The applicant revised the staircase, walls, roofs, and second floor walkway designs to provide more opportunity for light to enter the courtyard and to open it up to the street frontage.

GENERAL PLAN CONSISTENCY

The Centennial General Plan designated the South El Camino Real corridor as a Focus Area, and provided specific direction above and beyond those policies that are applicable Citywide. This was done to foster revitalization to an area that has seen very little redevelopment in the past 20 years. The primary goal for this section of the City is to create employment and residential opportunities, anchored by neighborhood-serving retail uses, which strike a balance between automobile, bicycle and pedestrian orientations that is well connected to adjacent neighborhoods. The sections of the General Plan Land Use Element that discuss the South El Camino Real Focus Area are included as Attachment 11. Table 4 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 4 - General Plan Consistency

Policies and Objectives	Consistency Finding
<i>"Horizontal and Vertical Mix. We permit a range of horizontally and vertically mixed uses appropriate to key areas of the City." (LU-3.01)</i>	<i>Consistent.</i> The project is appropriate for the surrounding neighborhood, and the existing commercial uses, integrating a commercial and residential vertical mixed-use.
<i>"Upper Floors. Where buildings over two stories are allowed, we require building facades above the second floor to be set back from lower, street-facing facades to minimize building height and bulk, pursuant to the Zoning Ordinance, Design Guidelines, and applicable Specific Plans." (LU-3.04)</i>	<i>Consistent.</i> The rear portion of the building provides building setbacks of 10 and 20 feet for the second and third stories, respectively, to reduce massing impacts on surrounding development. This is beyond what the Zoning Ordinance requires

Policies and Objectives	Consistency Finding
<p><i>“Views. New development shall be designed to minimize obstructions of ocean views from the I-5 freeway.” (LU-13.05.)</i></p>	<p><i>Partially Consistent.</i> Limiting the building height from South El Camino Real to two stories, this project maintains the horizon/ocean view from the I-5 freeway. The project does block some ocean views from the I-5 below the horizon (see <i>Ocean View Impacts</i> in Analysis Section, below).</p>
<p><i>“Outdoor Areas/Public Space. We work with property owners and developers to identify opportunities for providing usable outdoor areas and public spaces for visual relief from the built environment and areas for gathering.” (LU-13.09)</i></p>	<p><i>Consistent.</i> The project incorporates 5,170 square feet usable outdoor areas and public spaces.</p>
<p><i>“Buffers and Setbacks. We require that new uses and buildings, characterized by differing functions, activities, density, scale and massing, to provide conditions of approval, landscaped buffers and/or setbacks between uses to prevent or reduce adverse impacts.” (UD-3.03)</i></p>	<p><i>Consistent.</i> The project provides setbacks on all building elevations, and provides landscaping buffers that soften the transition between abutting land uses. Also, the building uses are situated so the residential portion faces the residential area to the west, and the commercial portion faces the commercial area to the east on S. El Camino Real.</p>
<p><i>“Transitional Areas. We require development in transitional areas, where one type of land use (e.g., industrial) transitions to another (e.g., residential) to protect residents’ quality of life through such measures as landscaping, high-quality walls or fencing, or setbacks.” (UD-3.08)</i></p>	<p><i>Consistent.</i> The project incorporates upper story setbacks of 10 and 20 feet for the second and third stories, respectively. Additionally, the project includes high-quality landscaping to buffer commercial uses from on- and off-site residential uses.</p>
<p><i>“Outdoor Spaces. For multi-family residential, mixed use and commercial development, we require integration of outdoor spaces into the architectural and site designs by encouraging the use of courtyards, patios, paseos, plazas, gardens, covered walkways, rooftop terraces, verandas and other outdoor spaces...” (UD-5.01)</i></p>	<p><i>Consistent.</i> The project incorporates urban open space on most levels of the project, providing twice the minimum amount required by the Zoning Ordinance.</p>

Policies and Objectives	Consistency Finding
<p><i>“Site Access and Entries. Downtown site and building designs shall be integrated with the public sidewalk... to create inviting and attractive commercial and residential areas and public spaces.” (UD-5.04)</i></p>	<p><i>Consistent.</i> The project includes commercial spaces adjacent to the sidewalk with a well landscaped street frontage and an inviting central courtyard and corner patio space.</p>
<p><i>“Architectural Overlay District. We require that new buildings... utilize Spanish Colonial Revival architecture, per the Architectural Overlay District and Design Guidelines.” (UD-5.05)</i></p>	<p><i>Consistent.</i> The project is designed in the Spanish Colonial Revival style.</p>
<p><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></p>	<p><i>Consistent.</i> The project is compatible with adjacent land uses and structures and the intent of the General Plan given the unique character of the new MU 3.2 zone being sandwiched between the Residential Low density zone and the Neighborhood Commercial zones. The mass of the proposed building is stepped back on the upper floors to reduce the stark contrast that occurs on other blocks in the new MU 3.2 zone where commercial buildings provide no setbacks from the alley.</p>
<p><i>“Building Design with Topography. Building design shall consider the site’s natural topography, public view corridors and adjacent building profiles so that canyonization is avoided.” (UD-5.14)</i></p>	<p><i>Partially Consistent.</i> Though the tallest portion of the building is in the center of the downward sloping lot, the proposed project provides rear building setbacks on the upper floors that allude to the slope of the natural topography. The restricted height along South El Camino Real minimizes impacts to public views. In this way, the canyonization that is created along other portions of the alley is avoided.</p>
<p><i>“Landscaping Plans. We require that development projects subject to discretionary review submit and implement a landscaping and irrigation plan.” (UD-5.19)</i></p>	<p><i>Consistent.</i> The project includes a landscape plan that will be reviewed and inspected by the City’s Landscape Architect.</p>

Policies and Objectives	Consistency Finding
<p><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></p>	<p><i>Consistent.</i> The project is conditioned to require the property owner to maintain all landscaping according to the approved final landscape plan.</p>
<p><i>“El Camino Real. We require initiatives, investments, and development approvals for El Camino Real to contribute to our vision of the area as a mixed-use, multi-modal corridor with historic resources and different commercial nodes that primarily serve the needs of San Clemente residents and businesses.” (ED-4.04)</i></p>	<p><i>Consistent.</i> The project includes many of the features envisioned for the new MU 3.2 zone being a mixed-use, multi-modal project that reflect the City’s Spanish Colonial Revival heritage.</p>

PROJECT ANALYSIS

Zoning Amendment

After the adoption of the Centennial General Plan, the City Council directed staff to initiate a Zoning Ordinance update that includes establishing new development standards that are appropriate for the area. Their concern was that the height in the General Plan did not reflect their direction to limit height to two stories off South El Camino Real. In an effort to amend the General Plan, staff have worked with the City Council, the Planning Commission, a land-use consultant, and community stakeholders, to identify the most appropriate development standards to apply to the new MU 3.2 zone.

In order to expedite the processing of the application for the proposed project, the applicant has elected to propose a Zoning Amendment to change the Zoning Ordinance and Zoning Map consistent with current staff direction.

It is important to note that the height standard reflects direction from the City Council to limit buildings in the MU 3.2 zone to be no taller than two stories. This clarification was further refined by the Planning Commission to mean two stories and 35 feet above the South El Camino Real street frontage, and a maximum height of 42 feet to the top of roof as the lot slopes toward the alley. These new development standards are provided in Exhibit 2 of Attachment 1, with additions shown in red. The proposed Zoning Map changes are shown in Exhibit 3 of Attachment 1, with changes shown in red.

Site Plan Permit

This project requires a Site Plan Permit (SPP) to allow a new mixed-use building. The purpose of this review is to encourage site and structural development which respects the

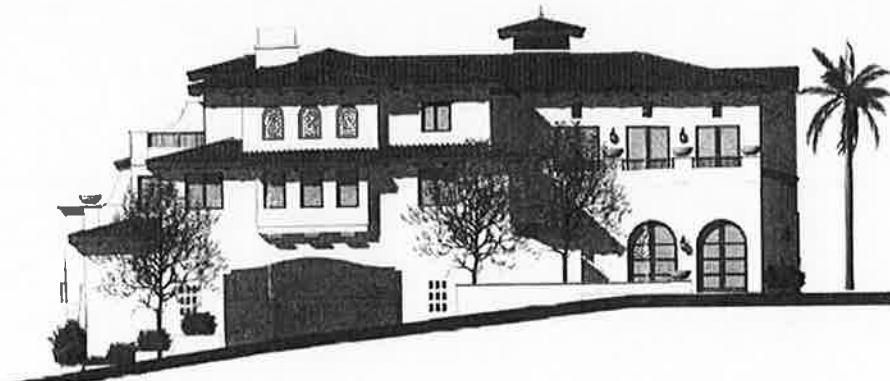
physical and environmental characteristics of the site, ensures safe and convenient access and circulation for pedestrians and vehicles, exemplifies the best professional design practices, encourages individual identity for specific uses and structures, encourages a distinct community or neighborhood identity, and minimizes visual impacts.

The project locates the commercial portion along the street frontage and the residential portion toward the rear of the property, most of which is above street level. By locating the two uses in this way, the applicant is able to provide separate parking areas for the commercial and residential uses. The commercial parking is adjacent to on-site commercial uses with vehicular access from Avenida Santiago and pedestrian access from South El Camino Real. The residential subterranean parking garage is accessed from the alley behind the building, and is considered a basement because it is more than 60% below the surrounding grade. The advantage of this site design is to minimize the visual impact of parking areas generally, and to obscure it entirely from South El Camino Real, where the orientation of the building can be geared to the pedestrian experience.

The project provides building setbacks along most property lines. These setbacks provide the opportunity for building wall articulation, landscaping, and usable outdoor areas. Along the alley, most of the building is setback three and a half feet to provide a raised planter area to provide a landscaped buffer between the building and the adjacent properties.

The project conforms to the purpose and intent of the zone by locating commercial uses at the street adjacent to other commercial uses, minimizing the visibility of parking areas, and locating the residential portion away from the street level toward the rear of the lot adjacent to other residential uses, thereby providing a buffer between the commercial and residential uses.

The Urban Design Element of the General Plan requires that, "Building design shall consider the site's natural topography, public view corridors and adjacent building profiles so that canyonization is avoided" (UD-5.14). Similarly, the City's Design Guidelines require that buildings be designed to follow the natural topography of the property. While, the tallest portion of the proposed building is in the center of the downward sloping lot, the building is designed with the rear portion of the upper floors stepped back. This stepping of the upper floors creates a slope to the building's profile that helps avoid canyonization and alludes to the natural topography of the site. The following image shows the profile of the building above the grade of Avenida Santiago looking north.



The new MU 3.2 zone is unique compared to other zones of the City because it is only one lot wide, and divides a low density residential zone and a commercial zone. Because of these characteristics, this new zone creates a transitional buffer between standalone residential and standalone commercial projects, while being required to provide compatibility with both. In this way, there is virtually no opportunity to achieve a gradual transition in density in a way similar to other zones, which is to increase or decrease density over the span of a few lots on the zone peripheries. Instead, in order to achieve the type of density provided for in the General Plan Land Use Element, a contrast in scale and mass between new projects and existing development can be expected in this area.

Considering the density contrast that typically occurs where two zones meet, especially for the subject zone, there are constraints on the project's ability to provide a gentle transition between zones. To make the building compatible, the project has been designed to incorporate building setbacks along all property lines, with landscaped buffers wherever possible. Additionally, the main massing of the building occurs in the center of the lot, allowing the respective residential and commercial portions of the building to increase their compatibility with the surrounding residential and commercial development in the area. The buildings' scale and massing are consistent with the proposed development standards and the intention of the General Plan. The subterranean garage and commercial parking area are located behind and under the commercial uses which allows parking to be hidden from South El Camino Real. Additionally, the parking areas are accessed from Avenida Santiago and the rear alley allowing the South El Camino Real street frontage to be more pedestrian oriented.

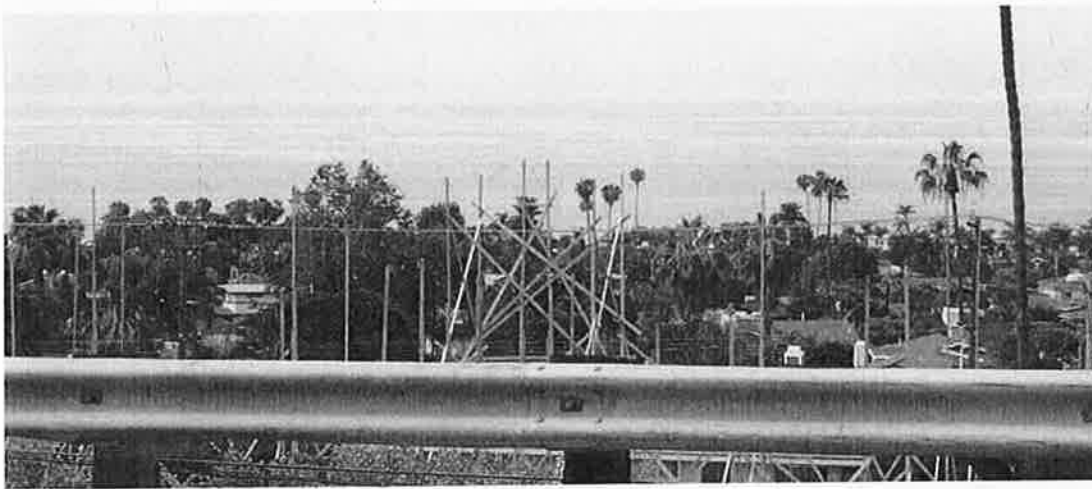
As far as compatibility with adjacent structures, the FAR of 1.5, as specified in the General Plan, creates a situation where there can be a significant difference between the scales and massing of neighboring buildings. The proposed development is compatible with surrounding commercial development in the area, as there is a mix of one- and two-story structures along South El Camino Real, and the proposed building is limited to two stories on the side fronting South El Camino Real. The biggest area of concern regarding neighborhood compatibility is on the rear side of the building, adjacent to the residential zone to the west. The Residential Low zone only allows for single-family residences, however, the abutting residential structure located at 102 Avenida Santiago is a legal, non-conforming multi-family structure that is two-stories tall. In the context of a two-story, multi-family structure that provides residential parking off the alley, the proposed building is a compatible use. While the proposed building is taller, the project is separated by a 20 foot-wide alley then and steps back the upper floors ten and 20 feet to reduce the effect of canyonization and loss of direct sunlight to the adjacent properties. In contrast, canyonization can be seen in the surrounding neighborhood along the alley where other tall commercial properties are built straight up to the rear property line.

The new MU 3.2 zone provides unique opportunities and constraints for site design in the City. Being one lot deep along the west side of South El Camino Real, this new zone is unique as it creates a transitional buffer between standalone residential and standalone commercial projects, while requiring compatibility with both. The project's site design accomplishes the goals of the General Plan to create a contextually sensitive development that provides a mixed-use, multi-modal project which reflects the City's Spanish Colonial

Revival heritage. The project will add vitality and pedestrian activity to the area, enhance economic opportunities, reduce vehicle trips, and offer convenient housing opportunities.

Ocean View Impacts

As noted in Table 4, General Plan Consistency, Land Use Element policy LU-13.05 applies to this project. This policy requires that, "New development shall be designed to minimize obstructions of ocean views from the I-5 freeway." The intent of this policy is to reduce the occurrence of projects that completely block or significantly detract from ocean views visible from the freeway to maintain the City's reputation as a beach community. The picture below demonstrates a typical view of the project site (where the story poles are located) from the slow lane of the southbound I-5 freeway near the subject property. The slow lane, and adjacent off-ramp, provide the most visibility of the site, with views diminishing when viewed from areas on the freeway further east.



In evaluating a potential project's impacts to public view corridors, the City has typically required a Public View Corridor Impact Analysis. This document generally follows a prescribed process that includes: 1) a review of applicable General Plan goals, objectives and policies; 2) a determination of potential areas of impact; 3) a selection of vantage points within the identified areas of impact; 4) the selection of visual analysis tools; 5) identification of character defining features present in the existing view corridor; 6) an assessment of the project-related visual impacts; and 7) an evaluation of the project's consistency with the General Plan goals, objectives, and policies identified in step 1.

Public View Corridors are defined in the General Plan as, "A view from a public right-of-way... which is specifically designated in the General Plan and which provides the public at large with views of the Pacific Ocean, shoreline, coastal ridgelines, coastal canyons or other visual resources" (Glossary, page 17). For projects that could potentially affect Public View Corridors, General Plan Natural Resources Element policy NR-2.09 states, "The City will preserve and improve the view corridors, as designated in Figures NR-1 and NR-2" Though the General Plan discusses the protection of ocean views related to new projects, the view from the I-5 freeway to the ocean is not a designated Public View Corridor listed in Figure NR-1, Aesthetic Resources, in the General Plan Natural Resources Element.

However, this viewshed is included in the Land Use Element as a consideration when reviewing new projects in this area.

Because the view from the freeway to the ocean is not a designated Public View Corridor, the General Plan, through policy LU-13.05, specifies a narrower analysis than what is necessary to "preserve and improve" Public View Corridors. Specifically, the General Plan requires that projects be designed to minimize impacts to ocean views from the freeway. For this analysis, it is necessary to identify how the project will impact the views of the ocean from the freeway, and how the project has been designed to minimize those impacts. San Clemente is a beach town, and visitors and others viewing the City as they travel on the freeway know they have arrived at the coast due to these views. The intent is to maintain this experience from the I-5 freeway.

The proposed project will obstruct ocean views from certain locations on the freeway, as seen in the photos above. The most prominent obstruction is the elevator tower, centrally located in the building. As the story poles demonstrate, the project directly encroaches upon a portion of an uninterrupted public view of the ocean from certain locations on the freeway.

However, the impacts of this encroachment are not fully understood or described by the story poles. Additionally, there has been a significant amount of public input received about the project's visual impacts that do not appear to be clarified or explained by the story poles. While it does not appear that the building, as proposed, will encroach upon the horizon, or obstruct a viewshed focal point, staff recommends that the applicant provide additional visual analysis related to the project to evaluate the building's aesthetic impacts more fully.

The project, through initial consultations with Planning staff, as well as two meetings with the Design Review Subcommittee, has been revised by the applicant to reduce the massing of the structure. This reduction in the project's size has reduced the impact to ocean views from the freeway. Further minimization would most likely require substantial project modifications to the building, such as relocating the elevator shaft, or further reducing the building's mass.

Conditional Use Permit

The project requires a CUP to allow residential uses in a Mixed-Use zoning district. The purpose of this review is to encourage uses to be located in a manner that is consistent with the zone, sensitive to community and neighborhood identity, and which minimize impacts to adjacent uses.

As described in the above analyses, this project conforms to the purpose and intent of the zone by locating commercial uses along the street frontage, providing parking behind and under the commercial portion, and locating the residential portion away from the South El Camino Real street frontage toward the rear of the lot. The project meets the goals and objectives of the San Clemente General Plan because it is attractively designed, activates pedestrian activity in the area, reduces vehicle trips, and offers convenient housing opportunities. Also, the new commercial uses enhance economic opportunities in an area

that has experienced little new development for over two decades. With a shared parking agreement, the project will provide all required parking on-site.

The project has been conditioned to require the applicant to record an on-site shared parking agreement to share the guest parking spaces with the commercial parking spaces to meet the minimum parking requirements (Condition of Approval number 48).

Cultural Heritage Permit

This project requires a CHP to allow new buildings in the Architectural Overlay, and multi-family structures within 300 feet of registered historic structures. The purpose of this review is to encourage architecture which is sensitive to community and neighborhood character, enhances the visual environment, protects the economic value of existing structures, and exemplifies the highest professional design standards, while ensuring that project's do not have negative impacts on historic properties. Additionally, this process is meant to preserve and strengthen San Clemente's historic identity as a Spanish village, protect and enhance the City's attraction as a historic community to tourists and visitors, and encourage and require architecture which reflects the community's historic character.

The applicant proposes Spanish Colonial Revival design for the building consistent with the architectural requirements of this district. The project includes the use of classic Spanish Colonial Revival elements, such as an exterior building finish in a smooth hand-troweled white stucco with slight undulations, roofing that is low-pitched, mortar-packed clay tile, stucco moldings, wrought-iron railings and details, decorative tiles on stair risers, decorative paving for pedestrian walkways, exposed wood rafter-tails, and decorative masonry elements, such as finials, chimney-caps and bowls. The project also incorporates multiple outdoor living areas such as balconies and decks.

The proposed landscaping exceeds the minimum landscaping requirements. The project will provide 13 15-gallon trees, where only ten are required. Additionally, the project will install four non-fruiting olive trees within the public right-of-way, behind the sidewalk along Avenida Santiago. The landscaping consists of primarily low-water plant materials and is consistent with some recently remodeled properties in this area of South El Camino Real. With the building setbacks provided on most sides, the perimeter is heavily landscaped.

Most of the commercial portion of the building is setback four feet to provide a landscaped buffer between the sidewalk and the building to soften the streetscape and provide a way to screen required above-ground utilities. The project will remove the two existing curb cuts on South El Camino Real, and replace and upgrade the nine and a half foot wide sidewalk along South El Camino Real and the seven and a half foot wide sidewalk along Avenida Santiago. Also, the project will install two new Mexican Fan Palms on the sidewalk adjacent to South El Camino Real per the City's street tree requirements.

The mixed-use zone requires at least 30% of the lot to be "urban open area." Urban open areas includes courtyards, pedestrian walkways, and outdoor seating, and other useable open types of areas. The project provides urban open areas which constitute 40% of the lot area. For the urban open areas, the landscaping standards require a minimum of 25% of

that area to be landscaped. The urban open area for this project includes 1,300 square feet of landscaped area, or 25% of the space.

The project complies with the Design Guidelines which specify building forms that are one, two, and three stories, divided into parts scaled to human size, with low pitched hip and gable roofs. The Design Guidelines also require articulated building forms, avoiding long and unrelieved wall planes, to create interesting roof lines and strong patterns of shade and shadow. The project provides articulated wall planes, multiple building step-backs on all sides of the structure, and inviting public spaces along the main street frontage.

By incorporating the street-level design features discussed above, the project improves the pedestrian-environment of the district and preserves San Clemente's historic identity as a Spanish village. The project incorporates Spanish Colonial Revival architecture that is consistent with the Design Guidelines as required by the General Plan's Urban Design Element. The project is conditioned to ensure that the architectural finishes, such as the wrought iron balconies, fencing, and ornamental details, exterior stair and floor tiles, all proposed light fixtures, pre-cast concrete elements, exposed rafter tails, windows and doors, and gutters and downspouts, comply with the City's design standards for Spanish Colonial Revival style. These architectural features shall be approved by the Planning Division prior to the issuance of a building permit (Condition of Approval number 49).

The project is located within 300 feet of two historic properties located at 104 Paseo de Cristobal and 105 Avenida Barcelona. The project will be visible from both historic properties because both have direct lines of sight to the subject lot. While there is a direct line of site, no negative impacts, either physical or visual, are anticipated. This is because the distance between the project site and the closest of the nearby historic properties is approximately 180 feet. Both properties are insulated from the subject property by other properties in the Residential Low zoning district, as well as a public street and the alley. The DRSC did not find that the proposed project would directly have a negative effect on the historic properties, but there were comments that the scale of the project could diminish the importance of the historic properties in the context of the neighborhood. However, the proposed project is a Spanish Colonial Revival design that enhances the City's Spanish-village-by-the-sea heritage, which compliments recent building façade improvements in the neighborhood, such as the Ralph's grocery store, that have remodeled structures in a Spanish style.

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division is conducting an environmental assessment per the California Environmental Quality Act. Pursuant to CEQA notification and determination guidelines, the assessment and any necessary environmental documents will be completed and made available to the public.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and continue the item to a later date.

This is the recommended action, and would result in the item being continued to a date that would allow the applicant enough time to reasonably produce additional information and analysis to evaluate the projects impacts to surrounding properties and views of the ocean from the I-5 freeway.

2. The Planning Commission can forward a recommendation for approval of the proposed Zoning Amendment and mixed-use project to the City Council.

This action would result in the application being forwarded to the City Council for approval to develop the project as proposed.

3. 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 modifications to the proposed development standards, the redesign of the building or its features, or modifications to the landscaping. This action would result in the application being forwarded to the City Council for approval to develop the project with modifications.

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

This action would result in the application being forwarded to the City Council with a recommendation of denial for the project as proposed

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission continue this application to a later date to provide the applicant an opportunity to develop a View Impact Analysis and provide additional visual analysis tools as may be necessary. Staff has provided a draft resolution recommending approval for the Planning Commission to review as referenced in this staff report.

Attachments:

1. ~~Resolution No. PC 15-014~~
~~Exhibit 1 - Conditions of Approval~~
~~Exhibit 2 - Proposed Zoning Ordinance Amendment~~
~~Exhibit 3 - Proposed Zoning Map Amendment~~
2. Location Map
3. Site Photos

4. ~~Design Review Subcommittee Staff Report, dated November 26, 2014~~
5. ~~Design Review Subcommittee Meeting Minutes of November 26, 2014~~
6. ~~Design Review Subcommittee Staff Report, dated January 14, 2015~~
7. ~~Design Review Subcommittee Meeting Minutes of January 14, 2015~~
8. ~~Draft Planning Commission Meeting Minutes, dated April 22, 2015~~
9. ~~Written Public Comments~~
10. ~~Planning Commission Staff Report on Zoning Amendments, dated April 22, 2015~~
11. ~~General Plan Land Use Element South El Camino Real Focus Area Sections
Plans~~

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 15-017, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, FINDING THE FISCAL YEAR 2015-2016 CAPITAL IMPROVEMENT PROGRAM CONSISTENT WITH THE SAN CLEMENTE GENERAL PLAN.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]

D. 1010 South El Camino Real – Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367 – Santiago Mixed-Use (Atamian) (continued from 04-22-15)

Public Hearing to consider forwarding a recommendation to the City Council a request to amend the Zoning Ordinance and Zoning Map to designate portions of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and a request for a mixed use development consisting of seven residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real. The legal description is Lots 3, 4, and 5, of Block 5, of Tract 822, Assessor's Parcel Number 692-152-23.

Chair Darden and Vice Chair Brown recused themselves from considering this agenda item due to property ownership within 500 feet of property reflected in the Zoning Amendment and left the meeting room at 6:15 p.m. They did not return to the meeting. Chair pro tem Ruehlin chaired the remainder of the meeting.

Chair pro tem Ruehlin disclosed that he discussed this project with the applicant in response to the applicant's request.

Commissioner Eggleston reported for the record that he had a conversation with a former GPAC member regarding story poles and ocean views.

Commissioner Smith disclosed that he met with the applicant, walked the site, and reviewed the story pole placement in advance of tonight's meeting.

Adam Atamian, Associate Planner, narrated a PowerPoint Presentation entitled, "Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367, Santiago Mixed-Use, dated May 6, 2015." A copy of the PowerPoint Presentation is on file with the Planning Division.

Nick Buchanan, applicant, displayed slides indicating elevations of the project and distributed renderings for Commission consideration. The

proposed project follows the intent of the General Plan and beautifies an old gas station site which has sat vacant for many years. From the onset, the project has been envisioned as mixed use, with the parking ratio appropriate for the site. The project also removes three curb cuts from El Camino Real to create more street parking, is not located in a public view corridor, and minimally encroaches into the ocean view from the I-5 Freeway.

Michael Luna, architect representing the applicant, advised the story poles accurately reflect the proposed building heights and are certified by a registered, certified engineer. The proposed design features landscaped planters for the first 3.5 feet of the property along the alley, improves the adjacent alleyways, has deeper than required setbacks along the upper stories, complies with the mixed-use, pedestrian-friendly vision for the area, and features very little ocean view encroachment when viewed from the I-5 Freeway. Although the tower is an architectural feature in compliance with design guidelines, it can be revised or reduced if necessary.

Chair pro tem Ruehlin opened the public hearing.

Jenifer Massey, resident, felt the proposed building is too large for the site; suggested it may create a canyon effect on South El Camino Real; suggested the proposed development is not in keeping with the "Village Character" that the majority of residents value in the City.

Pete Van Nuys, resident, opined the proposed building, although it features beautiful architecture, is too large for the site; commented the project may result in canyonization, including loss of sunlight and long shadows.

Bob Conrad, resident, supported the project; commented the project has to be financially viable or will not get built and the site may never be developed.

Zachary Gilmer, resident, opposed the proposed project because it will block his view of the hillside and intrude upon his privacy; commented that the ¾ of a mile to downtown is too far to walk, negating the project's "walkability to the Downtown area;" opined this project and other large homes do not accurately depict the "Spanish Village" concept.

Kevin Colson, resident, supported the project as proposed. Limiting the building to one story will affect its economic feasibility and reducing it to just one story will still block some views.

Shaun Prestrath, resident, supported the project because it provides much needed new housing, offers unique parking opportunities, supports

an urban and pedestrian-oriented lifestyle, and beautifies an unattractive, vacant lot.

Kevin Nelson, resident, opposed the project because it is much too large and dense for the area, is not compatible with the adjacent one story buildings, impacts the ocean view from the freeway, and does not reflect the City's village character feel.

Bill Prestrath, resident, supported the proposed project; commented that there should be more projects like this in the area; felt the proposed design reflected a pedestrian-oriented lifestyle.

Brian Jolowiec, resident, supported the proposed project as it will rejuvenate the area and provide much needed site improvement. The applicant has passion and means to improve the community.

Adam Raffery, resident, supported the proposed project as it will provide residential opportunities for those looking to purchase property in town.

Richard Boyer, resident, opposed the project as he felt it does not reflect the GPAC's vision for the site and is not in keeping with the residents' stated goals for the City.

There being no one else desiring to speak to this issue, Chair pro tem Ruehlin closed the public hearing.

During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Established from staff that the story pole placement is certified by a profession installer and any visual simulation must be performed by a third party professional.
- Requested staff separate the Zoning Amendment resolution from the resolution for the applications.
- Requested staff ensure any view analysis features heights compliant with the new Zoning Amendment that addresses heights along South El Camino Real.
- Requested clarification from staff regarding the minimum/maximum commercial FAR for mixed-use projects proposed in the Zoning Amendment.
- Commented that if residents choose to walk and leave their cars at the property, it will not free up the parking for commercial uses.
- Commented that the "minimize obstructions of ocean views from the I-5 freeway" verbiage in the General Plan makes it difficult for the Commission to quantify just how much obstruction would be allowable.

- Expressed concern that approving this Zoning Amendment before establishing the new Zoning Ordinance may be “breaking new ground before establishing where the new ground is.”
- Commented that development within the City should not be stopped because the Zoning Ordinance is in the middle of update.
- Expressed concern that approving the reduction in parking due to the mixed use nature of the project may set a precedent.
- Expressed concern that because mixed use/commercial zoning allows no setbacks, it may result in a streetscape of large buildings with no opportunity to see sky between.
- Questioned whether the proposed project conforms to Ole Hanson’s vision of a town where one’s views of the ocean are forever preserved.
- Commented that although the project is very close to compliant, questions regarding adequate parking and potential freeway ocean view encroachment remain.
- Commented that ocean view obstructions from the freeway can be cumulative when taking in current obstruction of the Ralph’s grocery store tower and future development along the street.
- Questioned whether the proposed MU 3.2 zoning is appropriate for this area of the City.
- Suggested several view simulations showing percentages of obstruction, such as 10%, 20% and 30%, be provided for comparison purposes.
- Commented it is not the Commission’s purview to determine if this zoning designation is appropriate as it is already designated MU 3.2 in the newly adopted General Plan.
- Stated the general consensus of the GPAC when recommending this type of development for this area of the City was that the new zoning would encourage revitalization and provide much needed commercial for residents in the area.
- Advised the zoning for this area as designated in the General Plan can be revised in the future in the event the area becomes too saturated with mixed use/commercial/dense development.
- Commented that views of the ocean horizon are maintained and the proposed view blockage from the freeway is minimal.
- Advised ocean views from El Camino Real are maintained down each street as envisioned when the City was originally planned.
- Requested additional information from staff to justify the mixed use shared parking proposal.
- Supported requiring the applicant provide view simulations from the outer lane of the southbound freeway to better visualize potential view blockage as well as view simulation indicating that the project cannot be seen from the other lanes.
- Commented the applicant had done a very good job with the architecture and designing within the zoning for the site.

- Requested staff return with information regarding FAR requirements and direction regarding FAR modification when projects feature outdoor seating/courtyard areas.
- Commented that the proposed shared parking may limit commercial use options and hours of operation.
- Requested staff explore potentially establishing public parking along the street frontage with the elimination of curb cuts as well as potential to relocate existing bus stop.
- Commented that past mixed use projects that have featured designs at the approval level featuring shared parking and/or less intense uses have sometimes ended up with more intense uses and higher residential use resulting in increased parking demand not met on site.
- Encouraged the applicant to consider revising the project to meet the required number of parking spaces.
- Established from the applicant that utilities will be underground on site, but the cost of undergrounding adjacent utilities may be very high and could potentially be funded by forming an assessment district.

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 5-0-2, WITH VICE CHAIR BROWN AND CHAIR DARDEN ABSTAINING, TO CONTINUE 1010 SOUTH EL CAMINO REAL – ZONING AMENDMENT 14-364/SITE PLAN PERMIT 14-365/CONDITIONAL USE PERMIT 14-366/CULTURAL HERITAGE PERMIT 14-367 – SANTIAGO MIXED-USE TO THE REGULAR MEETING OF JUNE 17, 2015.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS - None

10. OLD BUSINESS - None

11. REPORTS OF COMMISSIONERS/STAFF

- A. Tentative Future Agenda
- B. Minutes from the Zoning Administrator meeting of April 22, 2015
- C. Staff Waiver 15-128, 220 Avenida Miramar
- D. Staff Waiver 15-138, 129 Calle Redondel
- E. Staff Waiver 15-141, 110 W. Escalones

Commissioner Eggleston requested staff schedule a study session discussion of home based businesses.

Chair pro tem Ruehlin reviewed the four focus areas selected by the Traffic Task Force for forwarding as a recommendation to City Council.



ATTACHMENT 9

STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

April 22, 2015

PLANNER: Adam Atamian, Associate Planner

SUBJECT: Zoning Amendment 14-364/ Site Plan Permit 14-365/ Conditional Use Permit 14-366/ Cultural Heritage Permit 14-367, Santiago Mixed-Use, a request to consider forwarding a recommendation to the City Council to amend the Zoning Ordinance and Zoning Map to designate portions of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and consider a mixed use development consisting of 7 residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real.

BACKGROUND

The Zoning Ordinance states that story pole staking is required for the subject application because it consists of, "A new structure or addition that is three or more stories within a Nonresidential, Mixed Use zone and/or an Architectural Overlay District" (17.24.110.E.10). To ensure adequate time to review this type of visual analysis tool, the story pole staking, "shall be erected at least 14 calendar days prior to the first public hearing or meeting on the Project" (17.12.060.A.1).

Following the advertisement for the public hearing the applicant was unable to complete the story pole staking in the time required. In this situation, the Zoning Ordinance states that, "If a complete and certified staking of story poles for a project is not in place in the time required, the project shall be continued to a later date" (17.12.060.A.b). The applicant is requesting a continuance of the application to the regularly scheduled May 6, 2015 Planning Commission meeting as this will provide enough time to complete the installation of the story poles at least 14 calendar days prior to the public hearing.

Recommendation

STAFF RECOMMENDS THAT the Planning Commission continue the item to the May 6, 2015 meeting.

DARDEN ABSTAINING, to approve the minutes of the regular study session of April 8, 2015, as submitted.

B. Minutes from the Planning Commission Regular Meeting of April 8, 2015

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER SMITH, AND CARRIED 6-0-1, WITH CHAIR DARDEN ABSTAINING, to approve the minutes of the regular meeting of April 8, 2015, with the following revision:

Page 5, second bullet, replace with the following: "Most of the structures in the area provide covered on-site parking, and some include guest parking."

6. ORAL AND WRITTEN COMMUNICATION - None

7. CONSENT CALENDAR

8. PUBLIC HEARING

A. 204 West Paseo De Cristobal – Cultural Heritage Permit 14-496 – Petri Residence (Ciampa)

Public Hearing to consider a request for an addition to a legal nonconforming house that is adjacent to a historic house. The project site is located at 204 West Paseo De Cristobal in the Residential Low (RL) zoning district. The legal description is Lot 2, Block 13, Tract 822, Assessor's Parcel Number 692-242-12.

John Ciampa, Associate Planner, recommended the Commission table this agenda item in response to a request from the applicant for additional time to submit a revised project.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER EGGLESTON AND UNANIMOUSLY CARRIED TO TABLE 204 WEST PASEO DE CRISTOBAL – CULTURAL HERITAGE PERMIT 14-496 – PETRI RESIDENCE.

[AGENDA ITEM TABLED.]

B. 1010 South El Camino Real – Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367 – Santiago Mixed-Use (Atamian)

Public Hearing to consider forwarding a recommendation to the City Council a request to amend the Zoning Ordinance and Zoning Map to

designate portions of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and a request for a mixed use development consisting of seven residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real. The legal description is Lots 3, 4, and 5, of Block 5, of Tract 822, Assessor's Parcel Number 692-152-23.

Adam Atamian, Associate Planner, recommended the Commission continue this item in order to ensure compliance with the Zoning Ordinance with regard to the staking of story poles.

Chair Darden opened the public hearing.

Zachary Gilman, resident, voiced concerns about parking, the impact of the project's height on views of the hillside to the east, and potential environmental concerns regarding development on the site of an old gas station.

Jennifer Massey, resident, requested staff ensure the project for the subject site is designed in compliance with all applicable standards and requirements.

Mike Lawrence, resident, voiced concern regarding increased traffic and decreased parking in the area as a result of development on this property.

Brett Hillyard, resident, expressed concern that a potential massive building on this site would block light and wind to adjacent properties; expressed concern regarding traffic and parking impacts.

Chair Darden suggested the residents discuss their concerns with Associate Planner Atamian.

There being no one else desiring to comment on this item, Chair Darden closed the public hearing.

IT WAS MOVED BY COMMISSIONER BARNES, SECONDED BY COMMISSIONER SMITH AND UNANIMOUSLY CARRIED TO CONTINUE 1010 SOUTH EL CAMINO REAL – ZONING AMENDMENT 14-364/SITE PLAN PERMIT 14-365/CONDITIONAL USE PERMIT 14-366/CULTURAL HERITAGE PERMIT 14-367 – SANTIAGO MIXED-USE TO THE REGULAR MEETING OF MAY 6, 2015.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

- C. Zoning Amendment 14-456 and General Plan Amendment 15-049
(Wright/Hare)



Design Review Subcommittee (DRSC)

Meeting Date: November 26, 2014

PLANNER: Adam Atamian, Associate Planner

SUBJECT: Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367, Santiago Mixed Use, a request to consider amending the zoning designation of a portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and consider a new mixed use development consisting of 7 residential units and 4,244 square feet of commercial space located at 1010 South El Camino Real.

BACKGROUND:

Project Description

The applicant is proposing to amend the Zoning Ordinance to reflect the Centennial General Plan's new Mixed-Use (MU 3.2) land use designation for the subject zone to allow a new mixed-use development. The applicant proposes to apply the existing Mixed-Use (MU 3) development standards to certain sections of South El Camino Real located between Avenida Presidio and the I-5 freeway that changed General Plan land use designations from Neighborhood Commercial (NC 2) to MU 3.2.

The project consists of a tiered, four level building in the Spanish Colonial Revival style that contains 4,244 square feet of commercial space on the first and second stories with seven residential units that are located throughout the second, third, and fourth stories. Parking is located in a partial-basement level garage. Part of the partial-basement level garage counts as a first story and the other portion is considered a basement because it is more than 60% below grade. Although the building has four levels, for this reason it is three stories tall.

Why is DRSC Review Required?

A Zoning Amendment is required to change the subject zone to MU 3.2 and to apply the existing MU 3 development standards to this zone; a Cultural Heritage Permit is required because the project is located within 300 feet of a historic property; a Conditional Use Permit is required to allow residential development in a Mixed-Use zone, and a Site Plan Permit is required for all new mixed-use developments. The DRSC is tasked to ensure development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood, and consistent with the City's Design Guidelines and does not negatively impact nearby historic structures. These applications will be reviewed by the

Planning Commission with a recommendation made to the City Council, the final review authority for projects involving a Zoning Amendment.

Site Data

The property is a 12,930 square foot, vacant lot located on the northwest corner of the South El Camino Real and Avenida Santiago intersection. The natural topography of the lot slopes down away from South El Camino Real. The property was previously graded for use as a gas station. To accommodate that use a 10 foot tall retaining wall was installed and the lot was filled to bring the grade of the entire lot to that of South El Camino Real. There is a 20-foot wide, City-owned alley abutting the property on the west side, which runs parallel to South El Camino Real.

The surrounding land uses include a two-story multifamily residential structure to the west, separated from the site by the alley. To the north is a two-story, multi-tenant commercial building which appears as a one-story building from South El Camino Real. Across Avenida Santiago is another two-story commercial building, which also appears as a one-story building from South El Camino Real. To the east, across South El Camino Real, are one-story commercial buildings.

The project is located within 300 feet of two historic properties located at 104 Paseo de Cristobal and 105 Avenida Barcelona. The project will be visible from both historic properties because both have direct lines of sight to the subject lot.

ANALYSIS:

As noted previously, the applicant proposes to amend the Zoning Ordinance to apply the MU 3 development standards to the new MU 3.2 zone. However, the appropriate development standards for the new MU 3.2 zone have not yet been vetted through the Zoning Ordinance update process and some standards of the MU 3 zone may not be appropriate for this area and community. The Zoning Ordinance update process, which will identify the appropriate standards for the area, is a lengthy process requiring many meetings that involve property owner area input, detailed staff analysis, Planning Commission review and recommendation, and City Council action. Staff has provided the applicant the option of waiting for staff to update the Zoning Ordinance to be consistent with the General Plan but they chose to proceed with the Zoning Amendment.

Consistency with the General Plan Urban Design Element and the Design Guidelines

Due to the nature of this project as a Zoning Amendment to allow a new mixed-use development on a lot currently zoned NC 2, there are many design considerations that apply to this project. This section of the report will focus on staff's major concerns regarding the scale and mass of the proposed building. For additional detail, staff is providing a more comprehensive analysis of this project's compliance with the Design Guidelines, included as Attachment 2.

The Urban Design Element and the Design Guidelines require:

“Building design shall consider the site’s natural topography, public view corridors and adjacent building profiles so that canyonization is avoided.”
General Plan UD-5.14

“Develop compatible relationships between the topography, building placement, and existing open spaces of neighboring properties.” Design Guidelines. General Site Design Objectives II.A.

The project involves substantial grading for a basement level garage that could offer the opportunity for the development to demonstrate the natural slope of the property. However, the proposed project does not follow the natural topography of the site. From front to back, the building’s roof line follows a generally horizontal pattern.

“All development proposals should demonstrate sensitivity to the contextual influences of adjacent properties and the neighborhood.” Design Guidelines. Relationship to Neighboring Development II.B.

Adjacent properties include a two-story duplex to the west, two-story commercial buildings to the north and south, and a one-story commercial building to the east. None of these properties are over one-story tall from the grade of South El Camino Real. While the building appears as a tall two-story structure from South El Camino Real, the building’s rear façade shows four levels. The proposed development does not provide much massing relief to the properties to the west and north due to their proximity and the bulk of the proposed structure oriented toward them.

“We require that the scale and massing of development be compatible with its surroundings and with the General Plan....” General Plan UD-5.10

“Design buildings to be compatible in scale, mass and form with adjacent structures and the pattern of the neighborhood.” Design Guidelines. Relationship to Neighboring Development II.B.3

The pattern of the neighborhood is relatively consistent in terms of scale and mass. As noted above, the adjacent properties are all one-story tall from South El Camino Real. While there are taller commercial buildings in the area, such as the Ralph’s building at 901 South El Camino Real, within the context of this portion of the neighborhood, this proposed structure appears out of scale with the pattern of development. The proposed project is two levels taller than the adjacent two-story residential structure to the west and this difference in scale has the potential to completely overwhelm nearby residences.

“Three-Story Development. In the Pedestrian Overlay and on El Camino Real, three-story commercial and mixed-use developments shall include usable open areas at the ground level to create interest, areas for outdoor dining, seating or

displays and to help reduce the apparent scale and mass of second and third building stories.” General Plan UD-5.02

The project provides a narrow entry courtyard with access from South El Camino Real. However, this courtyard is surrounded by two-story portions of the buildings and is oriented more for internal access than usable open area. Additionally, the rear façade is the most massive section of the structure, and would greatly benefit from additional usable open space to help reduce the apparent mass in that area.

RECOMMENDATIONS:

In addition to the comments included in Attachment 2, staff has the following general recommendations to improve the design of the project:

1. The project should be modified so that the building steps down to follow the natural topography. The building maintains a relatively consistent height from front to back.
2. The project should be modified to reduce the bulk at the rear of the property, the portion that is adjacent to the multifamily residential structure to the west. The building is substantially out of scale with the residential neighborhood. Reducing the impact of the higher floors will minimize this scale difference.
3. The project should incorporate bicycle parking facilities to accommodate a reasonable amount of the building’s anticipated users.
4. Public art, and additional ornamental detail, should be incorporated into the project on the building facades facing South El Camino Real and Avenida Santiago.
5. The project should provide more of a sense of openness in terms of providing outdoor spaces. When viewed as a whole, the building consumes the lot. From the street facades, the building provides a landscaped corner and the entry courtyard as the only outdoor spaces. The landscaped corner is not functionally inviting as a space for pedestrians, and the entry courtyard lacks the sun exposure to achieve the same goal. Staff recommends that the entry courtyard be expanded to allow more direct sunlight and to provide additional spaces for pedestrian uses that have a connection to the street. Staff also recommends that the project provide additional usable open area on the rear façade.
6. In conjunction with recommendation #1, the project should provide more roof articulation to break up the monolithic appearance of the building. The roof should be broken up into smaller elements that tend to step down with the original topography of the site.

Staff seeks the DRSC’s comments and welcomes any additional recommendations.

Attachments:

- ~~1. Location Map~~
- ~~2. Design Guidelines Consistency Matrix~~
- ~~3. Photos of Existing Conditions~~

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW SUBCOMMITTEE
NOVEMBER 26, 2014**

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

Staff Present:

1. **MINUTES**

Minutes from the November 12, 2014

2. **ARCHITECTURAL REVIEW OF THE FOLLOWING ITEM**

A. **Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367, Santiago Mixed Use (Atamian)**

A request to consider amending the zoning designation of a portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.1) zone, and consider a new mixed use development consisting of 7 residential units and 4,244 square feet of commercial space located at 1010 South El Camino Real.

Associate Planner Adam Atamian summarized the staff report.

Subcommittee Chair Crandell asked staff for clarification regarding the usable outdoor area required for each residential unit, referencing the requirements for multi-family residential development. Mr. Atamian responded that the Mixed-Use zoning standards require a certain amount of usable outdoor area, but not a specific amount assigned to each unit.

Subcommittee Member Darden asked staff for clarification on their recommendation regarding the front courtyard. Mr. Atamian responded that the front courtyard is quite narrow and creates a canyon-like effect. Additionally, the courtyard is more like a pathway to and from the parking garage, the street, and the commercial units than as a usable outdoor space as discussed in the General Plan.

Subcommittee Chair Crandell asked for staff clarification of how height is calculated for this property, whether it is based on the original topography of the site, or the existing built-up grade. Mr. Atamian responded that for this part of the City, the height is calculated from the original grade, which would follow the slope of Avenida Santiago. He stated that the existing grade that results from the back-filled retaining wall at the rear of the

property does not provide any opportunity for additional height over the natural topography.

Project architect Michael Luna presented the project, and responded to staff's comments using project illustrations.

Subcommittee Member Ruehlin asked Mr. Luna how high the top of the arches at the rear of the parking garage are from the grade of the alley. Mr. Luna responded that they are approximately 14 feet from the grade of the alley.

Subcommittee Chair Crandell and Subcommittee Member Darden asked about the building setback dimensions. Mr. Luna and the property owner and developer, Nick Buchanan, responded, noting multiple setbacks throughout the project, for multiple stories. Mr. Luna continued, discussing how the project follows the topography, keeping two stories along El Camino Real.

Subcommittee Chair Crandell and Subcommittee Member Ruehlin discussed the General Plan update process and how the goal was to limit development to two stories on the El Camino Real street frontage and to provide an allowance for three stories that is dependent on topography that would allow a third story tucked underneath the two stories situated on the street.

Mr. Buchanan stated that he has familiarized himself with the new General Plan and has reviewed many City Council meeting videos and is unaware of any language that describes a two-story height limit along El Camino Real. He asked if the DRSC was aware of any language, outside of those sections of the General Plan that discuss the Downtown/ T-Zone area, where the mixed-use zones are limited to two stories along El Camino Real. Subcommittee Chair Crandell stated that he was not aware of any, but that the proposed project appears to comply with that understanding.

In response to discussion about staff's comments regarding the number of stories and the massing at the rear portion of the project, Mr. Atamian stated that the project is technically no more than a three-story building at any point in the project. However, the visual impact of the structure is that of a four level building that increases in height toward the rear of the property. Using images of the project, Mr. Atamian demonstrated how the top story of the project is stepped up from the top commercial floor of the project that fronts El Camino Real. Mr. Luna stated that the slight increase in the height of the roof line as it carries back from the El Camino Real frontage is inconsequential as the front of the building will set the ambiance on the street.

The DRSC asked whether this project complies with the minimum Floor Area Ratio (FAR) for the commercial portion of the project. Mr. Atamian stated that the General Plan does not specify a minimum FAR for the new MU 3.2 zone, but that based on the existing MU 3 zone, it does not. The minimum FAR for the commercial portion of a mixed-use project in the existing MU 3 zone is .35, the current project is at .33, approximately 260 square feet short.

The project landscape architect, Richard Price, discussed the site landscaping and courtyard designs. He stated that the north side of buildings tend to be dark because of the reduced amount of sunlight exposure, but that the project is designed in a way to maximize landscaping that will survive while offering usable outdoor areas. Subcommittee Chair Crandell noted that he agrees with staff regarding the functionality of the proposed courtyard in that it does not serve much public purpose, only as a path to the parking area and one commercial unit entrance.

Mr. Buchanan spoke about the history of the site, specifically that it is an abandoned gas station that has sat vacant since 1987. He then proceeded to discuss the project and how it is compatible with the surrounding neighborhood, utilizing a PowerPoint presentation.

Subcommittee Member Darden discussed her impressions of the project and responded to comments made earlier. She stated that she liked much of the architectural treatment, the landscaping and particularly liked the pedestrian engagement in the alley. She also noted that the pedestrian portion of the project fronting El Camino Real could be enhanced to be more inviting at the street. She specifically noted that the courtyard could be opened more to provide more connection to the street, less of a surprise to those walking into it. She is concerned about the shallow second story setback from El Camino Real. For the rear portion of the project, Subcommittee Member Darden agreed with the staff report description of the project and how it "consumes the lot." She stated that the project should incorporate measures that reduce the overall building impact such as increased setbacks. She noted that while there is a difference in scale between mixed-use zones and residential zones, development should be tailored to not overwhelm the abutting residential zone. She also agreed with staff's recommendation to revise the roof line to more closely follow the natural topography of the site.

Subcommittee Member Ruehlin stated that he liked the arches at the rear of the property and how they helped reduce the impact of the rear façade on the adjacent property. Additionally, he noted that the landscaping located along the alley also softens the impact. He asked for clarification from staff regarding the building's impact to adjacent properties. Mr. Atamian stated that staff's concern is mainly about the rear portion of the

structure and its impact to the single-family residential zone to the west. Mr. Atamian noted that staff's main concerns regarding the portion of the project fronting El Camino Real is primarily about the pedestrian orientation. Mr. Luna asked whether this property was located in a Pedestrian Overlay. Mr. Atamian stated that it was not, but that the project is proposed to utilize the reduced parking ratio of the MU 3 zone, which is provided to pedestrian oriented districts.

Subcommittee Member Ruehlin agreed with Subcommittee Member Darden's comments regarding the front portion of the project in terms of the courtyard and the pedestrian orientation. He went on to state that while this is the type of project that the General Plan Advisory Committee intended to promote in this area, this particular project appears to present a potentially looming development. He noted that the project does incorporate measures to reduce the massing impacts of the projects, and he is not sure that additional upper story setbacks would provide the type of relief necessary to really reduce the looming effects of a structure this massive. He stated that he is not supportive of setting a precedent of projects that increase the canyonization along the alley.

Mr. Buchanan discussed the difficulty of building to the maximum allowable development standards while trying to meet the Design Guidelines. Mr. Luna also spoke about the difficulty of trying to hide third stories, and how this project has incorporated sizeable setbacks that the plan elevations do not present adequately.

Subcommittee Chair Crandell commended staff on the job of reviewing a project without the use of clearly established development standards. He thanked the applicants for their honesty regarding the project and their concerns regarding the pedestrian frontage and mass. Subcommittee Chair Crandell asked the other Subcommittee Members if they had any concerns regarding this project's impact to nearby historic resources. Subcommittee Member Darden stated that she finds that the project's mass has the potential to impact the historic resources and that the project's mass should be reduced. Subcommittee Member Ruehlin stated that as part of a commercial area, he does not see the potential for a negative impact. Subcommittee Chair Crandell agreed with Subcommittee Member Ruehlin.

Subcommittee Chair Crandell stated that he was generally supportive of the project as it is representative of the type of development intended for this area. He noted that he agrees with staff's concern about the narrowness and usefulness of the front courtyard as a pedestrian space.

The DRSC and staff discussed the potential process for the proposed Zoning Amendment in terms of how it could affect the design of the project and whether the project would need to be brought back to the DRSC for

additional review. Mr. Atamian stated that based on the proposed development standards and the level of support for them, there are potential design changes that could occur, and in that event, this project would need to be reviewed again by the DRSC to ensure compliance with the Design Guidelines.

Subcommittee Chair Crandell discussed staff's recommendations with the applicants. They were in agreement with most of the comments, which they felt they could incorporate into the project without too much difficulty. However, they were not in agreement regarding the comments to further step the building to follow the natural topography of the site, nor the recommendation to further articulate the roof for the same purpose. All were in agreement that public art was not required, and the DRSC stated that they would rather see good architecture than forced public art.

The DRSC was not unanimous regarding the scale and massing of the project or the suggestions to reduce the scale of the project either through stepping the building down more or increasing the setbacks of the higher stories of the project to improve the building's compatibility with the adjacent residential structure and single-family residential zone. The DRSC did indicate that the project should be reviewed again prior to proceeding to the Planning Commission level.

Mr. Buchanan asked the DRSC for some clarifications on design comments discussed previously. When discussing the massing impacts of project, the DRSC and staff discussed how additional perspective renderings and simulations could help to better illustrate how this project will be perceived within the context of the surrounding neighborhood. The DRSC expressed their appreciation for the proposal to build this type of project in this area, and thanked the applicants for working with staff through this process.

B. Cultural Heritage Permit 14-107, McIlvian Addition (Ciampa)

A request to consider a first and second story addition to a historic house located at 209 Avenida La Cuesta.

Associate Planner John Ciampa summarized the staff report.

Subcommittee Chair Crandell asked if the Minor Exception Permit (MEP) is supported by staff and what are their reasoning's to allow a reduced setback for the side yard of the house. Staff responded stating that the modified project reduced the addition to a single story to improve the compatibility and the massing of the project with the historic house. Staff's position was that this reduction of one foot to the side yard setback was acceptable because it pulls the addition further from the original portion of the house and there was a significant setback and topography change to the adjacent



Design Review Subcommittee (DRSC)

Meeting Date: January 14, 2015

PLANNER: Adam Atamian, Associate Planner

SUBJECT: Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367, Santiago Mixed Use, a request to consider amending the zoning designation of a portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and consider a new mixed use development consisting of 7 residential units and 4,244 square feet of commercial space located at 1010 South El Camino Real.

BACKGROUND:

The DRSC reviewed this project on November 26. At that meeting, the DRSC provided recommendations to improve the project's compliance with the Design Guidelines. The DRSC requested that the project return for additional DRSC review prior to moving forward through the development review process. The staff report and draft minutes from that meeting are included as attachments 2 and 3, respectively.

Project Description

The applicant is proposing to amend the Zoning Ordinance to reflect the Centennial General Plan's new Mixed-Use (MU 3.2) land use designation for the subject zone to allow a new mixed-use development. The applicant proposes to apply the existing Mixed-Use (MU 3) development standards to certain sections of South El Camino Real located between Avenida Presidio and the I-5 freeway that changed General Plan land use designations from Neighborhood Commercial (NC 2) to MU 3.2.

The project consists of a tiered, four level building in the Spanish Colonial Revival style that contains 4,244 square feet of commercial space on the first and second stories with seven residential units that are located throughout the second, third, and fourth stories. Parking is located in a partial-basement level garage. Part of the partial-basement level garage counts as a first story and the other portion is considered a basement because it is more than 60% below grade. Although the building has four levels, for this reason it is three stories tall.

Why is DRSC Review Required?

A Zoning Amendment is required to change the subject zone to MU 3.2 and to apply the existing MU 3 development standards to this zone; a Cultural Heritage Permit is required

because the project is located within 300 feet of a historic property; a Conditional Use Permit is required to allow residential development in a Mixed-Use zone, and a Site Plan Permit is required for all new mixed-use developments. The DRSC is tasked to ensure development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood, and consistent with the City's Design Guidelines and does not negatively impact nearby historic structures. These applications will be reviewed by the Planning Commission with a recommendation made to the City Council, the final review authority for projects involving a Zoning Amendment.

Site Data

The property is a 12,930 square foot, vacant lot located on the northwest corner of the South El Camino Real and Avenida Santiago intersection. The natural topography of the lot slopes down away from South El Camino Real. The property was previously graded for use as a gas station. To accommodate that use a 10 foot tall retaining wall was installed and the lot was filled to bring the grade of the entire lot to that of South El Camino Real. There is a 20-foot wide, City-owned alley abutting the property on the west side, which runs parallel to South El Camino Real.

The surrounding land uses include a two-story multifamily residential structure to the west, separated from the site by the alley. To the north is a two-story, multi-tenant commercial building which appears as a one-story building from South El Camino Real. Across Avenida Santiago is another two-story commercial building, which also appears as a one-story building from South El Camino Real. To the east, across South El Camino Real, are one-story commercial buildings.

The project is located within 300 feet of two historic properties located at 104 Paseo de Cristobal and 105 Avenida Barcelona. The project will be visible from both historic properties because both have direct lines of sight to the subject lot.

ANALYSIS:

In 2014, the City Council adopted a new General Plan which provided a new land use designation for the subject property, and most others on the west side of North El Camino Real between Avenida Presidio and the I-5 freeway. This re-designation from neighborhood commercial to mixed-use, once codified through the pending Zoning Ordinance update or the applicant's zoning amendment, effectively up-zones this area to increase the floor area ratio (FAR) from .35 to 1.5 for mixed-use projects.

The General Plan contains very basic descriptions of the new development standards that apply to the new MU 3.2 zone, such as those that apply to height limits and story limits. These standards are not specific enough to provide staff with a clear understanding of the final intent of the Zoning Ordinance. To resolve these ambiguities, staff will be requesting clarification from the City Council regarding the appropriate standards for this new land use designation at their January 20, 2015 meeting.

At the outcome of the City Council meeting, staff should have a clearer understanding of the intended Zoning Ordinance development standards that will apply to this project and a better ability to review the appropriateness of the proposed development.

RECOMMENDATION:

Staff recommends that the project design be discussed after the January 20th City Council meeting to determine what, if any, project modifications may be required to comply with the direction provided by the City Council. The applicant requests DRSC input ahead of the January 20th City Council meeting.

Attachments:

- ~~1. Location Map~~
- ~~2. DRSC Staff Report, dated November 26, 2014~~
- ~~3. Draft DRSC Meeting Minutes, dated November 26, 2014~~

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW SUBCOMMITTEE
JANUARY 14, 2015**

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

Staff Present: Jim Pechous, Cliff Jones, Adam Atamian and John Ciampa

1. MINUTES

Minutes from November 26, 2014 (approved)

Minutes from December 10, 2014 (to be submitted with January 28, 2015 packet)

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEM

A. Zoning Amendment 14-364, Site Plan Permit 14-365, Conditional Use Permit 14-366, Cultural Heritage Permit 14-367, Santiago Mixed Use (Atamian)

A request to consider amending the zoning designation of a portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.1) zone, and consider a new mixed use development consisting of 7 residential units and 4,244 square feet of commercial space located at 1010 South El Camino Real.

Associate Planner Adam Atamian summarized the staff report.

Mr. Atamian discussed some concerns raised by the applicants regarding the description of the number of stories in the project. Mr. Atamian stated that the staff report clearly indicates that the building is a three story building, though it consists of four separate levels.

The DRSC, staff, and the applicants discussed the pending Zoning Ordinance update, and the applicant's potential options regarding the proposed zoning amendment application and how they could affect the design of the project should the project's proposed development standards not be approved. The DRSC decided to review the project based on the application and the proposed plans

Nick Buchanan, applicant, stated that he had submitted a letter to Mr. Atamian describing his dissatisfaction with staff's writing of the DRSC meeting minutes of January 14, 2015. He said that the minutes reflected more of the negative aspects of the project, instead of presenting both sides of the discussion that transpired. Mr. Atamian replied, noting that projects are brought to the DRSC because staff determines that particular aspects

of a project may not be consistent with the City's Design Guidelines. He went on to explain that the minutes are a transcription of the relevant discussions of the DRSC relating to how project's may or may not be consistent with these guidelines, and not a verbatim dictation of every comment or response made during the meeting.

Michael Luna, the project's architect, provided an overview of the revisions made to the project using perspective renderings of the project. He discussed how the upper story setbacks have been increased to provide a 10 foot story step-back on the second story (third level), and a 20 foot story step-back for the third story (fourth level). Subcommittee Member Darden asked for clarification of how much additional step-back was being provided in this set of plans over what was originally reviewed. Mr. Luna stated that the second story was stepped back an additional two to three feet, and the third story was stepped back an addition three to four feet. Mr. Luna also noted that the alley frontage includes a three foot wide landscaped planter, instead of placing the building right along the rear property line. Subcommittee Chair Crandell asked if the material of the planter wall would stand up to the alley traffic. Mr. Luna stated that he felt it would, but that there were options to ease maintenance concerns, such as painting the wall a terra cotta color.

Subcommittee Chair Crandell asked about the choice to provide a long, uninterrupted stucco wall along the second story (third level) deck, and if there were opportunities to break up the unrelieved plane. Mr. Luna, stated that the purpose of this wall, on the lower of the two deck levels, was to provide privacy for the residents. Mr. Luna stated that the project could incorporate additional detail along the wall to break up the horizontality of the wall. Subcommittee Chair Crandell asked about the arched openings of the commercial parking area, and whether there would be any architectural value in providing some type of visual screening to block views of the cars. Mr. Luna and Mr. Buchanan stated that the openings are there to provide required ventilation into the parking area, and that the parking level was high enough off the grade of the alley that direct views into the parking garage would not result in much visibility of the vehicles. Additionally, they stated that they would prefer not to obstruct views out of the commercial parking level because they would like to retain the ocean view for their commercial customers and allow as much light into the parking area as possible.

The DRSC members discussed the interior lighting in the commercial parking area, and stated that the lighting plan should direct light away from neighboring properties as much as possible. Mr. Luna discussed the idea of installing a roll-down gate to allow the lights to be turned off at night. Subcommittee Chair Crandell discussed the possibility to use shared

parking to allow the residents to utilize the commercial parking at night, should parking be an issue.

Mr. Luna then discussed the modifications proposed for the front courtyard along South El Camino Real. He stated that the stairs had been moved to open up the entry, the second story walkway had been revised to provide a more open experience, and a portion of the roof had been pulled back to allow more sun light to penetrate the space. The DRSC discussed the changes, noting that the modifications help the project establish a better connection to the pedestrian frontage. Mr. Luna also reviewed the corner patio area, and how it has been enlarged to provide additional area for usable outdoor space. Subcommittee Chair Crandell asked about the potential location of the fire riser, and Mr. Luna stated that it would most likely be located along the Avenida Santiago property line toward the rear of the corner patio area.

Subcommittee Member Darden asked if the project had been able to provide any additional step-back on the second story of the commercial façade along South El Camino Real. Mr. Luna stated that the second story step-back was increased by one foot to 5 feet, five inches.

Subcommittee Member Darden then asked for clarification on the purpose of this review, specifically asking what the applicant hoped to receive. Mr. Luna stated that they are looking to find out if the project is moving in the right direction aesthetically, and what, if any, architectural concerns remain. Mr. Buchanan stated that he is applying for a zoning amendment that will provide the development standards necessary to allow the proposed structure, and is asked the DRSC to review the project's design based on the proposed zoning amendment.

The DRSC then provided individual comments to the applicant and staff. Subcommittee Chair Crandell stated that he appreciates that the applicant did not propose a structure that maximizes the building based on the potential development standards. He went on to ask for clarification about the height of the story with the commercial parking off of Avenida Santiago. Mr. Luna stated that the plate height for that level is about 12 feet, and is due to the floor level being lowered to allow access to that parking area from Avenida Santiago which meets the Engineering division's standards. Subcommittee Chair Crandell stated that he is pleased with the architectural detail shown on the plans. He stated that many of the details are ones that have been incorporated into previous projects and which have worked well. He noted that the project is below the height limits of the existing Mixed-Use zone, and though the building does not terrace down the slope significantly, this is due more to the lower height on the portion of the building fronting South El Camino Real than the height of the building at the rear of the

property. Subcommittee Chair Crandell stated that he is in support of the design of the project.

Subcommittee Member Ruehlin asked for clarification of the applicant's perceived use of the front courtyard. Mr. Buchanan discussed the multiple purposes he envisions for the space as an area for circulation for the residents, and a natural break in the building's façade to create architectural interest without creating a dead space along the pedestrian frontage. Mr. Luna discussed the space as providing pedestrian interest, as well as an enjoyable experience for the residents and commercial customers. He spoke of the proposed fountain and how the courtyard balances architectural interest and relief with the usability of outdoor space. He continued, discussing the corner patio area as a pedestrian space where tables and chairs could be placed creating a connection between the building and the pedestrian frontage at the corner.

Subcommittee Member Ruehlin said that he likes the revised courtyard plans, and is happy that the architect accomplished the modifications without sacrificing interior floor space. He continued, noting that he is cognizant of the short term concerns regarding pedestrian spaces that create areas for unwanted uses. However, he would hope that this type of project will activate the area, allowing the outdoor spaces in this project to attract and engage pedestrians positively. He stated that he likes the modifications made to the project, and noted that he is generally in agreement with Subcommittee Chair Crandell and sees this project as consistent with his memory of the General Plan update process. He continued, saying that while the final design depends on the development standards that will eventually be applied, he thinks that the applicant has done something great with the proposal.

Subcommittee Member Darden relayed her comments on the project in a bullet point fashion, stating the following:

- Like the other DRSC members, the architectural treatment of the project is of high quality.
- The changes in the front setback, opening up the front courtyard, and increasing the corner patio area alleviate her concerns about the pedestrian engagement along the project's street frontage.
- The building reads as three stories, not four stories, and the utilization of basement parking is much appreciated.
- That the treatment along the alley, including the arches, landscaping, and flying buttresses, are very nice and provide some engagement for pedestrians using the alley. She stated that this treatment will help to establish a standard for development adjacent to the alleys.
- While she appreciates that the project is within the envelope of the proposed development standards, she continues to have concerns regarding the massing at the rear of the project. She appreciates the

increase in the setbacks, but remains concerned that the building is consuming the lot, though less than before.

- She continued to agree with staff that the mass could better follow the topography of the descending lot.
- The canopy trees provide some relief to the massing, however the building still sets a standard of development that could overwhelm the adjacent residential zone and the nearby historic resources.
- The second story balcony wall adds massing at the rear of the building that breaks in the wall would help alleviate.

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Mr. Luna responded to Subcommittee Member Darden's comments about the massing, stating that in order to provide parking access off of Santiago for commercial customers, the building necessarily requires a staggered story design which provides the appearance of a three story element, though the third level along the rear elevation is generally at the level of the first level from El Camino Real. Subcommittee Member Darden stated that she is not concerned with three story elements, per se, but that her concerns in this project are due to the overall massing along the alley side and Santiago side of the building.

There was discussion between the DRSC members, Mr. Buchanan, and Mr. Luna regarding the existing pattern of development along the alley, specifically regarding the highly vertical three story structures on the alley property line. Subcommittee Member Darden stated that while she does not want to make the applicant feel that he is being held to a higher standard, that the previous types of development that exist are what the City is trying to avoid. Mr. Buchanan stated that it should be noted for the record that he understands that concerns, and that his project is significantly better than what has been previously built in the area. He went on to note that the project is not out of character with the neighborhood, and showed photographic examples of projects developed with similar massing along the alley. Subcommittee Member Darden stated that it has been noted how the alley treatment of this project is definitely better than what has been built previously.

The DRSC discussed the difficulty of reviewing designs for projects where there are no established development standards, and how to best support quality development without creating adverse impacts on adjacent areas.

Mr. Buchanan responded to some comments made regarding the nearby historic properties, and using photographs, explained how he believed there would not be any significant impacts to them. There was a question about whether there was a historic structure on the block directly west of the subject site. Mr. Atamian stated that the two nearby historic properties were both one block away from the block directly west.

Mr. Buchanan discussed the investment made in this area, and the substantial amount of work, effort, and time that he has put into developing a project that he believes the new General Plan encourages. The DRSC acknowledged and thanked the applicant for his desire to invest capital into the city.

Subcommittee Member Darden stated that she does not perceive the project to be far away from an acceptable level of massing. Questions were raised about what could be done for her to be satisfied with the massing of the project. Subcommittee Member Darden stated that there is no specific amount of mass reduction that she can recommend, that some small changes could conceivably reduce the mass appropriately.

The DRSC all agreed that the project, in terms of design, is ready to be reviewed at the Planning Commission level. Cliff Jones, Secretary of the DRSC, noted that based on the DRSC review thus far, staff has not developed design recommendations as detailed as would normally be presented because of the concerns over massing. The DRSC asked that the detailed staff review be included in the staff report for the Planning Commission. Subcommittee Member Darden noted that the staff report would reflect the DRSC's individual recommendations.

B. Cultural Heritage Permit 14-396/Minor Exception Permit 14-395, Berardi Duplex (Ciampa)

A request for a second story addition to a legal nonconforming duplex that is adjacent to a historic house. The project site is located at 314 North Ola Vista.

Associate Planner John Ciampa summarized the staff report.

The applicant, Mario Berardi, stated that he has shown the plans to the neighboring property owners and they are supportive of the proposed project.

Subcommittee Member Ruehlin asked staff if the proposed application increased the square footage of the duplex by more than 50 percent. Staff confirmed that the addition was under 50 percent of the existing square footage of the duplex.

The DRSC had concerns with the following aspects of the project:

- As designed, the architectural quality of the design would have a negative visual impact on the adjacent historic houses. DRSC requested an improved fenestration and architectural design.

City of San Clemente Centennial General Plan, February 2014

buildings and sites are designed to be compatible in scale, mass, character, and architecture with adjacent buildings and to ensure they follow design standards in this General Plan and in the Design Guidelines for the district or neighborhood in which they are located, including the use of landscaped setbacks, walls, and other appropriate elements to mitigate operational and visual impacts on adjacent land uses.

LINKS TO GENERAL PLAN INFORMATION

- Land Use Plan [link to Land Use Plan page]
- Land Use Designations [link to Land Use Summary page]

ADDITIONAL LINKS

- Zoning Ordinance, Public Zones and Standards
[http://library.municode.com/HTML/16606/level2/TIT17ZO_CH17.48PUZOST.html#TOPTITLE]

Focus Areas

San Clemente is known as the “Spanish Village by the Sea” and is comprised of various neighborhoods and communities that vary in terms of their uses, types of development and architectural character. When the City began the process of preparing a new General Plan in 2009, the community identified eight Focus Areas considered to have the most potential for change. These areas are identified below and their locations are depicted on the Focus Area Locations Map. [link to Figure LU-3].

Focus Area policies provide specific direction above and beyond those policies that are applicable Citywide. Additional direction is provided in the Zoning Code, Design Guidelines and applicable Specific Plans.

GOAL AND POLICY SECTIONS:

9. Camino de Los Mares
10. Rancho San Clemente Business Park
11. Los Molinos
12. North Beach/North El Camino Real
13. Del Mar/T-Zone and Downtown Core
14. Pier Bowl and Pier
15. South El Camino Real (West of Interstate 5)
16. South El Camino Real (East of Interstate 5)

GENERAL PLAN FIGURES

- Focus Area Locations Map [link to Figure LU-3]

ADDITIONAL LINKS

- Economic Development Strategy*
- Pier Bowl Specific Plan** [<http://san-clemente.org/sc/standard.aspx?pageid=443>]
- Design Guidelines [<http://san-clemente.org/sc/standard.aspx?pageid=438>]

**Note: the Economic Development Strategy is one of the priority implementation programs for the Economic Development Element.*

***Note: the Pier Bowl Specific Plan must be amended to ensure consistency with the General Plan and is one of the priority implementation measures for the new General Plan.*

South El Camino Real (West of Interstate 5)

The South El Camino Real Area extends along El Camino Real, west of Interstate 5, from Avenida Rosa to Avenida Valencia and the Interstate 5 overpass. Interstate 5 borders the Area on the east and residential neighborhoods border it on the west.

This portion of the South El Camino Real (SECR-W) Area is envisioned as a transitional corridor from the Del Mar/T-Zone Area to the I-5 freeway that provides employment and residential opportunities anchored by neighborhood-serving retail uses. Unlike the Del Mar/T-Zone, which offers a unique retail experience tailored to both residents and visitors, the SECR-W area caters primarily to residents' retail and commercial service needs. The area is anchored by a grocery store serving this area of San Clemente and a concentration of neighborhood retail uses between Avenida Cadiz and Esplanade, the center of SECR-W. New development, including mixed use and residential uses on the west side of the corridor, are designed to maximize views of the Pacific Ocean.

GOAL:

Create a transitional area between Interstate 5 and the Del Mar/T-Zone, featuring spectacular ocean views, attractive mixed-use housing with local-serving commercial uses, restaurants and hotels. The district strikes a balance between automobile, bicycle and pedestrian orientation and is well connected to adjacent neighborhoods.

POLICIES:

LU-13.01. **Alleys/Paseos.** We consider improvements to our alleyways to provide automobile and electric vehicle access as well as alternative pedestrian and bicycle routes, where appropriate.

LU-13.02. **Bike and Pedestrian Environment.** We provide a high quality bicycle and pedestrian environment with "living street [[link to Glossary](#)]" designs, consistent landscaping, lighting, sidewalks, traffic calming measures, bikeways and trails,

consistent with the Bicycle and Pedestrian Master Plan, Tree Ordinance and Design Guidelines.

LU-13.03. **Corridor Residential Development.** We require that sites developed exclusively for residential use are designed to convey a high level of quality in accordance with the Urban Design Element, Zoning Ordinance and Design Guidelines and incorporate features to ensure compatibility with adjacent commercial uses and adjacent neighborhoods, including the following:

- a. buffer residential use from abutting commercial uses;
- b. mitigate the noise, traffic (automobile and truck), and lighting impacts of abutting commercial uses;
- c. locate and design dwellings to provide adequate security and privacy for tenants; and
- d. preserve the economic viability and continuity of nearby commercial uses through consideration of residential and business needs, hours of operation, delivery and parking requirements in reviewing development requests.

LU-13.04. **Automobile-Related Uses.** We support the conversion of automobile-related uses [link to glossary] in the area to legal, conforming uses. We prohibit new automobile-related uses and proactively work with property owners of existing automobile-related uses to improve their properties' appearance and compatibility.

LU-13.05. **Views.** New development shall be designed to minimize obstructions of ocean views from the I-5 freeway.

LU-13.06. **Screening buildings.** We require new development to provide visual screening and/or architectural treatments on rear building facades and rooftops to buffer views from adjacent and hillside neighborhoods.

LU-13.07. **Gateways.** We enhance and maintain gateways that are designed to be safe for pedestrians, bicyclists and motorists, well-landscaped and litter-free. These gateways signify arrival to the Area at the following locations along South El Camino Real: 1) the southern entrance at the I-5 freeway off-ramp and Avenida Valencia, 2) Avenida Presidio, the gateway between South El Camino Real and the Del Mar/T-Zone, and 3) the intersection of South El Camino Real and Esplanade, signifying the core neighborhood commercial area.

LU-13.08. **Art in Public and Private Places.** We encourage the incorporation of art in public and private spaces that reflects the City's heritage and small town beach character.

LU-13.09. **Outdoor Areas/Public Space.** We work with property owners and developers to identify opportunities for providing usable outdoor areas and public spaces for visual relief from the built environment and areas for gathering.

LINKS TO OTHER GENERAL PLAN INFORMATION

- Urban Design Element [link to UDE Homepage]
- Urban Design Element, Architecture and Landscaping [link to Architecture and Landscaping section]
- Gateways [link to UDE, Gateways page]

ADDITIONAL LINKS

- Bicycle and Pedestrian Master Plan [staff to provide link to pdf]
- Design Guidelines [<http://san-clemente.org/sc/standard.aspx?pageid=438>]

South El Camino Real Focus Area (East of Interstate 5)

This Area, along South El Camino Real, is located east of the southernmost I-5 overpass and extends to the southern City limits near Avenida Santa Margarita. It is characterized by a mix of restaurants, small hotels, offices and residential uses. Areas furthest south have a more residential character, with larger multi-family buildings lining El Camino Real and small, mostly detached houses on streets to the east. Overall, its proximity to prime surfing locations and the presence of various surf-related businesses give the Area a decidedly casual and eclectic atmosphere.

The South El Camino Real, East of Interstate 5 (SECR-E) area is envisioned as a visitor and local-serving corridor that serves as a hub to a wealth of outdoor recreation (e.g. San Clemente State Park and San Onofre State Beach, world-class surf spots, San Luis Rey Park, San Clemente Golf Course, San Mateo Campgrounds, the old PCH bikeway and other attractions).

GOAL:

Create a coastal visitor- and community-serving corridor that welcomes travelers and celebrates the City's surf history and culture and a vibrant, mix of shops, dwellings, services and public spaces easily accessed by pedestrians and bicyclists.

POLICIES:

LU-14.01. **Gateways.** We maintain attractive gateways signifying arrival and reflecting the eclectic character of the Area at the following locations along the corridor: 1) the northbound I-5 freeway off-ramp near Avenida San Juan, 2) the I-5 freeway on/off ramp midway between Avenida San Gabriel and Avenida Magdalena, and 3) the southern entrance to the area between the City boundary and Avenida Santa Margarita.

