




STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: May 4, 2016

PLANNER: Cliff Jones, Associate Planner 

SUBJECT: Conditional Use Permit 15-071 / Site Plan Permit 15-072 / Architectural Permit 15-073 / Abandonment Permit 16-122 / Interpretation 16-147, Raya's Paradise, a Public Hearing to consider a request for the construction of a 40 unit congregate care/assisted living facility at 101 Avenida Calafia, and forward a recommendation to the City Council.

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.

Interpretation, Section 17.04.040(G): to determine that the assisted living facility is similar to a congregate care facility.

- a. The proposed use is similar in nature in term of its function; and
- b. The proposed use is as restrictive as the use to which it is being compared in terms of impacts to traffic, parking, dust, noise, or other negative impacts.

Conditional Use Permit, Section 17.16.060(F) and Congregate Care Facilities, Section 17.28.110(G): to allow the congregate care/assisted living facility in the CC3 Zone.

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

Section 17.28.110(F)(2): to allow an increase in the development density allowed for congregate care facilities.

- f. The additional density will not result in any adverse impacts to the surrounding neighborhood due to the addition of more residents than the area can reasonably accommodate.

Section 17.28.110(F)(3): to allow a reduction in the required building setback for the congregate care facility abutting residential property.

- g. The reduction of the required building setback will not result in any adverse impacts to adjacent properties due to an encroachment of building elements that would reduce such property's access to light and air, the privacy enjoyed by the adjacent residents, or otherwise reduce the reasonable use of the property.

Architectural Permit, Section 17.16.100(F): to ensure compliance with compliance with General Plan Urban Design Element and Design Guidelines.

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

Site Plan Permit, Section 17.16.050(F): to allow the nonresidential building.

- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), 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.

Abandonment Permit: There are no specific findings for the abandonment of the sewer easement.

BACKGROUND

Project Description

The project proposal is a 40 bedroom assisted living facility for dementia and Alzheimer's patients. Each bedroom can accommodate up to two beds, which allows for a maximum occupancy of 80 patients. The first floor will care for dementia and Alzheimer's residents, and the second floor will fare for mild cognitive impaired residents. It is anticipated that the majority of occupants would be seniors. The two story building is designed in the Spanish Colonial Revival architectural style and includes tower elements for the roof serving elevator and stairway.

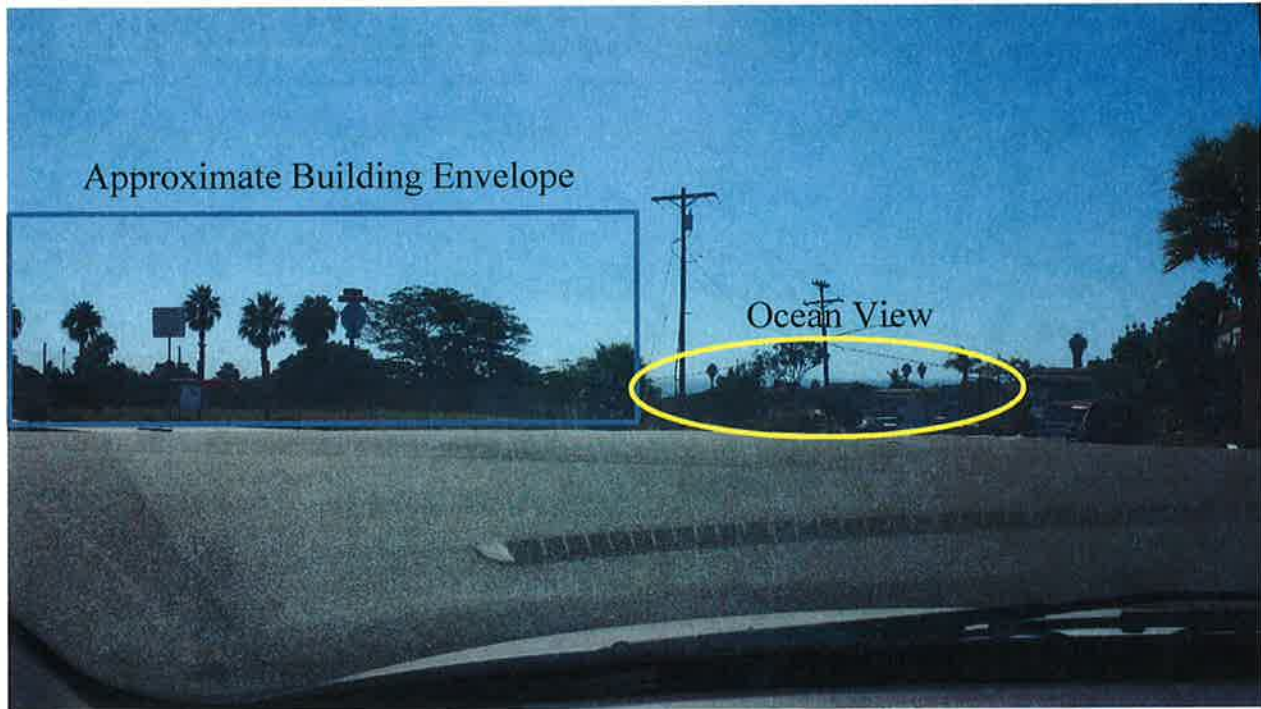
The project includes a request for an Interpretation to determine that the assisted living facility is similar to a congregate care facility. An Abandonment Permit is required to abandon a sewer easement that runs through the property. An Architectural Permit is required to ensure the project complies with the General Plan Urban Design Element and City Design Guidelines. A Site Plan Permit is required for all new nonresidential developments. A Conditional Use Permit is required for the use in the Community Commercial Zone (CC3). Because City Council review is required for the Abandonment Permit, the final decision on the project shall be made by the City Council according to Section 17.12.090.B of the zoning ordinance. The project also requires the approval of the California Coastal Commission because the property is located in the Coastal Zone.

The City Council has directed staff to evaluate ambulance service and calls for medical service in the community, which includes institutional uses such as congregate care facilities. Opportunities to address the frequency of calls by land use type will be presented to the City Council as a separate Agenda item in the future.

Site Data

The site is a vacant 28,111 square foot corner lot with frontage along Avenida Calafia and Avenida Del Presidente. The vacant lot is visible when exiting Interstate 5 from the south. Minimal ocean view is visible over the project site for a very short interval when driving south and north on Interstate 5. The primary ocean view when exiting the freeway is down Avenida Calafia. Image 1 below demonstrates the ocean view visible when exiting Avenida Calafia from a driver's perspective.

Image 1: Ocean View Visible When Exiting Avenida Calafia



The site is zoned Community Commercial (CC3). Adjacent uses include residential to the west, the Interstate 5 to the north, a time share hotel (San Clemente Inn) to the east, and residential and San Clemente State Park to the south. The site was previously a gas station and has been given environmental clearance from the County of Orange and does not contain contaminants know to pose a risk to human health and/or the environment.

Development Management Team

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

Noticing

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

PROJECT DESCRIPTION

The project request is to permit a congregate care/assisted living facility. The primary façade and access is oriented towards Avenida Del Presidente. Parking for the project is proposed both on grade at the front of the site and within the subterranean parking garage. Parking is discussed in further detail below. Community gathering areas are provided on both floors for the residents. Outdoor recreation space for the residents

includes a community outdoor deck above the parking garage and an ocean view roof top deck. Landscape is provided around the perimeter of the building fronting Avenida Calafia and Avenida Del Presidente, and atop the decks, which is visible from a private road that accesses the San Clement Inn. The subterranean basement houses most of the parking and the storage, trash, and building mechanical and services/systems. Signage for the facility will be under a separate permit.

Development Standards

Table 1 outlines the project's compliance with the development standards of the Community Commercial (CC3) zone and the standards of Congregate Care Facilities, 17.28.110.

Table 1 – Compliance with CC3 Zone and Congregate Care Facilities Standards

	Allowed	Provided
Required Setbacks		
Front (Ave. Presidente)	10'	17'-6"
Street Side (Ave. Calafia)	10'*	8'
Side (Private Road)	0'	4'-6"
Rear	0'	6'
Floor Area Commercial	.70	.70
Lot Coverage (Maximum)	80%	46%
Height (Maximum)	45', 37' plate line and three stories	44', 23' plate line, and two stories
Parking	28 Spaces**	30 Spaces and 2 NEV spaces
Density	45 dwelling units per acre***	62 dwelling units per acre
Landscape	Fifteen 15 gallon street trees	Sixteen 15 gallon street trees
	20% of site to be landscaped	20% of site landscaped
	10 foot landscape setback area required between street and parking area	10 foot landscape setback provided between street and parking area

* Zoning Ordinance Section 17.28.110 allows exceptions in development standards in return for providing congregate care facility uses for seniors in the community. The exception request for the side yard setback is discussed in greater detail below.

** Parking and traffic are discussed in greater detail below.

*** Zoning Ordinance Section 17.28.110 allows exceptions from the density standard in return for providing congregate care facility uses for seniors in the community. Density is discussed in greater detail below.

Residential Side Yard Setback

Zoning Ordinance Section 17.28.110 requires a ten foot building setback from abutting residential property and an exception is requested to allow an eight foot setback. The general intent of the setback requirement is to ensure adequate space between buildings for air, light, and to allow room for landscape and filtration areas for storm water run-off. The distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project also provides a substantial amount of landscape and filtration areas for storm water between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum.

Density

The allowed density for a congregate care facility is 45 dwelling units per acre per Zoning Ordinance Section 17.28.110.E.1.b, which would allow 29 units for the 28,111 square foot site. The proposed density for the project is 62 dwelling units per acre, which would allow 40 units. The ordinance allows the decision making body to approve the proposed density, which is greater than 45 dwelling units per acre, provided that a finding be made that the additional density does not result in any adverse impacts to the surrounding neighborhood due to the addition of more residents than the area can reasonably accommodate. The major concerns with increased density relate to potential traffic, parking, and school impacts as well as general impacts of having a greater proportion of persons traveling in a neighborhood. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services.

The City's Housing Element identifies the need for additional housing for seniors and persons with disabilities. The Housing Element indicates "The elderly population is expected to grow substantially in the next 20 years. Since seniors have a much higher probability of being disabled, the housing and service needs for persons with disabilities should grow considerably commensurate with senior population growth." Development of the project at the higher density will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e. cognitive impairment). Survey respondents of the Housing Needs Survey prepared for the Housing Element also recognized the need

for additional housing for seniors and persons with disabilities (i.e. cognitive impairment). Survey respondents ranked housing for seniors and persons with disabilities in the top three groups in the community that: 1) have inadequate housing supply; and 2) are in greatest need for housing and related services. Allowing the increased density will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e cognitive impairment).

Parking

The parking standard for congregate care facilities and the project's compliance with the standard is outlined in Table 2 below.

Table 2 – Parking Standard for Congregate Care Facilities

Parking Required	Parking Provided
28 spaces 1 space per every 2 units @ 40 units = 20 spaces 1 space per 5 units = 8 spaces	30 spaces and 2 NEV Spaces

A parking study was prepared to ensure that the parking for an assisted living facility generates similar parking demand to a congregate care facility. The parking study, Attachment 3, was reviewed and accepted by the City Transportation Engineering Manager, and concluded that an assisted living facility necessitates .37 parking spaces per resident/bed.¹ Applying the rate of .37 spaces per resident/bed, an assisted living facility would need to provide 30 parking spaces (80 beds x .37 spaces per bed = 29.6 spaces). The project provides 30 spaces as well as two NEV spaces, which satisfies the parking necessary for a congregate care facility or an assisted living facility. It is also important to note, the parking standard of .37 spaces is conservative because, although the maximum capacity of the facility is 80 beds for residents, the owner of the project expects approximately 60 beds to be occupied because they anticipate a large demand for single room occupancy.

The peak parking demand of spaces for an assisted living facility is far less than the assumed parking demand if the site were built out at the maximum floor area for an office use, that would necessitate 56 spaces, or typical commercial shopping center use, that would necessitate 51 spaces. The number of spaces required for the site if it were built out for an office use or shopping center use was calculated by analyzing parking demand statistics generated by the Institute of Transportation Engineers, Parking Generation, 4th Edition² and is summarized in Table 3 below.

¹ The parking study analyzed parking requirements for similar congregate care/assisted living facility uses (i.e. Institute of Transportation Engineers, Orange County, CA, and Fairfax County, VA) as well as actual surveyed demand for similar congregate care/assisted living facility uses (i.e. Pasadena, California, and Illinois) and concluded a parking standard of .37 spaces per resident/bed is appropriate.

² The Institute of Transportation Engineers (ITE) is an international educational and scientific association of transportation professionals who are responsible for meeting mobility and safety needs.

Table 3 – Parking Demand if Site Built Out With Office or Commercial Shopping Center Use

Use	Square Footage based on .70 Max FAR	Parking Requirement based on ITE	Parking Required
Office	19,678	2.84 vehicles per 1,000 sq. ft. Gross Floor Area*	56 cars
Commercial Shopping Center	19,678	2.55 vehicles per 1,000 sq. ft. Gross Floor Area*	51 cars

* Average peak period parking demand weekdays.

Since the project is below the build-out threshold, the project is not anticipated to have any significant impacts related to parking. A majority of residents living at this facility are expected to be cognitively impaired and will not be driving, which further reduces the potential for negative parking impacts, so the principle traffic generation will be from employees and visitors.

Traffic

The trip generation demand for an assisted living facility is 213 vehicle trips per day, which is less than the assumed vehicle trip demand if the site were built out at the maximum floor area for an office use, that would generate 217 trips per day, or typical commercial shopping center use, that would generate 844 trips per day. The number of trips generated for the site if it were built out for an office, shopping center, or assisted living facility use was calculated by analyzing trip generation statistics generated by the Institute of Transportation Engineers, Trip Generation, 8th Edition³ and is summarized in Table 4 below.

³ The Institute of Transportation Engineers (ITE) is an international educational and scientific association of transportation professionals who are responsible for meeting mobility and safety needs.

Table 4 – Trip Generation Demand if Site Built Out With Office or Commercial Shopping Center Use as Opposed to Assisted Living Facility Use

Use	Square Footage based on .70 Max FAR	Trip Generation Demand based on ITE	Trip Generation Demand for Use
Office	19,678	11.01 trips per 1,000 sq. ft. Gross Floor Area*	217 daily trips
Commercial Shopping Center	19,678	42.94 trips per 1,000 sq. ft. Gross Floor Area*	844 daily trips
Assisted Living Facility	19,678 and 80 beds	2.66 trips per bed*	213 daily trips

* Average daily trip generation demand weekdays.

Since the traffic demand for the assisted living facility is below the build-out threshold for an office or shopping center use, the project is not anticipated to have any significant impacts related to traffic.

The City Transportation Engineering Manager evaluated the site plan and determined that the project would not result in impaired vehicular or pedestrian circulation and the project will not result in significant impacts related to traffic or parking. Furthermore, to help ensure that the project does not have negative parking and traffic impacts, the operator of the project proposes to provide full time valet service to guests of the facility. The valet will greet visitors at the entrance and will then move the vehicle on-site to the basement parking area. Guests will then later pick up their vehicle in the basement after their visit.

PROJECT ANALYSIS

Interpretation

The Zoning Ordinance does not identify an assisted living facility as a permitted, conditionally permitted, or unpermitted use. In cases such as this, the City must make an interpretation whether the use is similar to a permitted or conditionally permitted use, per Zoning Ordinance Section 17.04.040, for the use to be allowed. The most similar identified use to an assisted living facility is congregate care, which differs from an assisted living facility in that it is primarily for seniors, is similar to independent living, and meal service is not always included. The assisted living facility provides similar services to congregate care but the primary difference is that the dementia and Alzheimer's patients are largely, but not always seniors, meals are provided, housekeeping is provided, and vital sign and medication management is provided. Both assisted living facilities and congregate care facilities do not provide nursing care, which is typical of a

nursing home use. Staff recommends that the assisted living facility be found to be similar to a congregate care facility. A congregate care facility requires the approval of a conditional use permit in the CC3 Zone.

Site Plan Permit

The project meets the required findings for a site plan permit. The site is suitable for an assisted living facility as the addition of assisted living housing stock is compatible with adjacent multifamily housing to the west and lodging units to the east. The addition of assisted living housing stock is more compatible with adjacent residential properties than a commercial or office use on the site, which are both permitted in the CC3 zone, as both residential units and assisted living facility units provide housing stock.

The project conforms to the Zoning Ordinance and General Plan with the approval of the exception to allow the increased density and reduced side yard setback. Justification for the increased density and reduced side yard setback is summarized below.

- The increased density will not result in increased traffic, increased parking demand, or increased demand for schools. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services. Furthermore, the Housing Element identifies the need for housing for seniors and persons with disabilities (i.e. cognitive impairment) and development of the project at the higher density will assist the City in meeting that housing need.
- The reduced side yard setback will not result in negative impacts to the abutting residential uses as the distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project provides a substantial amount of landscape area between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum.

The development is not unsightly and does not create disharmony with its locale and surroundings because it is designed in high quality Spanish Colonial Revival architectural style, respecting San Clemente's Spanish heritage and the location of the site at an identified gateway. Development of the site will not impact a designated view corridor. The General Plan does not designate a public view corridor through or near the site. An ocean view is visible when exiting Avenida Calafia from Interstate 5. Image 2 below demonstrates that the ocean view when exiting Avenida Calafia from Interstate 5 will be preserved with the proposed project.

Image 2: Ocean View Visible When Exiting Avenida Calafia



Architectural Permit

Due to the project’s prominent location at a Gateway to the City from Interstate 5, high quality Spanish Colonial Revival architecture and attention to site planning is required. In terms of design quality, the Gateways section of the General Plan Urban Design Element requires that new gateway area development include, “high quality design for buildings at visually significant gateway areas,” that includes, “appropriate entry design elements” that promote the Spanish Village by the Sea design identity. The building is designed in high quality Spanish Colonial Revival architectural style, consistent with the Gateways section of the General Plan Urban Design Element. It utilizes materials called out in the Design Guidelines including barrel tile roofing, smooth white stucco, tiled roof decks, copper and solid wrought iron details, and wood windows. Additional details include decorative tile, aluminum clad doors, and a decorative fountain at the entry.

The project meets the Architectural Permit finding for consistency with the Design Guidelines as summarized in Table 5 below.

Table 5 – Project Evaluation

Design Guideline	Project Consistency
Building scale, mass, and form compatible w/ adjacent development (Design Guidelines II.B.3)	Consistent. The two-story building is permitted in the CC3 Zone. The building is two-stories similar to adjacent residential development and the adjacent hotel use.
Building and site design should follow basic principles of Spanish Colonial Revival (SCR) architecture. (Design Guidelines II.C.2)	Consistent. Building forms, materials, colors and architectural details generally follow SCR style.

Design Guideline	Project Consistency
Avoid long and unrelieved wall planes. (Design Guidelines II.C.3.)	Consistent. The building provides multiple wall plane breaks, roof forms, tower elements, and openings that break up the wall planes.
The building's forms are one-, two- and three-stories with low-pitched, red tile hip, gable and shed roofs. (Design Guidelines II.C.2)	Consistent. The building is two-stories and includes varied low-pitched roofs.
Incorporate defined outdoor spaces, including courtyards, patios, plazas and courtyards (Design Guidelines II.C.3)	Consistent. A community outdoor deck is provided above the parking garage and an ocean view roof top deck is provided above the second floor. Landscape is provided on both deck levels to define the space and offer shade.
Use planting to define outdoor spaces, soften the impact of buildings and parking areas, screen parking and service areas from public view and create visual linkages to neighboring development. (Design Gudielines.II.A.6)	Consistent. Landscape is provided around the perimeter of the building fronting Avenida Calafia and Avenida Del Presidente, and atop the decks, which is visible from a private road that accesses the San Clement Hotel. The landscape softens the impact of the building and provides visual interest.

The architectural treatment of the project complies with the San Clemente General Plan and Zoning Ordinance, meeting development standards (with the requested exceptions), exceeding setback standards in most cases, meeting parking and height requirements, and is well below the allowed Floor Area Ratio. The SCR building respects San Clemente's Spanish heritage and the SCR architectural style prescribed for development at the Gateway site. The appearance of the project is in keeping with the character of the neighborhood and structures adjacent to the project site, as discussed in Table 5 above, and the development will be an enhancement to the area over the existing mix of buildings and architectural styles. The assisted living facility development is permitted with a CUP per the site's Zoning and encouraged per the General Plan as summarized in Table 7 below. Development of the vacant lot will eliminate visual blight.

Abandonment Permit

The project includes a request for an abandonment permit to abandon a sewer easement that runs through the property pursuant to Section 8333 of the California Streets and Highways Code. The City Council is the final decision making body for the Abandonment Permit. Public Works staff has confirmed that the sewer easement is no longer needed because no properties tie into the main, adjacent properties are directed to other nearby sewer mains, and staff does not foresee the need for future City use of this main.

Furthermore, the sewer easement has not been used for any purpose for more than five consecutive years before this hearing. Therefore, staff recommends approval of the abandonment permit.

Conditional Use Permit

The primary finding for approval of a CUP for the assisted living facility use is compatibility with surrounding land uses. The subject property is surrounded by residential to the west, hotel to the east, Interstate 5 to the north, and San Clemente State Park to the south. The addition of assisted living housing stock is compatible with adjacent multifamily housing to the west and lodging units to the east. The addition of assisted living housing stock is more compatible with adjacent residential to the west than a commercial or office use on the site, which are both permitted in the CC3 zone, as both residential units and assisted living facility units provide housing options for local residents. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. Since a majority of residents living at this facility are expected to be cognitively impaired or having physical disabilities, the facility will provide shuttle service for the residents to nearby civic and commercial facilities and services available in the community.

Design Review Subcommittee (DRSC)

DRSC review of the project was required to ensure the project is compatible and harmonious with the surrounding neighborhood, and uphold the Design Guidelines. DRSC meeting report and minutes are provided as Attachment 4-5. Table 6 summarizes DRSC concerns and how they were addressed:

Table 6 - DRSC concerns and project modifications

DRSC Concerns	Project modifications
The tower proportions are acceptable, given the constraints of the elevators and stairs that dictate the exterior dimensions of the tower.	No modifications necessary.
Details and/or product cut sheets related to the lights, tiles, awnings, spires, and the fountain should be provided for staff and Planning Commission consideration.	Details will be provided at meeting.
Outdoor furniture should be provided at the front of the building.	Condition of approval 18 has been added to reflect DRSC recommendation.
An ornate wrought-iron design is acceptable on Juliet balconies.	No modifications necessary.

DRSC Concerns	Project modifications
<p>A condition of approval should be added to require the owner to install landscape to screen the south community deck wall in the event that landscape on the adjacent property is removed or no longer screens the white stucco wall. A potential solution is to install vines on the south community deck wall that cascade downward along the subject wall.</p>	<p>Condition of approval 17 has been added to reflect DRSC recommendation.</p>

GENERAL PLAN CONSISTENCY

Table 7 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 7 - General Plan Consistency

Policies and Objectives	Consistency Finding
<p>LU-2.01. Quality. We require that new development protect community character by providing architecture, landscaping and urban design of equal or greater quality than surrounding development, and by respecting the architectural character and scale of adjacent buildings.</p>	<p>Consistent. The project is designed in the Spanish Colonial Revival architectural style and exemplifies a high quality design equal or greater to the surrounding developments. The project is two stories which is consistent with adjacent development and provides landscaping at the front of the property to help buffer the development and add visual interest.</p>
<p>Urban Design Gateway Goal: Create clearly marked and aesthetically pleasing entry points into San Clemente and its many unique neighborhoods and districts, and ensure that such gateways incorporate quality architecture, historic resources, distinctive landscaping, signage and streetscape features that create a sense of arrival and reinforce the City's identity and unique architectural character.</p> <p>UD-2.01. Architecture/Design Quality. We require high quality design for buildings at visually significant locations</p>	<p>Consistent. The project is located at a gateway to the City from Interstate 5; as such the project is designed in the Spanish Colonial Revival architectural style and exemplifies a high quality design. Landscaping is provided along both Avenida Presidente and Avenida Calafia to add to the attractiveness of the project and create a sense of arrival.</p>

<p>in gateway areas. New buildings and major remodels in Gateway areas adjacent to or opposite I-5 offramps, as shown in Figure UD-1 [link to pdf figure], shall follow Spanish Colonial Revival architectural style, except where otherwise specified in the Design Guidelines and other adopted policies.</p> <p>UD-2.02. Spanish Village by the Sea Design Identity. We require new gateway area development to include appropriate entry design elements (e.g., Spanish Colonial Revival and Spanish architecture, landscaping, signage, lighting, streetscape furniture) unless otherwise specified in the Design Guidelines, Focus Area goals and policies (e.g., Los Molinos or Surf Zone areas, which have more eclectic design character).</p>	
<p>Policies and Objectives</p>	<p>Consistency Finding</p>
<p>Housing Element 2.5.4 Special Needs Group. The elderly population is expected to grow substantially in the next 20 years. Since seniors have a much higher probability of being disabled, the housing and service needs for persons with disabilities should grow considerably commensurate with senior population growth.</p>	<p>Consistent. Development of the assisted living facility at the proposed density will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e. cognitive impairment).</p>
<p>Residential Land Use Goal: Achieve a mix of residential neighborhoods and housing types that meets the diverse economic and physical needs of residents, that is compatible with existing neighborhoods and the surrounding environmental setting, and that reflects community expectations for high quality.</p> <p>LU-1.01. General. We accommodate the development of a variety of housing types, styles, tenure and densities that</p>	<p>Consistent. Development of the assisted living facility will increase housing options for seniors and persons with disabilities (i.e. cognitive impairment). Allowing the higher density will allow a greater supply of housing stock and assist the City in meeting the future housing need for seniors and persons with disabilities (i.e. cognitive impairment) than a lesser density would.</p>

<p>are accessible to and meet preferences for different neighborhood types (e.g., mixed use pedestrian environments and traditional suburban neighborhoods), physical abilities and income levels, pursuant to the Land Use Plan and Housing Element.</p>	
<p>Policies and Objectives</p>	<p>Consistency Finding</p>
<p>Coastal Element Goal. Create and maintain outstanding public access and recreational and visitor-serving opportunities in the Coastal Zone, consistent with effective resource conservation practices and the protection of private property rights.</p>	<p>The proposed use is conditionally permitted by, and therefore consistent with, the CC3 zoning designation identified for the property in both the current Coastal Element and the Draft LUP. The project is located outside of the three primary coastal activity areas identified for visitor-serving uses in the Coastal Element (Downtown core, Pier Bowl, and North Beach) and is located outside the “Visitor-Serving Commercial District Overlay” of the Draft LUP. The Project is consistent with the Coastal Element and the Draft LUP, because it will not adversely impact coastal access, public recreation, community character or other sensitive resources.</p>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects). Section 15332 (In-fill development Projects) of the CEQA Guidelines provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality, or Water Quality and can be adequately served by all required utilities and public resources. The projects meets the necessary conditions to qualify for this exemption. The project does not result in any impacts related to land use in that it does not: a) divide an established community; b) conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect; and c) conflict with any applicable habitat conservation plan or natural community conservation plan. There will be no impacts to Biological Resources as the site is graded and does not contain significant plant species. The property is not located in the County of Orange’s Natural Community Conservation Plan & Habitat Conservation Plan. A Water Quality Management Plan (WQMP) has been

prepared for the project. Compliance with the WQMP will ensure there are no impacts to water quality. The use will be required to comply with the City's noise ordinance, therefore, the project will not result in any significant or potentially significant noise impacts. The project will not have any significant impacts related to traffic as the project generates less trip demand than permitted uses for the site such as office and commercial shopping center uses. The proposed development anticipates a trip demand of 213 daily trips, which is far less than the assumed build out potential for the site for an office use, generating 217 daily trips, or a commercial shopping center use, generating 844 daily trips. Since the project is below the build-out threshold, the project will have no significant impacts related to traffic. Furthermore, the City Transportation Engineering Manager evaluated the project and concluded that the project would not have no significant impacts related to traffic. The project itself does not directly cause air quality impacts other than air impacts associated with vehicle emission related to traffic and any construction related impacts. The project is required to comply with City codes related to construction, and therefore, will not have significant construction related impacts. The project is not adjacent a designated State Scenic Highway.

CALIFORNIA COASTAL COMMISSION REVIEW

The subject property is located within the Coastal Zone and the project is subject to the permit requirements of the California Coastal Act.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

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

This is the recommended action. This action would result in the project moving forward for review and consideration by the City Council.

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

This action would result in any modifications being reviewed and considered by the City Council, such as recommended architectural changes to improve the design or reduce the mass of the project or improve the projects compatibility with the neighborhood.

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

This action would result in the Commission's recommendation being forward for review and consideration by the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission recommend approval of CUP 15-071/SPP 15-072/AP 15-073/AB 16-122/INT 16-147, Raya's Paradise, subject to the attached Resolution and recommended Conditions of Approval.

Attachments:

1. Resolution No. PC 16-017
2. Location Map
3. Parking Study prepared by Gibson Transportation Consultants, Inc.
4. January 27, 2016 DRSC minutes and report (excerpted)
5. October 14, 2015 DRSC minutes and report (excerpted)

Project Renderings
Plans

RESOLUTION NO. PC 16-017

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT 15-071, SITE PLAN PERMIT 15-072, ARCHITECTURAL PERMIT 15-073, ABANDONMENT PERMIT 16-122, AND INTERPRETATION 16-147, RAYA'S PARADISE, A REQUEST TO CONSIDER THE CONSTRUCTION OF A 40 UNIT CONGREGATE CARE/ASSISTED LIVING FACILITY AT 101 AVENIDA CALAFIA

WHEREAS, on March 4, 2015, an application was submitted, and deemed complete on February 25, 2016, by Moti Michael, 1156 N. Gardner Street, West Hollywood, CA 90046, for CUP 15-071/SPP 15-072/AP 15-073/AB 16-122/INT , Raya's Paradise, a Public Hearing to consider a request for the construction of a 40 unit congregate care/assisted living facility at 101 Avenida Calafia. The proposed building is two-stories with subterranean parking. The site is located in the Community Commercial (CC3) zoning district and Coastal Overlay. The site's legal description is TR NO 960, LOT 39, 40, 41, 48, 49, 50 AND POR OF AB AND STR (AVENIDA ESPLANDIAN), Assessor's Parcel Number 060-125-12; and

WHEREAS, the Planning Division completed an initial environmental assessment of the above matter in accordance with California Environmental Quality Act (CEQA) and recommends that the Planning Commission recommend that the City Council determine this project categorically exempt from CEQA per Section 15332 (Class 32 – In-fill Development Projects). Section 15332 (In-fill development Projects) of the CEQA Guidelines provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality, or Water Quality and can be adequately served by all required utilities and public resources. The project meets the necessary conditions to qualify for this exemption. The project does not result in any impacts related to land use in that it does not: a) divide an established community; b) conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect; and c) conflict with any applicable habitat conservation plan or natural community conservation plan. There will be no impacts to Biological Resources as the site is graded and does not contain significant plant species. The property is not located in the County of Orange's Natural Community Conservation Plan & Habitat Conservation Plan. A Water Quality Management Plan (WQMP) has been prepared for the project. Compliance with the WQMP will ensure there are no impacts to water quality. The use will be required to comply with the City's noise ordinance, therefore, the project will not result in any significant or potentially significant noise impacts. The project will not have any have any significant impacts related to traffic as the project generates less trip demand than permitted uses for the site such as office and commercial shopping center uses. The proposed development anticipates a trip demand of 213 daily trips, which is far less than the assumed build out potential for the site for an office use, generating 217 daily trips, or a commercial shopping center use, generating 844 daily trips. Since the project is below the build-out threshold, the project will have no significant impacts related to traffic. Furthermore, the City Transportation

Engineering Manager evaluated the project and concluded that the project would not have no significant impacts related to traffic. The project itself does not directly cause air quality impacts other than air impacts associated with vehicle emission related to traffic and any construction related impacts. The project is required to comply with City codes related to construction, and therefore, will not have significant construction related impacts. The project is not adjacent a designated State Scenic Highway; and

WHEREAS, on March 26, 2015, July 30, 2015, September 3, 2015, January 7, 2016, and February 25, 2016, the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, on October 14, 2015 and January 27, 2016, the Design Review Subcommittee (DRSC) reviewed the project and provided comments to the applicant; and

WHEREAS, Pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code (commencing with Section 8330), the City has no present or future use for the original sewer easement proposed to be abandoned, in that it has been superseded by relocation and there are no public facilities located within the easement; and

WHEREAS, on May 4, 2016, the Planning Commission held a duly noticed public hearing on the subject application and considered evidence presented by the City staff, the applicant, and other interested parties.

NOW, THEREFORE, the Planning Commission of the City of San Clemente hereby recommends that the City resolve as follows:

Section 1: The Planning Commission recommends that the City Council determine this project categorically exempt from CEQA per Section 15332 (Class 32 – In-fill Development Projects). Section 15332 (In-fill development Projects) of the CEQA Guidelines provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality, or Water Quality and can be adequately served by all required utilities and public resources. The projects meets the necessary conditions to qualify for this exemption. The project does not result in any impacts related to land use in that it does not: a) divide an established community; b) conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect; and c) conflict with any applicable habitat conservation plan or natural community conservation plan. There will be no impacts to Biological Resources as the site is graded and does not contain significant plant species. The property is not located in the County of Orange's Natural Community Conservation Plan & Habitat Conservation Plan. A Water Quality Management Plan (WQMP) has been prepared for the project. Compliance with the WQMP will ensure there are no impacts to water quality. The use will be required to comply with the City's noise ordinance, therefore, the project will not result in any significant or potentially significant noise impacts. The project will not have any have any significant impacts related to traffic

as the project generates less trip demand than permitted uses for the site such as office and commercial shopping center uses. The proposed development anticipates a trip demand of 213 daily trips, which is far less than the assumed build out potential for the site for an office use, generating 217 daily trips, or a commercial shopping center use, generating 844 daily trips. Since the project is below the build-out threshold, the project will have no significant impacts related to traffic. Furthermore, the City Transportation Engineering Manager evaluated the project and concluded that the project would not have no significant impacts related to traffic. The project itself does not directly cause air quality impacts other than air impacts associated with vehicle emission related to traffic and any construction related impacts. The project is required to comply with City codes related to construction, and therefore, will not have significant construction related impacts. The project is not adjacent a designated State Scenic Highway.

Section 2: With regard to Interpretation (INT) 16-147, the Planning Commission recommends that the City Council finds as follows:

- A. The proposed assisted living facility use is similar in nature to a congregate care facility in term of its function in that both uses are primarily used by seniors, persons live in a group setting, and shared dining and recreation facilities are available.
- B. The proposed use is as restrictive as the use to which it is being compared in terms of impacts to traffic, parking, dust, noise, or other negative impacts. The assisted living facility will have to adhere to the same development standards as congregate care facilities, which will mitigate negative impacts. The parking demand for an assisted living facility generates the same parking demand as a congregate care facility and results in similar impacts to traffic. Both uses are not anticipated to generate dust impacts except during construction; construction dust impacts are anticipated to be the same for either use. Both uses involve housing persons and are anticipated to generate the same level of noise.

Section 3: With regard to Conditional Use Permit (CUP) 15-071, the Planning Commission recommends that the City Council finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of Title 17 of the San Clemente Municipal Code with the approval of the exception to allow the increased density and reduced sideyard setback, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed. The zone allows for congregate care/assisted living facilities with the approval of a CUP in most commercial and higher density residential zones because there is a need for congregate care/assisted living facilities in the community that provide housing for senior and disabled persons. The need for additional housing for seniors and disabled persons is identified in the Housing Element. The addition of assisted living housing stock is more compatible with adjacent multifamily residential properties than a commercial or office use on the site, which are both

permitted in the CC3 zone, as both residential units and assisted living facility units provide housing stock.

- B. The site is suitable for the type and intensity of use that is proposed in that the addition of assisted living housing stock is compatible with adjacent multifamily housing to the west and lodging units to the east. The addition of assisted living housing stock is more compatible with adjacent residential properties than a commercial or office use on the site, which are both permitted in the CC3 zone, as both residential units and assisted living facility units provide housing stock. The increased density will not result in increased traffic, increased parking demand, or increased demand for schools. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services. Furthermore, the Housing Element identifies the need for housing for seniors and persons with disabilities (i.e. cognitive impairment) and development of the project at the higher density will assist the City in meeting that housing need. The reduced side yard setback will not result in negative impacts to the abutting residential uses as the distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project provides a substantial amount of landscape area between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum.
- C. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that the project must comply will all applicable codes including fire, engineering, Municipal and Building and Safety.
- D. The proposed use will not negatively impact surrounding land uses in that a majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services.
- E. The location of the project will afford residents of the project convenient access to civic and commercial facilities and services available in the community in that a bus stop exists at the front of the property that enables bus transportation services

throughout the region, shuttle service is provided to the residents so that they may access nearby civic and commercial facilities and services available in the community, the beach is located close to the project site, and commercial service are located in close proximity to the site on El Camino Real, which is accessible via Avenida Mendocino.

- F. The additional density will not result in any adverse impacts to the surrounding neighborhood due to the addition of more residents than the area can reasonably accommodate. The major concerns with increased density relate to potential traffic, parking, and school impacts as well as general impacts of having a greater proportion of persons traveling in a neighborhood. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services.

The City's Housing Element identifies the need for additional housing for seniors and persons with disabilities. The Housing Element indicates "The elderly population is expected to grow substantially in the next 20 years. Since seniors have a much higher probability of being disabled, the housing and service needs for persons with disabilities should grow considerably commensurate with senior population growth." Development of the project at the higher density will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e. cognitive impairment). Survey respondents of the Housing Needs Survey prepared for the Housing Element also recognized the need for additional housing for seniors and persons with disabilities (i.e. cognitive impairment). Survey respondents ranked housing for seniors and persons with disabilities in the top three groups in the community that: 1) have inadequate housing supply; and 2) are in greatest need for housing and related services. Allowing the increased density will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e cognitive impairment).

- G. The reduction of the required building setback will not result in any adverse impacts to adjacent properties due to an encroachment of building elements that would reduce such property's access to light and air, the privacy enjoyed by the adjacent residents, or otherwise reduce the reasonable use of the property. Zoning Ordinance Section 17.28.110 requires a ten foot building setback from abutting residential property and an exception is requested to allow an eight foot setback. The general intent of the setback requirement is to ensure adequate space between buildings for air, light, and to allow room for landscape and filtration areas for storm water run-off. The distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project

also provides a substantial amount of landscape and filtration areas for storm water between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum.

Section 3: With regard to Architectural Permit (AP) 15-073, the Planning Commission recommends that the City Council finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan for gateway locations. The project is a high quality architecture in the Spanish Colonial Revival style and complies with site design and architectural elements of the City's Design Guidelines.
- B. The architectural treatment of the project complies with the General Plan Urban Design Element for Gateway areas and supports the General Plan Land Use Element to maintain attractive gateways reflecting high quality Spanish Colonial Revival design that promotes the Spanish Village by the Sea design identity. The project also complies with the Zoning Ordinance development standards including, but not limited to, height, setback, design, and parking, with the requested exceptions in that the reduced side yard setback will not result in negative impacts to the abutting residential uses as the distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project provides a substantial amount of landscape area between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum. Development of the assisted living facility at the proposed density will not result in negative impacts to traffic, parking, or noise and will assist the City in meeting the future housing need for seniors and persons with disabilities (i.e. cognitive impairment).
- C. The architectural treatment and design elements of the project complies with the architectural guidelines in the City's Design Guidelines in that the building utilizes traditional architectural detail of Spanish Colonial Revival style, such as single barrel tile roof, white stucco, recessed windows and doors, and wrought iron details.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that the proposed two-story building is in keeping with adjacent residential and hotel development that is also two stories in height. The proposal improves the appearance of the neighborhood with the introduction of Spanish Colonial Revival architecture in the gateway area, landscaped setback areas, and the screening of the majority of required parking.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposed project is a permitted use within the commercial zone with a conditional use permit and will provide housing options consistent with the City's Housing Element.

Section 4: With regard to Site Plan Permit (SPP) 15-072, the Planning Commission recommends that the City Council finds as follows:

- A. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of Title 17 of the San Clemente Municipal Code with the approval of the exception to allow the increased density and reduced sideyard setback, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed. The zone allows for congregate care/assisted living facilities with the approval of a CUP in most commercial and higher density residential zones because there is a need for congregate care/assisted living facilities in the community that provide housing for senior and disabled persons. The need for additional housing for seniors and disabled persons is identified in the Housing Element. The addition of assisted living housing stock is more compatible with adjacent multifamily residential properties than a commercial or office use on the site, which are both permitted in the CC3 zone, as both residential units and assisted living facility units provide housing stock.

- B. The site is suitable for the type and intensity of development that is proposed in that the addition of assisted living housing stock is compatible with adjacent multifamily housing to the west and lodging units to the east. The addition of assisted living housing stock is more compatible with adjacent residential properties than a commercial or office use on the site, which are both permitted in the CC3 zone, as both residential units and assisted living facility units provide housing stock. The increased density will not result in increased traffic, increased parking demand, or increased demand for schools. A majority of residents living at this facility are expected to be cognitively impaired, and thus, will not be driving, which will reduce the potential for any traffic or parking impacts. It is also anticipated that a large percentage of the cognitively impaired residents will be spending most of their time on-site under supervision, which greatly reduces potential impacts on the surrounding community. A majority of the residents are also anticipated to be seniors, which will not generate increased demand for school services. Furthermore, the Housing Element identifies the need for housing for seniors and persons with disabilities (i.e. cognitive impairment) and development of the project at the higher density will assist the City in meeting that housing need. The reduced side yard setback will not result in negative impacts to the abutting residential uses as the distance from the proposed building to the closest residential property across Avenida Calafia is 88 feet, which ensures adequate space between the project and residential properties for air and light. The project provides a substantial amount of landscape area between the building and Avenida Calafia as the building setback varies from 23 feet at the maximum to eight feet at the minimum.

- C. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that

the project must comply will all applicable codes including fire, engineering, Municipal and Building and Safety.

- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings as the project is two stories, similar to adjacent development, it is designed in high quality Spanish Colonial Revival architectural style, respecting San Clemente's Spanish heritage and the location of the site at an identified gateway. Development of the site will not impact a designated view corridor. The project will not have parking or traffic impact as detailed in the staff report.

- 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. The proposed project has been designed to fit in with the character of the surrounding two-story development. The project is designed in high quality Spanish Colonial Revival architectural style, respecting San Clemente's Spanish heritage and the location of the site at an identified gateway.

Section 5: With regard to Abandonment Permit (AB) 16-122, the Planning Commission recommends that the City Council resolve as follows:

- A. The City Council finds that the sewer easement has not been used for any purpose for more than five consecutive years prior to approval of this resolution.

- B. The City Council finds that the portion of the original sewer easement proposed to be abandoned is not necessary for present or future public use.

- C. The City Council approves the summary abandonment of the original sewer easement as shown on preliminary grading plans.

- D. The City Council directs the City Clerk to record this resolution and the Quitclaim Deed with the attachments at the Orange County Recorder's Office upon final confirmation of the City Engineer and City Attorney of the Quitclaim Deed and Easement Exhibits.

- E. From and after the date that the City Council resolution is recorded, the original storm drain easement described herein shall no longer constitute a public service easement.

Section 6: The Planning Commission of the City of San Clemente hereby recommends that the Planning Commission approve CUP 15-071/SPP 15-072/AP 15-073/AB 16-122/INT 16-147, Raya's Paradise, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit A and incorporated herein in full.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on May 4, 2016.

Chair

TO WIT:

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on May 4, 2016, and carried by the following roll call vote:

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

Secretary of the Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL

Conditional Use Permit 15-071 / Site Plan Permit 15-072 / Architectural Permit 15-073 / Abandonment Permit 16-122 / Interpretation 16-147, Raya's Paradise

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)_____
2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)_____
3. CUP 15-071/SPP 15-072/AP 15-073/INT 16-147 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PInG.)_____

4. A use shall be deemed to have lapsed, and CUP 15-071/SPP 15-072/AP 15-073/INT 16-147 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.) _____
5. The owner or designee shall have the right to request an extension of CUP 15-071/SPP 15-072/AP 15-073/INT 16-147 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval in compliance with section 17.12.160 of the Zoning Ordinance. *[Citation - Section 17.12.160 of the SCMC]* (PIng.) _____
6. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Assurance Program]* (PIng.) _____
7. Prior to the issuance of building permits, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that approval by the California Coastal Commission has been obtained for the project. *[Citation – Division 20 of the Public Resources Code & Section 17.56.050 of the S.C.M.C.]* (PIng.) _____
8. Prior to issuance of certificate of occupancy, the project shall be develop in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the City Council, subject to the Conditions of Approval. Any deviation from the approved plans or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator or Planning Commission. *[Citation - Section 17.12.180 of the SCMC]* ■ (PIng.) _____
9. All parking lot and building light fixtures shall be designed and installed to ensure that no light spillage or light trespass occurs. ■■ (PIng.) _____
10. Prior to the issuance Certificates of Occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that all exterior lighting is designed, arranged, directed or shielded per the approved plans, and in such a manner as to contain direct illumination on site, thereby preventing excess illumination onto adjoining site(s) and/or street(s). *[Citation – Section 17.24.130 of the SCMC]* (PIng.) _____
11. Signage is not part of this review. Any signage for this proposed development shall require the owner or designee to submit for review and obtain approval of a

Sign Permit or Master Sign Program in accordance with the City's Sign Ordinance. *[Citation - Section 17.16.040. & 17.16.155 of the SCMC]* ■■(PIng.)_____

12. Prior to issuance of grading and/or building permits, the owner or designee shall submit for review and approval by the City Landscape Architect a detailed landscape and irrigation plan incorporating drought tolerant plants. *[Citation - Section 17.68.020.B.2 of the SCMC]* ■■ (PIng.)_____ (B,P&R) _____

13. The property owner or designee shall maintain all landscaped areas as approved on the final landscape plans in an orderly, attractive and healthy condition. This shall include proper pruning, mowing of turf areas, weeding, removal of litter, fertilization, replacement of plants when necessary, and the regular application of appropriate quantities of water to all landscaped areas. The property owner or designee shall maintain all irrigation systems as approved on the final landscape plans in proper operating condition. Waterline breaks, head/emitter ruptures, overspray or runoff conditions and other irrigation system failures shall be repaired immediately. *[Citation - Section 17.68.060.A&B of the of the SCMC]* (PIng.)_____

Spanish Style Architecture

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

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

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

15. All architectural decorative details shall be reviewed and approved by the City Planner prior to installation. ■■ (PIng.)_____

Roof Equipment

16. Prior to issuance of any commercial building permits, the owner or designee shall submit for review and obtain approval of the Director of Community Development or designee plans indicating that the height of any roof mounted equipment shall not exceed the height of the parapet wall intended to screen the equipment, and the equipment will be painted in such a manner as to cause the equipment to blend with the roof when viewed from surrounding areas. Additional screening devices may be required in conjunction with tenant improvements if deemed necessary by the Director of Community Development. *[Citation - Section 17.24.050.C.2 of the S.C.M.C.]* (PIng.)_____
17. Owner shall install landscape to screen the south community deck wall in the event that landscape on the adjacent property is removed or no longer screens the white stucco wall. A potential solution is to install vines on the south community deck wall that cascade downward along the subject wall. ■■ (PIng.)_____
18. Outdoor furniture shall be provided and maintained at the front of the building. ■■ (PIng.)_____
19. The tower arch recess shall be recessed a minimum of one foot. ■■ (PIng.)_____

Building

20. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.)_____
21. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.)_____
22. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. *[S.C.M.C – Title 15 Building Construction]* (Bldg.)_____
23. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. *[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction*

Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning] (Bldg.)_____

- 24. Prior to the issuance of building permits, the owner or designee shall submit plans that identify the intended use of each building or portion of building and obtain approval of the Building Official. *[S.C.M.C – Title 15 – Chapter 15.08]* (Bldg.)_____

- 25. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc. *[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]* (Bldg.)_____

- 26. Prior to issuance of building permits, the owner or designee shall submit two copies of the City Engineer approved soils and geologic report, prepared by a registered geologist and/or soil engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports. *[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]* (Bldg.)_____

- 27. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building foundations conform to the front, side and rear setbacks are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)_____

- 28. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)_____

- 29. Sprinkler protection shall be provided throughout the entire building. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code]* (Bldg.)_____

- 30. Underground utilities required. Overhead wiring shall not be installed outside on private property. All utility services located within any lot to be installed underground if the property is to be developed with a new or relocated main building. *[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code]* (Bldg.)_____

- 31. This project contains a subterranean garage that is greater than 1500 square feet. No person shall own, erect, construct or occupy, any building or structure, or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for City emergency service workers operating on the 800 MHz Countywide Coordinated Communications System. Further, owners must maintain a reasonable standard of reliable radio communication within their buildings and structures once a Certificate of Occupancy is issued. For the purposes of this section, adequate radio coverage shall include those specifications set forth in the coverage specifications. Buildings and structures that cannot support the required level of radio coverage shall be equipped with amplification systems as specified in the coverage specifications or any other system approved, in writing, by the OCSD/Communications and the Local Fire Department/Orange County Fire Authority (OCFA). *[S.C.M.C – Title 8 – Chapter 8.80-Building Regulations]*
(Bldg.)_____

Engineering

Fees and Plan Check Deposit

- 32. Prior to the review of grading plans, soils report and documents, the owner or designee shall deposit a minimum of \$5,000.00 for plan check. *[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]*
(Eng.)_____
- 33. Prior to issuance of the building permit, the owner shall pay all applicable development fees, which may include, but are not limited to, City Attorney review, development, water and sewer connection, parks, drainage, grading, RCFPP, transportation corridor, etc. *[Citation – Fee Resolution No. 08-81& S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]*
(Eng.)_____

Reports –Soils and Geologic, Hydrology

- 34. Prior to the issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]*
(Eng.)_____
- 35. Prior to the issuance of any permits, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, treatment of cut and fill, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]*
(Eng.)_____

Grading

36. Prior to the issuance of any permits, the owner or designee shall submit for review, and obtain the approval of the City Engineer, a precise grading plan, prepared by a registered civil engineer, showing all applicable frontage improvements and onsite improvements, including but not limited to, grading, building pad grades, storm drains, sewer system, retaining walls, water system, water quality features, erosion control devices, etc., as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Improvement Plans

37. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for frontage improvement plans, prepared by a registered civil engineer. The owner or his designee shall be responsible for the construction of all required frontage and onsite improvements as approved by the City Engineer including but not limited to the following: *[Citation – Section 15.36, 12.08.010, and 12.24.050 of the SCMC]* (Eng.)_____
- A. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000, the owner or designee shall construct sidewalk along the public property frontages. This includes construction of compliant sidewalk around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since there is adequate right-of-way, a sidewalk easement will not be required to be granted to the City for any portion of sidewalk needed to go up and around the drive approach or other obstructions.
 - B. In the event that areas of sidewalk or other street improvements are disturbed or damaged during the construction project, the applicants shall be responsible for replacing said sidewalk or other street improvements prior to the finalization of any Engineering or Building Permits.
 - C. The developer shall be responsible for adjusting all utilities to grade that conflict with necessary sidewalk and drive approach improvements.
 - D. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.
38. Prior to issuance of any permits, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee for water improvement plans specific to the project, prepared by a registered civil engineer, which reflect consistency with the City's Water standards. Said plan shall provide for the following: *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

- A. All water meters shall be tapped into the public water main and be located in the public ROW.
- B. A double detector check shall be installed at the transition from public to private for water systems.

NPDES

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

(Eng.)_____

- A. Since the site is determined to be a "Priority Project" (as defined by the Orange County's MS4 Permit for the South Orange County Model WQMP, http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/) a final Water Quality Management Plan (WQMP) must be approved by the City prior to issuance of any permits. The final WQMP shall be recorded with the Orange County Recorder's Office and filed with the City prior to Certificate of Occupancy. Site improvement plans shall incorporate all necessary WQMP requirements, including but not limited to covered trash enclosures.
41. Prior to release of financial security, the owner or designee shall have completed the stenciling of all catch basins and/or storm drain inlets with labels 3" high in black letters, on either the top of the curb or the curb face adjacent to the inlet "NO DUMPING - DRAINS TO OCEAN". These markers shall be maintained in good condition by the Property Owner. *[Citation – Section 13.40 of the SCMC]* (Eng.)_____

Lot Merger

42. Prior to final building acceptance and occupancy, if determined necessary by the Building Official and/or City Engineer, the developer shall prepare and obtain the approval of the City Engineer of a lot merger. *[Citation – Section 15.36 of the*

SCMC]

(Eng.)_____

Easement Abandonment

- 43. Prior to issuance of any building permits, the owner shall obtain approval and supply all necessary documentation necessary for abandonment of any easement(s) that conflict with the development. This includes the abandonment of the City’s existing sewer easement that exist within the development. As part of the sewer abandonment, the owner/developer shall be responsible for physically capping and/or abandoning the entire sewer main to/from nearest manholes to the satisfaction of the City Engineer. *[Citation – Section 15.36 of the SCMC]* ■
(Eng.)_____

Financial Security

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

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATES OF OCCUPANCY

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

All Conditions of Approval are standard, unless indicated as follows:

- Denotes modified standard Condition of Approval
- Denotes a project specific Condition of Approval



LOCATION MAP

CUP 15-071/SPP 15-072/AP 15-073/AB 16-122, Raya's Paradise
101 Avenida Calafia



**MEMORANDUM**

TO: Moti Michal Gamburd, Calafia Partners, LLC

FROM: Patrick A. Gibson, P.E., PTOE
Hassan Ahmed, EIT

DATE: October 22, 2015

RE: Parking Analysis for
Raya's Paradise Residential Care Community
San Clemente, California

Ref: J1394

Gibson Transportation Consulting, Inc. (GTC) was asked to prepare a parking study to assist Calafia Partners (Owner) in establishing appropriate parking ratios for the above-referenced project. This study included a review of available research on the land use type and exploration of other cities' zoning codes in order to provide information regarding parking requirements for the Project. This memorandum summarizes the results of our analysis.

PROPOSED PROJECT

Calafia Partners is proposing to construct a senior citizen assisted living facility with two levels of residential rooms and amenities plus a basement (Project). The Project would be located at 101 Avenida Calafia in San Clemente, California (City) and would provide 40 rooms. As stated in the letter from the Owner of the Project, presented in Attachment A, about 20 rooms are expected to operate as double occupancy and 20 rooms are expected to operate as single occupancy, with a total of approximately 60 beds for residents. To remain conservative for the purposes of this analysis, however, all 40 rooms were considered as double occupancy with a maximum total of 80 beds for residents.

Furthermore, a majority of residents living at this facility are expected to be cognitively impaired and, thus, will not be driving. However, again to provide the City with a conservative analysis, the convalescent home was tested as a typical facility with a majority of the residents having access to an automobile.

A total of 32 parking spaces would be provided, including two spaces for neighborhood electric vehicles.

REVIEW OF CODE PARKING REQUIREMENTS

Since the City does not recognize senior citizen assisted living facilities as a separate land use in its zoning code, applicable municipality code parking rates were researched to determine

the number of required parking spaces generally accepted for assisted living developments. A summary of the relevant code parking rates is shown in Table 1.

As summarized in Table 1, the Orange County, California Code of Ordinances lists the parking requirement for "Convalescent and nursing home, homes for the aged, rest homes, children's homes and sanitariums" as 0.25 spaces per resident/bed.

The Fairfax County Zoning Ordinance lists the parking requirement for an "Assisted Living Facility" as 0.33 spaces per resident or bed plus one space per employee.

Parking Generation, 4th Edition, (Institute of Transportation Engineers, 2010) lists parking demands for a typical weekday, Saturday, and Sunday as 0.41, 0.40, and 0.34 spaces per bed, respectively.

In summary, the code parking requirements found for the assisted living communities range from 0.25 to 0.41 spaces per resident/bed, with the average rate of 0.35 spaces per resident/bed.

Excerpts from the municipal codes above are presented in Attachment B.

OBSERVED PARKING DEMAND

In addition to the code parking requirements, observed parking demand at similar properties was also researched.

Table 2 summarizes parking occupancy surveys at the Fair Oaks by Regency Park located in Pasadena, California. These surveys were conducted from 7:00 AM to 8:00 PM in the years 2005 and 2013 and the parking demand rates were 0.33 and 0.30 vehicles per resident/bed, respectively. The average of multiple days of parking occupancy counts was 0.32 vehicles per resident/bed.

Additionally, trip and parking generation surveys conducted in Illinois were presented at the 66th Annual Meeting of the Institute of Transportation Engineers. The parking demand surveys were conducted between 11:00 AM to 3:00 PM, corresponding with the largest employee shift on site. The peak parking demand rates ranged from 0.21 to 0.58 vehicles per resident/bed, with a weighted average of 0.40 vehicles per resident/bed.

In summary, the observed parking requirements range from 0.21 to 0.58 spaces per resident/bed, based on counts at 10 facilities. The average parking demand rate was 0.38 spaces per resident/bed.

Excerpts from the observed parking demand surveys are presented in Attachment C.

SUMMARY AND CONCLUSION

The average of the municipality code parking rates researched is 0.35 spaces per resident/bed. The average of the 10 parking occupancy surveys is 0.38 vehicles per resident/bed. The total average of the rates researched is 0.37 spaces per resident/bed.

The Project would provide 40 rooms with a maximum of 80 beds for residents. Applying the rate of 0.37 spaces per resident/bed, the Project should provide 30 parking spaces (80 beds X 0.37 spaces per bed = 29.6 spaces = 30 spaces). The Project is currently proposing a supply of 32 parking spaces, which represents a parking rate of 0.40 spaces per resident/bed.

Both parking rates presented above (rate suggested based on rates researched and rate based on proposed supply) are conservative because, rather than 80 beds for residents, the Owner expects approximately 60 beds, with half of the 40 rooms double occupancy and the remaining half single occupancy. Furthermore, a majority of residents living at this facility are expected to be cognitively impaired and will not be driving.

Thus, based on the parking rates researched and presented in this memorandum, the proposed supply at the Raya's Paradise Residential Care Community is expected to meet, and exceed, the peak parking demand of the Project.

**TABLE 1
PARKING RATES IN ORDINANCES**

SOURCE	RATE (space/resident)	
Orange County Zoning Ordinances	1 space per 4 beds	0.25
Fairfax County Zoning Ordinance	1 space per 3 residents	0.33
	1 space per employee	1.00
Institute of Transportation Engineers - Parking Generation - 4th Edition	Weekday	0.41
	Saturday	0.40
	Sunday	0.34
AVERAGE		0.35

Average shows combination of Orange County and ITE rates

**TABLE 2
PARKING RATES BASED ON SURVEYS**

SOURCE	TYPE	RATE (space/resident)
The Fair Oaks by Regency Park Assisted Living Facility	2005	0.33
	2013	0.30
ITE Presentation 66th Annual Meeting	Location 1	0.49
	Location 2	0.57
	Location 3	0.39
	Location 4	0.58
	Location 5	0.21
	Location 6	0.41
	Location 7	0.32
	Location 8	0.23
AVERAGE		0.38

Attachment A

Letter from the Owner

RAYA'S PARADISE, INC.™

board and care for the elderly

phone 310.289.8834

www.rayasparadise.com

Friday, October 9, 2015

RE: 101 Avenida Calafia
San Clemente, CA 92672

Dear City Official;

We are proposing to build and independently own and operate a 40 room (private and shared accommodation per room) state-of-the-art luxury assisted living facility for the elderly in Orange County that will be licensed by the State of California, Department of Social Services. Even though all the 40 rooms that we are seeking to build will have the possibility of double occupancy, we predict that we will have about fifty (50%) of our rooms occupied as shared accommodations and the rest will be private. We will be providing care and housing to seniors who are no longer able to live safely in the comfort of their own homes. There is a great need in the Orange County area for more assisted living communities for the quickly expanding aging population. We are estimating that no more than twenty five (25%) of the residents who will live in our residential care community will be driving, this is primary due to the nature of the residents who are cognitively impaired. The residents who will drive will be very carefully screened on a regular basis to ensure not only their safety, but the safety of those who live and work around us who they will be sharing the road with. We will be providing our own transportation for all of our residents to get back and forth to their various appointments and on all outings into the community. Even the ones who do still drive will essentially have no reason to drive their own vehicles. We want to assure you that we will make every effort to blend into the community while bearing in mind the safety and utmost respect of the citizens we will be sharing our community with.

For any questions, feel free to contact me.

Sincerely,



Moti M. Gamburd
Administraor/Owner



341 north la jolla avenue
los angeles, ca 90048

1156 north gardner street
west hollywood, ca 90046

1533 north stanley avenue
los angeles, ca 90046

825 larrabee street
west hollywood, ca 90069

849-851 north gardner street
los angeles, ca 90046

852 north sierra bonita avenue
west hollywood, ca 90046

Attachment B

Code Parking Rates (Excerpts)

	billiard halls.	each billiard table contained therein.
(8)	Churches, temples and other places of assembly not specified elsewhere.	1 for each 3 fixed seats within the main auditorium or for every 35 square feet of seating area within the main auditorium where there are no fixed seats; 18 lineal inches of bench shall be considered a fixed seat.
(9)	Clubs, lodge halls, union halls.	1 for each 75 square feet of gross floor area.
(10)	Congregate care facility serving more than 12 persons.	1 for each unit per <u>section 7-9-141.1</u> .
(11)	Convalescent and nursing homes, homes for the aged, rest homes, children's homes and sanitariums.	1 for every 4 beds in accordance with the resident capacity of the home as listed on required license or permit.
(12)	Dance halls.	1 for each 7 square feet of dance floor area, plus 1 for each 35 square feet of additional gross floor area.
(13)	Day nurseries, including pre-schools and nursery schools.	2 for each 3 employees and teachers plus 1 loading space for every 8 children.
(14)	Golf courses.	
	a. Driving ranges.	1 per tee, plus the spaces required for additional uses on the site.
	b. Pitch and putt and	3 per hole, plus requirements for accessory

HOUSING OPPORTUNITIES WITHIN THE FAIRFAX COUNTY ZONING ORDINANCE (Sept 2013)

The following is a brief summary of the currently available opportunities to provide for housing, either on a permanent or temporary basis, as set forth in the Zoning Ordinance. The provisions identified below are excerpted from the Fairfax County Zoning Ordinance; however, additional provisions of the Zoning Ordinance and/or other codes, regulations or ordinances may also apply.

1. ASSISTED LIVING FACILITY

Defined:

A facility for persons who are unable to live independently that provides: (a) private living quarters, which may include kitchen facilities limited to a sink, refrigerator and/or microwave, (b) supervision and general care, including but not limited to the provision of meals, housekeeping, health care, and (c) assistance with moderate activities of daily living. For purposes of this Ordinance, an assisted living facility shall be deemed a MEDICAL CARE FACILITY.

Applicable Zoning Regulations:

The medical care facility is typically a Category 3, Quasi-Public Use Special Exception Use is permitted by right in all P-Districts when shown on an approved development plan Use is permitted by special exception in the R-E through R-MHP Residential Districts,

C-1 through C-9 Commercial Districts, and I-1 through I-6 Industrial Districts

The use is regulated by the floor area ratio maximum specified for the district.

Parking is 1 space per 3 residents plus 1 space per employee.

Additional Standards/Use Limitations:

1. In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board shall, in addition to information from the applicant, solicit information and comment from such providers and consumers of health services, or organizations representing such providers or consumers and health planning organizations, as may seem appropriate, provided that neither said Board nor the Board of Supervisors shall be bound by any such information or comment. The Health Care Advisory Board may hold such hearing or hearings as may seem appropriate, and may request of the Board of Supervisors such deferrals of Board action as may be reasonably necessary to accumulate information upon which to base a recommendation.
2. The Advisory Board, in making its recommendations, and the Board of Supervisors, in deciding on the issuance of such an exception, shall specifically consider whether or not:
 - A. There is a demonstrated need for the proposed facility, in the location, at the time, and in the configuration proposed. Such consideration shall take into account alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.
 - B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.
 - C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial

Attachment C

Observed Parking Demand Surveys (Excerpts)

Fair Oaks by Regency Park
 Parking Occupancy Surveys

TABLE 1
 PARKING OCCUPANCY SURVEY

PERIOD	2005 Counts -- Pre-Addition			2013 Counts -- Post-Addition					TOTAL		
	MAIN PARKING LOT	LOADING SPACES		EMPLOYEE LOT	EMPLOYEES	OTHERS	RESIDENTS/GUESTS	OTHERS	LOADING SPACES	TOTAL PARKED PROJECT OTHERS	
7:00	30	1 Cars / 1 Shuttle		7	5		26	0	1	33	5
8:00	33	2 Cars / 1 Shuttle		10	7		27	0	0	37	7
9:00	34	3 Cars / 1 Shuttle		13	9		28	0	0	41	9
10:00	NA	NA		15	9		31	0	1	46	9
11:00	NA	NA		19	9		32	0	0	51	9
12:00	31	3 Cars / 1 Shuttle		19	9		32	0	2	51	9
1:00	30	3 Cars / 1 Shuttle		20	7		31	0	1	51	7
2:00	31	3 Cars / 1 Shuttle		18	7		30	0	1	48	7
3:00	32	2 Cars / 1 Shuttle		15	3		32	0	0	47	3
4:00	39	2 Cars		15	2		31	0	0	46	2
5:00	35	2 Cars		12	4		34	0	0	46	4
6:00	37	1 Car / 1 Shuttle		8	4		33	3	0	41	7
7:00	37	1 Shuttle		6	5		33	2	0	39	7
8:00	34	1 Shuttle		3	5		32	2	1	35	7

PARKING DEMAND SURVEYS

Parking demand characteristics were obtained from a number of surveys conducted in the Chicago metropolitan area. The peak parking demand occurred during the mid-day between 11:00 AM to 3:00 PM corresponding, in part, with the largest employee shift on-site. **Table 6** summarizes those surveys. The peak day of the year is Mother's Day when many facilities run out of visitor parking, according to the on-site staff.

The peak parking demand rates varied between 0.214 and 0.579 vehicles per unit/bed with a weighted average rate of 0.404 vehicles per unit/bed. Employee, resident, and visitor parking is included. This rate is one third to one half the parking rate of other residential uses. Readers should note that the survey sites with the higher parking rates generally have more nursing beds which requires more employees than the residential units.

Table 6

Peak Parking Demand Surveys

Development	Location	Dwelling Units	Nursing Beds	Total Units/Beds	Peak Parking Rate	Peak Parking Demand	
Covenant Village	Northbrook, IL	220	151	371	0.490	182	
Beacon Hill	Lombard, IL	235	23	258	0.565	146	
Friendship Village	Schaumburg, IL	620	100	720	0.390	281	
Presbyterian Home	Evanston, IL	312	166	478	0.579	277	
Glenview Terrace	Glenview, IL	243		243	0.214	52	
Mayslake	Oakbrook, IL	630		630	0.408	257	
<u>EJM Engineering Studies</u>							
Lilac Lodge	Waukegan, IL	203		203	0.315	64	
Deerfield Place	Deerfield, IL	98		98	0.230	23	
<u>ITE Parking Manual, 2nd Ed</u>							
Retirement Community (Land Use Code 250)		500		500	0.270	135	
		3061	440	3501		1417	
		Weighted Average				0.404	
<u>ITE Parking Manual, 2nd Edition</u>							
Low/Mid-Rise Apartments (Land Use Code 221)					1.21		
High-Rise Apartments (Land Use Code 222)					0.88		
Residential Condominium (Land Use Code 230)					1.11		

The Subcommittee expressed support for the project and recommended it move forward to the Zoning Administrator for consideration.

D. 101 Avenida Calafia – Conditional Use Permit 15-071/Site Plan Permit 15-072/Architectural Permit 15-073 – Raya’s Paradise (Jones)

A request to consider a 40 unit assisted living facility at 101 Avenida Calafia. The property is located in the Community Commercial (CC3) Zone and the Coastal overlay.

Associate Planner Cliff Jones summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- The tower proportions are acceptable, given the constraints of the elevators and stairs that dictate the exterior dimensions of the tower.
- Details and/or product cut sheets related to the lights, tiles, awnings, spires, and the fountain should be provided for staff and Planning Commission consideration.
- A condition of approval should be added to require the owner to install landscape to screen the south community deck wall in the event that landscape on the adjacent property is removed or no longer screens the white stucco wall. A potential solution is to install vines on the south community deck wall that cascade downward along the subject wall.
- Outdoor furniture should be provided at the front of the building.
- An ornate wrought-iron design is acceptable on Juliet balconies.

The Subcommittee expressed support for the project and recommended it move forward to the Planning Commission for a recommendation to the City Council.

3. NEW BUSINESS

None

4. OLD BUSINESS

None

ADJOURNMENT



Design Review Subcommittee (DRSC)

Meeting Date: January 27, 2016

PLANNER: Cliff Jones, Associate Planner

SUBJECT: Conditional Use Permit 15-071 / Site Plan Permit 15-072 / Architectural Permit 15-073, Raya's Paradise, a request to consider a 40 unit assisted living facility at 101 Avenida Calafia.

BACKGROUND:

On October 14, 2015, the Design Review Subcommittee (DRSC) reviewed the proposal for the 40 bedroom assisted living facility. The DRSC had comments related to the architectural design of the building and site landscaping. The project has been modified to address the comments, and analysis of the modifications are discussed later in this report. The minutes from the meeting are provided as Attachment 2.

Why is DRSC Review Required?

The DRSC is tasked to ensure development is compatible with the surrounding neighborhood, and to review the project for consistency with General Plan policies and Design Guidelines that relate to various visual impact issues. DRSC comments will be forwarded to the Planning Commission and the Planning Commission will make a recommendation to the City Council. The City Council is the final decision making body because of the abandonment permit. The project also requires the approval of the California Coastal Commission.

Site Data

The site is a vacant 28,111 square foot corner lot with frontage along Avenida Calafia and Avenida Del Presidente. The vacant lot is visible when exiting Interstate 5 from the south. Minimal ocean view is visible over the project site for a very short interval when driving south and north on Interstate 5. The primary ocean view when exiting the freeway is down Avenida Calafia. Image 1 below demonstrates the ocean view visible when exiting Avenida Calafia from a driver's perspective.

Image 1: Ocean View Visible When Exiting Avenida Calafia



The site is zoned Community Commercial (CC3). Adjacent uses include residential to the west, the Interstate 5 to the north, a hotel to the east, and residential and San Clemente State Park to the south.

ANALYSIS:

The majority of the requested modifications to the project design were incorporated to improve the architecture of the building and landscaping of the site. The DRSC recommendations and the changes made by the applicant are summarized in Table 1 below.

Table 1 – Recommendations for Improvement

Recommendations for Improvement	Changes Made by Applicant
<p>1. Design emphasis should be added at the north corner of the building. This corner is an opportunity for a focal architectural feature (e.g. entry, turret, etc.) and is the primary corner of the building visible when exiting I-5.</p> <p>Focal planting should be provided at the northern corner of the site. This corner</p>	<p>The roof element at the corner was raised to add architectural interest and more area was devoted to landscaping.</p>

is one of the primary views when exiting I-5.	
Recommendations for Improvement	Changes Made by Applicant
<p>2. The first floor plate height should appear taller than the second floor plate height to create a more traditional look. The plans should be revised accordingly.</p> <p>In particular, the French doors on the second floor with smaller windows below make the second floor appear heavier.</p>	The height of the first floor was raised by 1'. The first floor is now 12 feet tall and the second floor is now 9' tall. Windows on the first floor were enlarged.
<p>3. The towers that conceal the elevators are considerably wide and should be narrowed. Additionally, the recessed arches within the towers are squatty and should be elongated, removed, or revised to two arches on each tower elevation.</p>	The roofs of the tower were changed to 4:12 roof pitch and the proportions of the recessed arches were adjusted. The exterior dimensions of the tower remain "as is" because of the necessary elevators and stairs.
<p>4. The main entry has an arch with incorrect proportions. The arch should be revised in accordance with the Henry Lenny Design Guidelines. Additional design emphasis could be added to the entry such as a stone surround.</p>	Entry arch was made taller.
<p>5. The arcade at front of the building should be deeper to give a more traditional look.</p>	The arcade was deepened.
<p>6. The semicircular tall arches on the west elevation (Avenida Calafia) appear too tall and therefore unstable. A cantilevered deck would be more appropriate for this elevation.</p>	The revised design removes the balcony supported by arches, which is replaced by a cantilevered balcony with traditional wood columns and corbels.
<p>7. The roof pitch of the circular tower on the southeast side of the building should be increased to appear more traditional.</p>	The roof pitch was changed to 4:12.

Recommendations for Improvement	Changes Made by Applicant
<p>8. The building wall supporting the community deck on the south elevation does not have any articulation or landscape to buffer its appearance. Landscape and articulation should be provided along this wall.</p>	<p>No changes made. Applicant believes landscaping on adjacent property is sufficient to screen to the wall.</p>
<p>9. Additional planting should be provided on the community deck, roof deck, and south elevation. Without planting these decks can get very hot as they have southerly exposure.</p>	<p>Landscape plans have been adjusted to include more potted plants on both decks.</p>
<p>10. Awnings or roof overhangs should be added to the south facing window/door openings as these rooms will receive all day sun.</p>	<p>Awnings have been added on South facing windows.</p>
<p>11. The windows and doors should be recessed a minimum of 12" to 18" as suggested in the Henry Lenny Design Guidelines.</p>	<p>8" to 12" recessed openings are provided.</p>
<p>12. The wood columns supporting the roof on the second floor should include corbel details.</p>	<p>Corbels have been added on the second floor.</p>
<p>13. Columns should be square and not L shaped to give a traditional appearance.</p>	<p>Arches need supports to rest on. L shaped walls are necessary at corners.</p>
<p>14. Applicant should consider adding Spanish tile to stair risers at prominent entry points or where visible from public right-of-way.</p>	<p>Spanish tile has been added to stair risers.</p>
<p>15. The wrought-iron is ornate. Wrought iron design should be simple. Staff recommends a wrought iron rail pattern of 2 straight bars then 1 twist.</p>	<p>No changes made. Applicant believes the ornate wrought-iron design is appropriate.</p>

Recommendations for Improvement	Changes Made by Applicant
<p>16. The project should incorporate exposed rafter tails. Rafter tails should be scaled up to be appropriate with the scale of building.</p> <p>Rafter tails should be rough & resawn and painted or stained dark brown.</p>	<p>Detail sheets reflect staff recommendaitons.</p>
<p>17. Fascia board should be removed to expose rafter tails.</p>	<p>Fascia boards are not proposed.</p>
<p>18. Detail needs to be provided regarding the location of gutters, downspouts and any applicable filters. Staff recommends these be located within the building wall if possible.</p>	<p>Details have been added to elevations.</p>
<p>19. Landscape, including trees, should be provided in front of the wall fronting Avenida Calafia and Avenida Presidente.</p>	<p>Additional landscape area and trees are now provided Avenida Calafia and Avenida Presidente.</p>
<p>20. Additional landscape should be added throughout the site, particularly in front of the building.</p>	<p>Additional landscape provided in front of the building, along Avenida Calafia and Avenida Presidente, and on the decks.</p>
<p>21. Outdoor furniture should be provided at the front of the building.</p>	<p>No changes made to the plans. Applicant indicates that they will add benches at the front of the building with the next plan revision.</p>
<p>22. The entry arch could benefit from additional ornamentation or design detail.</p>	<p>Applicant believes a stone surround type of ornamentation is not consistent with the style of existing Ole Hanson buildings in the community. The proportions of the arch were revised to be consistent with Design Guidelines.</p>
<p>23. Details and/or product cut sheets related to lights, tiles, awnings, spires, and the fountain be provided for review by staff and the DRSC.</p>	<p>Applicant indicates they will provide these details at the DRSC meeting.</p>

RECOMMENDATIONS:

Staff supports the overall design of the project but does have some minor suggestions to improve the architecture of the building and the project's compliance with the Design Guidelines. These recommendations were previously made by the DRCS at the October 14, 2015 DRSC meeting:

1. **Towers.** The towers that conceal the elevators are considerably wide and should be narrowed to be proportionately correct.
2. **Details.** Details and/or product cut sheets related to lights, tiles, awnings, spires, and the fountain are needed for staff review.
3. **Entry Arch.** Additional design emphasis should be added to the entry such as a stone surround.
4. **South Community Deck Wall.** The building wall supporting the community deck on the south elevation does not have any articulation or landscape to buffer its appearance. A simple solution to buffer the appearance of this wall is to have landscape cascade down the wall from the community deck above.
5. **Outdoor Furniture.** Outdoor furniture should be provided at the front of the building.
6. **Wrought-iron.** Wrought iron design should be simple. Staff recommends a wrought iron rail pattern of 2 straight bars then 1 twist.

Staff seeks DRSC's concurrence and welcomes any additional comments or recommendations.

CONCLUSION

Staff seeks DRSC concurrence with the above recommendations and welcomes additional input. DRSC comments on the project's design will help ensure the highest quality project.

Attachments:

1. Location Map
2. DRSC Meeting Minutes – October 14, 2015 (excerpted)
3. DRSC Staff Report – October 14, 2015 (excerpted)
Plans

The Subcommittee recommended the project move forward to the Planning Commission for consideration with changes reviewed by City Planner.

C. Minor Architectural Permit 15-281, SDG&E Outdoor Rack Replacement (Ciampa)

A request to install new outdoor storage racks for the equipment yard of the San Diego Gas and Electric utility yard. The project is located at 662 Camino De Los Mares in the Public (P) zoning designation. Planner Ciampa summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- The transformer racks adjacent to the side property line should be screened with the same material as the adjacent fence screening.
- A condition should be added to the project to require the landscaping at the back be maintained to screen the racks from freeway view and if landscaping is removed it should be replaced to provide the necessary screening.
- Research the fencing around the property to ensure it is in compliance with City standards.

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

D. Conditional Use Permit 15-216, Chase Bank (Ciampa)

A request to consider a subdivision for the development of a new building with a drive through for a Chase Bank and detached trash enclosure located on the Lowes site. The project is at 907 Avenida Pico and is in the Rancho San Clemente Specific Plan's Mixed Use zoning designation.

At the request of the applicant, the project was rescheduled for the October 28, 2015 Design Review Subcommittee meeting. This item was not discussed.

E. Conditional Use Permit 15-071/Site Plan Permit 15-072/Architectural Permit 15-073, Raya's Paradise Residential Care (Jones)

A request to consider a 40 unit assisted living facility at 101 Avenida Calafia.

Planner Jones summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- Concurred with all of staff's recommendations as noted in the staff report.
- Landscape, including trees, should be provided in front of the wall fronting Avenida Calafia and Avenida Presidente.
- Additional landscape should be added throughout the site, particularly in front of the building.
- Outdoor furniture should be provided at the front of the building.
- The entry arch could benefit from additional ornamentation or design detail.

The Subcommittee recommended the project return to DRSC again due to the number of comments/concerns.

F. Cultural Heritage Permit 14-498/Conditional Use Permit 14-197, Buena Vista Condos (Nicholas)

A request to construct a five (5) unit condo project on an infill, vacant, and coastal-bluff lot within the Residential Medium Density zoning district and Coastal Zone overlay (RM-CZ). The project address is 1500 Buena Vista.

Subcommittee Member Ruehlin recused himself from discussing this item due to nearby property ownership.

Planner Nicholas summarized the staff report.

The Design Review Subcommittee made the following comments either individually or as a group:

- DRSC was not as concerned with the massing due to limited visibility of the areas staff had concern with.
- Some break up in the north elevation could occur to have some movement in that elevation.
- The applicant needs to provide more information regarding the group use area.
- Request a condition of approval regarding CC&R and trash service.
- Storage for the residents needs to be thought out and located somewhere on site, including bike parking.
- On the rear elevation, Unit 4 handrails needed to be modified to address design concerns.

The Subcommittee recommended the project move forward to the Planning Commission for consideration with Case Planner Nicholas coordinating recommendations to be included in Planning Commission packets.



Design Review Subcommittee (DRSC)

Meeting Date: October 14, 2015

PLANNER: Cliff Jones, Associate Planner

SUBJECT: Conditional Use Permit 15-071 / Site Plan Permit 15-072 / Architectural Permit 15-073, Raya's Paradise, a request to consider a 40 unit assisted living facility at 101 Avenida Calafia.

BACKGROUND:

Project Description

The project proposal is a 40 bedroom assisted living facility for dementia and Alzheimer's patients. The first floor will care for dementia and Alzheimer's residents, and the second floor will care for mild cognitive impaired residents. It is anticipated that the majority of occupants would be seniors. The two story building is designed in the Spanish Colonial Revival architectural style and includes tower elements for the roof serving elevator and stairway.

The project includes a request for an Abandonment Permit to abandon a sewer easement that runs through the property. An Architectural Permit is required to ensure the project complies with the General Plan Urban Design Element and City Design Guidelines. A Site Plan Permit is required for all new nonresidential developments. A Conditional Use Permit is required for the use in the Community Commercial Zone (CC3).

Why is DRSC Review Required?

The DRSC is tasked to ensure development is compatible with the surrounding neighborhood, and to review the project for consistency with General Plan policies and Design Guidelines that relate to various visual impact issues. DRSC comments will be forwarded to the Planning Commission and the Planning Commission will make a recommendation to the City Council. The City Council is the final decision making body because of the abandonment permit. The project also requires the approval of the California Coastal Commission.

Site Data

The site is a vacant 28,111 square foot corner lot with frontage along Avenida Calafia and Avenida Del Presidente. The vacant lot is visible when exiting Interstate 5 from the south. Minimal ocean view is visible over the project site for a very short interval when driving south and north on Interstate 5. The primary ocean view when exiting the freeway is

down Avenida Calafia. Image 1 below demonstrates the ocean view visible when exiting Avenida Calafia from a driver's perspective.

Image 1: Ocean View Visible When Exiting Avenida Calafia



The site is zoned Community Commercial (CC3). Adjacent uses include residential to the west, the Interstate 5 to the north, a hotel to the east, and residential and San Clemente State Park to the south.

Development Standards

Table 1 outlines the project's compliance with the development standards of the Community Commercial (CC3) zone. As seen in Table 1, the project requires modification to meet both the street side yard setback and landscape requirements for parking areas, which requires ten foot setbacks. The project also requires review of a parking study to verify the project meets parking requirements and the applicant needs to demonstrate compliance with landscape requirements.

Table 1 –Compliance with MU3.1-CB-A Zone

	Allowed	Provided
Required Setbacks		
Front (Ave. Presidente)	10' *	17'-6"
Street Side (Ave. Calafia)	10' *	6'-11"
Side (Private Road)	0'	4'-6"
Rear	0'	6'
Floor Area Commercial	.70	.46
Lot Coverage (Maximum)	80%	46%
Height (Maximum)	45', 37' plate line and three stories	36.82', 23' plate line, and two stories
Parking	Parking Study Required	Parking Study to be Provided
Landscape	One 15 gallon tree per 25 lineal feet of frontage 20% of site to be landscaped 10 foot landscape setback area required between street and parking area	Applicant needs to demonstrate compliance Project modifications required to meet the landscape setback area requirements

* According to Section 17.64.060.C.6. If parking is between a building and the street, a minimum ten (10) foot landscaped setback area shall be required between the street and the parking area.

ANALYSIS:


The project request is to permit a 40 bedroom assisted living facility. The primary façade and access is oriented towards Avenida Del Presidente. Parking for the project is proposed both on grade at the front of the site and within the subterranean parking garage. Full time valet service is provided to all guests of the facility. The valet will greet visitors at the entrance and will then move the vehicle on site via the ramp to the basement. Visitors will then later pick up their vehicle in the basement after their visit. Given the dementia and Alzheimer's condition of the residents, residents will not drive cars. A parking study is being prepared to determine the appropriate parking standard for the use.


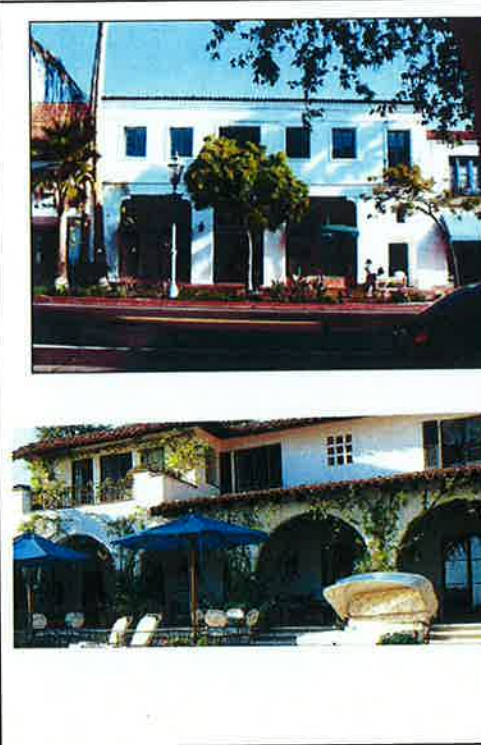
Community gathering areas are provided on both floors for the residents. Outdoor recreation space for the residents includes a community outdoor deck above the parking garage and an ocean view roof top deck. Minimal landscape is provided atop the decks with the majority of the landscape located around the perimeter of the building fronting Avenida Calafia, Avenida Del Presidente, and a private road that accesses the San Clement Hotel. The subterranean basement houses most of the parking and the storage, trash, and building mechanical and services/systems.

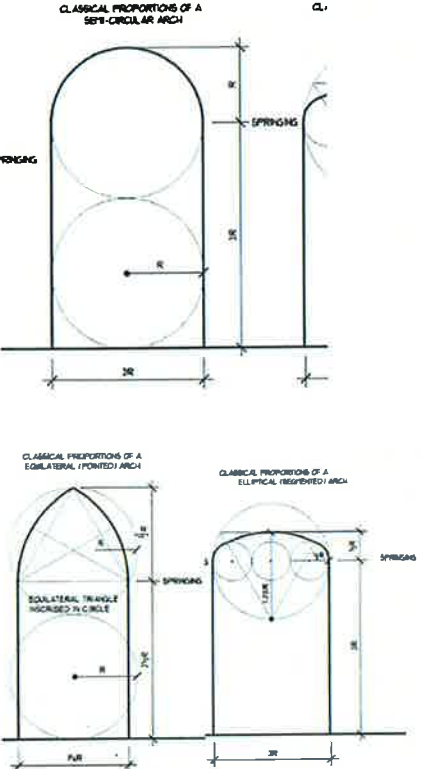
RECOMMENDATIONS:






Due to the project’s prominent location at a Gateway to the City from Interstate 5, high quality Spanish Colonial Revival architecture and attention to site planning is required. In terms of design quality, the Gateways section of the General Plan Urban Design Element requires that new gateway area development include, “high quality design for buildings at visually significant gateway areas,” that includes, “appropriate entry design elements” that promote the Spanish Village by the Sea design identity. The following recommendations provided in Table 2 are aimed at bringing the project further in line with the General Plan Goals, Design Guidelines, and improve the project’s architectural quality.

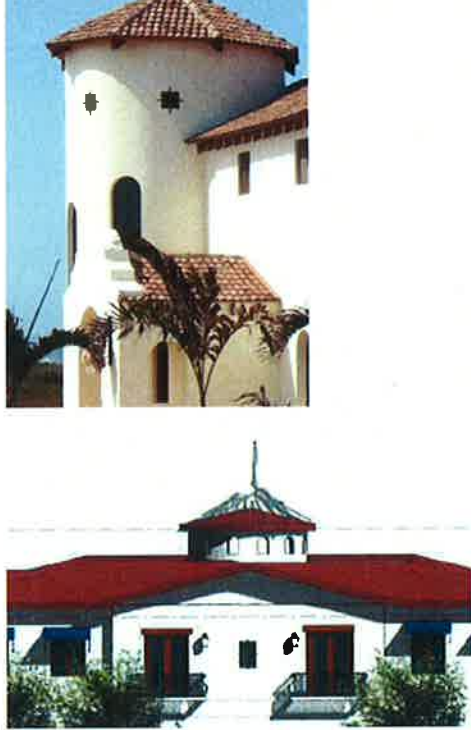
Table 2 – Recommendations for Improvement



Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>1. Design emphasis should be added at the north corner of the building. This corner is an opportunity for a focal architectural feature (e.g. entry, turret, etc.) and is the primary corner of the building visible when exiting I-5.</p> <p>Focal planting should be provided at the northern corner of the site. This corner is one of the primary views when exiting I-5.</p>	<p><i>Urban Design Gateway Goal:</i> Create clearly marked and aesthetically pleasing entry points into San Clemente and its many unique neighborhoods and districts, and ensure that such gateways incorporate quality architecture, historic resources, distinctive landscaping, signage and streetscape features that create a sense of arrival and reinforce the City’s identity and unique architectural character.</p> <p><i>UD-2.01. Architecture/Design Quality.</i> We require high quality design for buildings at visually significant locations in gateway areas. New buildings and major remodels in Gateway areas adjacent to or opposite I-5</p>	




	<p>offramps, as shown in Figure UD-1 [link to pdf figure], shall follow Spanish Colonial Revival architectural style, except where otherwise specified in the Design Guidelines and other adopted policies.</p> <p><i>UD-2.02. Spanish Village by the Sea Design Identity.</i> We require new gateway area development to include appropriate entry design elements (e.g., Spanish Colonial Revival and Spanish architecture, landscaping, signage, lighting, streetscape furniture) unless otherwise specified in the Design Guidelines, Focus Area goals and policies (e.g., Los Molinos or Surf Zone areas, which have more eclectic design character).</p>	
<p>Recommendations for Improvement</p>	<p>Design Guideline or General Plan Policy</p>	<p>Example(s) of Suggested Detail</p>
<p>2. The first floor plate height should appear taller than the second floor plate height to create a more traditional look. The plans should be revised accordingly.</p> <p>In particular, the French doors on the second floor with smaller windows below make the second floor appear heavier.</p>	<p><i>Henry Lenny Design Guidelines; Mass, Bulk, Scale & Proportion.</i> Avoid having equal plate heights on all floors. First floor should have the tallest plate height, followed by the second and the third.</p>	



Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>3. The towers that conceal the elevators are considerably wide and should be narrowed. Additionally, the recessed arches within the towers are squatty and should be elongated, removed, or revised to two arches on each tower elevation.</p>	<p><i>Design Guidelines II.C.3.c.</i> Theme towers may be permitted, where appropriate, as an architectural element.</p>	
<p>4. The main entry has an arch with incorrect proportions. The arch should be revised in accordance with the Henry Lenny Design Guidelines. Additional design emphasis could be added to the entry such as a stone surround.</p>	<p><i>Henry Lenny Design Guidelines</i> Correct Proportions of an Arch</p>  <p>The diagrams illustrate three types of arches with their proportions relative to the span (2R) and height (H):</p> <ul style="list-style-type: none"> CLASSICAL PROPORTIONS OF A SEMI-CIRCULAR ARCH: Shows a semi-circular arch with a height H equal to the radius R, and a span of 2R. The springing is indicated. CLASSICAL PROPORTIONS OF AN EQUILATERAL POINTED ARCH: Shows a pointed arch where the height H is equal to the span 2R. The springing is indicated. CLASSICAL PROPORTIONS OF AN ELLIPTICAL (RECESSED) ARCH: Shows a recessed arch with a height H less than the radius R, and a span of 2R. The springing is indicated. 	

Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>5. The arcade at front of the building should be deeper to give a more traditional look. Currently it is four feet.</p>	<p><i>UD-2.01. Architecture/Design Quality.</i> We require high quality design for buildings at visually significant locations in gateway areas. New buildings and major remodels in Gateway areas adjacent to or opposite I-5 offramps, as shown in Figure UD-1 [link to pdf figure], shall follow Spanish Colonial Revival architectural style, except where otherwise specified in the Design Guidelines and other adopted policies.</p>	
<p>6. The semicircular tall arches on the west elevation (Avenida Calafia) appear too tall and therefore unstable. A cantilevered deck would be more appropriate for this elevation.</p>	<p><i>Henry Lenny Design Guidelines.</i> It was not possible to design semi-circular arches very close together with spindly columns. Arches neglecting to respect this fact appear to be unstable and therefore untraditional.</p> <p> Conditions to Avoid </p> 	

Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>7. The roof pitch of the circular tower on the southeast side of the building should be increased to appear more traditional.</p>	<p><i>UD-2.01. Architecture/Design Quality.</i> We require high quality design for buildings at visually significant locations in gateway areas.</p>	
<p>8. The building wall supporting the community deck on the south elevation does not have any articulation or landscape to buffer its appearance. Landscape and articulation should be provided along this wall.</p>	<p><i>Design Guidelines II.C.3.</i> Avoid long and unrelieved wall planes.</p> <p><i>Design Gudielines.II.A.6</i> Use planting to define outdoor spaces, soften the impact of buildings and parking areas, screen parking and service areas from public view and create visual linkages to neighboring development.</p>	<p>No Image Available.</p>
<p>9. Additional planting should be provided on the community deck, roof deck, and south elevation. Without planting these decks can get very hot as</p>	<p><i>Design Guidelines II.D.2.</i> Trees may be planted within courtyards to create shade and define spaces. Perimeter plants may be used to soften union between paving and building. Where it is not possible to plant trees, trellises and arbors should be used to provide shade and</p>	<p>No Image Available.</p>

<p>they have southerly exposure.</p>	<p>pedestrian scale. Courtyard fountains with seating areas nearby are encouraged.</p>	
<p>Recommendations for Improvement</p>	<p>Design Guideline or General Plan Policy</p>	<p>Example(s) of Suggested Detail</p>
<p>10. Awnings or roof overhangs should be added to the south facing window/door openings as these rooms will receive all day sun.</p>	<p><i>Design Guidelines II.A.</i> The quality of site design is an important part of a project's impact on the community.</p>	
<p>11. The windows and doors should be recessed a minimum of 12" to 18" as suggested in the Henry Lenny Design Guidelines.</p>	<p><i>Henry Lenny Design Guidelines; Wall Openings.</i> Windows and doors should be set toward the interior allowing the wall thickness to be revealed on the exterior of the building. Walls should be no thinner than 12". An 18" wall is ideal.</p>	

Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>12. The wood columns supporting the roof on the second floor should include corbel details.</p>	<p><i>Design Guidelines II.C.2</i> The historic image and identity of the community is reinforced through the design of buildings that reflect the traditions of California's Spanish Colonial Revival.</p>	
<p>13. Columns should be square and not L shaped to give a traditional appearance.</p>	<p>Same As Above</p>	<p>No Image Available.</p>
<p>14. The wrought-iron is ornate. Applicant should consider adding Spanish tile to stair risers at prominent entry points or where visible from public right-of-way.</p>	<p>Same As Above</p>	
<p>15. Wrought iron design should be simple. Staff recommends a wrought iron rail pattern of 2 straight bars then 1 twist.</p>	<p>Same As Above</p>	

Recommendations for Improvement	Design Guideline or General Plan Policy	Example(s) of Suggested Detail
<p>16. The project should incorporate exposed rafter tails. Rafter tails should be scaled up to be appropriate with the scale of building.</p> <p>Rafter tails should be rough & resawn and painted or stained dark brown.</p>	<p><i>Design Guidelines II.C.2</i> The historic image and identity of the community is reinforced through the design of buildings that reflect the traditions of California’s Spanish Colonial Revival.</p>	
<p>17. Fascia board should be removed to expose rafter tails.</p>	<p>Same As Above</p>	<p>No Image Available.</p>
<p>18. Detail needs to be provided regarding the location of gutters, downspouts and any applicable filters. Staff recommends these be located within the building wall if possible.</p>	<p>Same As Above</p>	

General Recommendations:

In addition to the above, staff recommends details and/or product cut sheets related to lights, tiles, awnings, spires, and the fountain be provided for review by staff and the DRSC.

CONCLUSION

Staff seeks DRSC concurrence with the above recommendations and welcomes additional input. DRSC comments on the project’s design will help ensure the highest quality project. Staff recommends the project return to the DRSC after recommended modifications are incorporated.

Attachments:

1. Location Map
2. Photos of Existing conditions
3. Visual Simulations
Plans