



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: May 21, 2019

Agenda Item 7-A
Approvals:
City Manager [Signature]
Dept. Head [Signature]
Attorney [Signature]
Finance [Signature]

Department: Community Development Department, Planning Division
Prepared By: Katie Crockett, Associate Planner

Subject: **CONDITIONAL USE PERMIT AMENDMENT 18-659, LA VENTURA EVENT CENTER AMENDMENT, A REQUEST TO AMEND CUP 13-249 TO INCREASE THE PERMITTED HOURS AND OCCUPANCY OF THE EVENT FACILITY LOCATED AT 2316 SOUTH EL CAMINO REAL**

Fiscal Impact: None.

Summary: The Applicant and operator of the La Ventura Event Center is requesting an amendment to Conditional Use Permit (CUP) 13-249 to extend the hours from 10:00 p.m. to 12:00 a.m. and to increase the maximum allowed occupancy from 150 to 200 people.

Background: On May 15, 2015, the City Council approved CUP 13-249, Architectural Permit (AP) 13-251, Site Plan Permit (SPP) 13-525, and Code Interpretation (INT) 13-505 for the construction and operation of the La Ventura Event Center. The Planning Commission previously approved the development on March 18, 2015. The decision was subsequently appealed by Council due to questions about the effect of an on site easement on the proposed development and various concerns expressed by neighbors. The approval includes a limitation on the maximum occupancy and hours of operation. The applicant requests that the CUP be amended to extend operating hours from 10:00 p.m. to 12:00 a.m. and to increase the maximum allowed occupancy from 150 to 200 people.

Authority

Because the final decision-making authority for CUP 13-249 was the City Council, the San Clemente Municipal Code Section 17.12.180(C) requires that any applicant request to change approved applications involving significant modification with the potential for public impact or concern be heard by the City Council.

Required Findings

Prior to approval of the proposed amendment, the following findings for a CUP shall be made (San Clemente Municipal Code Section 17.16.060). The draft Resolution (Attachment 1) and analysis section of this report provide an assessment of the project's compliance with these findings.

1. 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;

2. The site is suitable for the type and intensity of use that is proposed;
3. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity; and
4. The proposed use will not negatively impact surrounding land uses.

Discussion:

The existing approved use is a 5,505 square foot, one-story event facility. The building has Spanish Colonial Revival architecture and includes a grand parlor, kitchen, restrooms, lounge, and enclosed courtyard. The property is located on South El Camino Real, east of the I-5 freeway. It abuts a liquor store to the south, an auto repair shop and single-family residences to the north, and single-family residences to the west. The development and operation of the event center with a maximum of 150 occupants and hours of 8:00 a.m. to 10:00 p.m. was found to be in compliance with the Zoning Ordinance, General Plan, and Design Guidelines at the time of approval. The event center has since been constructed and has been in operation for approximately two years. No Code Compliance cases were initiated related to the event center operations. The Orange County Sheriff's Department reported no calls related to event center operations and does not foresee any issues with the request.

The application to amend the existing CUP approval for La Ventura Event Center requests two modifications:

1. Extend the operating hours from 10:00 p.m. to 12:00 a.m., and
2. Increase the maximum allowed occupancy from 150 people to 200 people.

The applicant requests the amendments to be more competitive with other San Clemente event venues and to appeal to a broad range of potential clients. Furthermore, the applicant represents that the building and available parking can support the higher occupancy requested.

Expansion of Hours

At the time of the original approval, the applicant prepared a noise study. The noise study identified the potential for exterior noise levels from interior amplified sound to exceed City standards. However, potential noise concerns were addressed in the original Resolution of Approval No. 15-24 (Attachment 3) in Conditions 10, 11, 18, 21, 58, 59, and 60, which would remain in effect.

There are no code compliance cases on record related to noise generated by the event center. With the existing conditions of approval, staff expects that noise generated by event center operations would continue to function within maximum allowable levels. Conditions of approval, in addition to those contained in Resolution No. 15-24, have been included in the proposed resolution of approval for this amendment which further clarify what activities can take place past the original approved time of 10:00 p.m., including limiting of outdoor clean-up and rental pick-up activities to before 10:00 p.m. (see conditions 7.15, 7.17, 7.18, and 7.19).

Increase in Occupancy

The building was designed to support a higher occupant load than is being proposed. The building occupant load according to Building and Fire Codes is 347 people. The Building Division and the Orange County Fire Authority have reviewed the requested increase in occupancy and have no concerns. The maximum of 150 occupants was proposed by the applicant due to parking constraints and neighbor concerns. The parking requirement for an event facility is one space per four occupants. To accommodate 200 occupants, the required parking for the facility is 50 spaces. The applicant now has 19 on-site parking spaces, 10 spaces on an abutting property owned by the applicant, and 22 off-site spaces for a total of 51 parking spaces.

The 22 off-site spaces are owned and leased from the City, and were approved through the original approval for the site. The off-site parking spaces is needed to satisfy required parking for the use. The location of the approved off-site parking is shown on Attachment 2. The 10 spaces on the abutting property owned by the applicant shall be required to be maintained for the event facility use through the recordation of a deed restriction (required in Condition No. 1.7).

The original approval contains conditions that are intended to mitigate potential parking and traffic concerns on Avenida San Gabriel (Conditions 16, 17, and 61); these conditions would remain in effect. There are no code compliance cases on record for the event center related to violations of the conditions of approval. There is sufficient parking for the increase in occupancy through on- and off-site parking. Furthermore, a valet plan is in place for events, and the existing conditions of approval would remain in effect. Therefore, staff does not anticipate additional parking or traffic issues generated by the increase in occupancy.

General Plan Consistency

The table below summarizes how the proposed modifications to the approved event facility are consistent with adopted policies outlined in the General Plan.

Policy	Project Consistency
<p>1. <i>Land Use Element Primary Goals:</i> "The Land Use Plan seeks to retain and enhance...commercial and industrial districts, recreational resources, community activity areas and amenities...that...enhance the appeal of our many attractions...and ensure long-term...fiscal health."</p>	<p>Consistent. The proposed amendment seeks to appeal to an increased number of clients with longer hours, more typical of event centers, and higher occupancies for those wishing to hold slightly larger events. This enhances the appeal of the event center and has the potential to bring more private events within the City contributing to tourism and fiscal health.</p>
<p>2. <i>Land Use Element Neighborhood Compatibility LU-2.03:</i> "We require that commercial projects abutting residential neighborhoods be designed and operated to protect residents from the effects of noise,</p>	<p>Consistent. The project features and operational conditions limits impacts to adjacent residents that abut the project. The site was originally designed with the courtyard at the front of the property to keep outdoor functions and potential</p>

Policy	Project Consistency
light, odors, vibration, traffic, parking, and other operational impacts.”	noise away from the residential neighborhood. There is no outdoor amplified sound proposed. Parking, traffic, and noise concerns have been addressed through site planning, adequate parking, proper ingress and egress, as well as conditions of approval ensuring the operations of the center continue to protect the residential neighborhood from any such impacts.
3. <i>Economic Development Element Existing Businesses ED-2.03:</i> “We give high priority to...investments...that help businesses remain and prosper in San Clemente.”	Consistent. Allowing an increase in hours and occupancy would allow the event center to be more competitive in the industry and attract a broader range of clients looking for event spaces.
4. <i>Safety Element Live Entertainment S-4.08:</i> “We control live entertainment noise conditions by requiring best management practices that minimize impacts on residential and other sensitive uses and ensure compliance with the City’s adopted Noise Ordinance.”	Consistent. The project is already designed and conditioned to limit noise impacts to adjacent residential properties. The event center must comply with the Noise Ordinance even with amended operating hours and occupancy.

Conclusion

The building was designed for higher occupancy and has sufficient parking for higher occupancy. There are no documented Code Compliance cases related to the operations at the event facility. Existing and new conditions of approval will continue to regulate operations to protect adjacent residential neighborhoods from potential noise, parking, and traffic impacts. As conditioned, the proposed amendment is consistent with the General Plan and Municipal Code. Therefore, staff recommends approval of the requested amendment.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council:

1. Find and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) because the project involves the permitting and minor alteration of an existing approved use with negligible expansion of the use and no addition or alteration to the building; and
2. Adopt a Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE

PERMIT AMENDMENT 18-659, LA VENTURA EVENT CENTER AMENDMENT, A REQUEST TO AMEND CUP 13-249 TO INCREASE THE PERMITTED HOURS AND OCCUPANCY OF THE EVENT FACILITY LOCATED AT 2316 SOUTH EL CAMINO REAL.

Attachments:

1. Proposed Resolution 19-____
2. Location Map
3. Resolution No. 15-24 (original approval, to remain in effect, except as amended by the proposed resolution)
4. Site Plan (for reference – no changes proposed)

Notification: Three notices of public hearing were erected on the site, all property owners within 300 feet of the project site were notified, and public notice was published in the San Clemente Times.

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT AMENDMENT 18-659, LA VENTURA EVENT CENTER AMENDMENT, A REQUEST TO AMEND CUP 13-249 TO INCREASE THE PERMITTED HOURS AND OCCUPANCY OF THE EVENT FACILITY LOCATED AT 2316 SOUTH EL CAMINO REAL

WHEREAS, on December 5, 2018, an application was submitted by Don Kappauf, 1908 South El Camino Real, San Clemente, CA 92672, for Conditional Use Permit Amendment 18-659, a request to amend CUP 13-249 to increase the permitted hours and occupancy of the event facility located at 2316 South El Camino Real, and deemed complete on April 4, 2019. The subject site is located in the Neighborhood Commercial zoning district (NC1.3) and Affordable Housing overlay district (AH). The site's legal description is Lots 3, 4, 5 and 6, Block 10, Tract 852, and Assessor's Parcel Number 690-446-17 and 690-446-19; 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 determine this project categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 because the project involves the permitting and minor alteration of an existing approved use with negligible expansion of the use and no addition or alteration to the building; and

WHEREAS, on December 13, 2018 and January 24, 2019, the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, in accordance with City and State requirements, notice of the public hearing was published in the *San Clemente Times* newspaper on May 9, 2019, posted at the project site, and mailed to all property owners within 300 feet of the subject parcel; and

WHEREAS, on May 21, 2019, the City Council 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 City Council of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 because the project involves the permitting and minor alteration of an existing approved use with negligible expansion of the use and no addition or alteration to the building.

Section 2: With regard to Conditional Use Permit Amendment (AM CUP) 18-659, 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, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed, in that:
 1. The project is located in the Neighborhood Commercial (NC1.3) zone and previously received a CUP approval for the use;
 2. The project is located in the South El Camino Real (East of Interstate 5) General Plan Focus Area, which is envisioned as a visitor-serving corridor. The proposed expansion is to a visitor serving use;
 3. The project would expand services offered at a visitor-serving business which is consistent with the General Plan Land Use Element goal to retain and enhance commercial districts and recreational resources and amenities that enhance the appeal of San Clemente's attractions and contribute to long-term fiscal health of the City;
 4. The project is designed with the courtyard at the front of the property to keep outdoor functions and potential noise away from the residential neighborhood, consistent with General Plan Policy LU2.03 regarding neighborhood compatibility.
 5. The proposed amendment to the event center CUP does not propose to increase the building size or affect development standards; and
 6. The applicant has sufficient parking on the subject site and through an existing off-site parking agreement to support the expansion of occupancy from 150 to 200 people.
- B. The site is suitable for the type and intensity of development that is proposed, in that:
 1. The project complies with all developments standards and was designed to minimize potential adverse impacts of the facilities operations on surrounding businesses and adjacent residential properties;
 2. The building was designed with a higher occupant load than the use was approved for; no modifications to the building or the site will need to be made to accommodate the increased number of allowed occupants;

3. The applicant has sufficient parking, both on-site, and through an existing approved off-site parking agreement with the City to support the additional occupants;
 4. The applicant has been operating the event center for several years with the current hour and occupant limitations, and the City has received no complaints regarding the operations of the center from adjacent residents or businesses; and
 5. The existing conditions of approval related to amplified sound and best management practices for noise control will continue to be applicable to the expanded operations. Moreover, the applicant is required to operate in such a way that the noise ordinance is not violated.
- 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:
1. The project must comply will all applicable codes including the Municipal Code, Fire Code, and Building Codes;
 2. The building was designed with a higher occupant load than the use was approved for; no modifications to the building or the site will need to be made to accommodate the increased number of allowed occupants;
 3. The applicant has sufficient parking, both on-site, and through an existing approved off-site parking agreement with the City to support the additional occupants;
 4. The applicant has been operating the event center for several years with the current hour and occupant limitations, and the City has received no complaints regarding the operations of the center from adjacent residents or businesses; and
 5. The existing conditions of approval related to amplified sound and best management practices for noise control will continue to be applicable to the expanded operations. Moreover, the applicant is required to operate in such a way that the noise ordinance is not violated.
- D. The proposed use will not negatively impact surrounding land uses in that:
1. The applicant has sufficient parking, both on-site, and through an existing approved off-site parking agreement with the City to support the additional occupants;
 2. The applicant has been operating the event center for several years with the current hour and occupant limitations, and the City has received no

complaints regarding the operations of the center from adjacent residents or businesses; and

- 3. The existing conditions of approval related to amplified sound and best management practices for noise control will continue to be applicable to the expanded operations. Moreover, the applicant is required to operate in such a way that the noise ordinance is not violated.

Section 6: The City Council of the City of San Clemente hereby approves AM CUP 18-659, La Ventura Event Center Amendment, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit A.

Section 7: The City Clerk shall certify to the passage and adoption of this resolution and enter into the book of original resolutions.

PASSED AND ADOPTED this 21st day of May, 2019.

ATTEST:

City Clerk of the
City of San Clemente, California

Mayor of the
City of San Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the 21st day of May, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, 2019.

CITY CLERK of the
City of San Clemente, California

APPROVED AS TO FORM:

City Attorney

Exhibit A

**CONDITIONS OF APPROVAL
Conditional Use Permit Amendment 18-659
La Ventura Event Center Amendment**

1.0 GENERAL CONDITIONS OF APPROVAL

- | | | |
|-----|---|--------------|
| 1.1 | Within 30 days of approval of this application, the applicant shall submit to the City Planner a signed acknowledgement concurring with all conditions of approval on a form to be provided by the City. Failure to submit this acknowledgement may be grounds to revoke this approval. | Planning |
| 1.2 | The applicant shall defend, indemnify, and hold harmless the City of San Clemente and its officers, employees, and agents from and against any claim, action, proceeding, fines, damages, expenses, and attorneys' fees, against the City, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the City Council, Planning Commission, or City Planner. Applicant shall pay all costs. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter. If the applicant fails to so defend the matter, the City shall have the right, at its own option, to do so and, if it does, the applicant shall promptly pay the City's full cost of the defense. | Planning |
| 1.3 | Use and development of this property shall be in substantial conformance with the approved plans, material boards and other applicable information submitted with this application, and with these conditions of approval. | Planning |
| 1.4 | The applicant shall comply with all applicable current and future provisions of the San Clemente Municipal Code, adopted ordinances, and state laws. | All |
| 1.5 | Use of the subject property shall conform to all occupancy requirements, including posting of signs related to the maximum occupancy limitations. | Code
Comp |
| 1.6 | All Conditions of Approval contained in Resolution No. 15-24 for the original approval of the event center remain in full effect and | All
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are incorporated herein by reference, with the exception of Condition 9, which is hereby repealed.

- 1.7 The applicant shall record a deed restriction tying the parking on the property identified as APN 690-446-19 to the event center use approved in Resolution No. 15-24 and this permit. The deed restriction shall be approved as to form by the City Attorney, and a copy of the recorded deed restriction shall be provided to the Planning Division prior to this permit becoming effective.

7.0 OPERATIONAL CONDITIONS OF APPROVAL

- 7.6 A manager shall be on the premises at all times, and available to respond to issues raised by representatives from the Orange County Sheriff's Department, Orange County Fire Authority, or City of San Clemente Code Compliance, during the hours of operation when any event is occurring. Code Comp *
- 7.7 These conditions of approval shall be posted in a conspicuous location clearly visible to employees to ensure they are informed of and adhere to requirements and policies for all operations of the business, including but not limited to any live entertainment, dancing activity, or alcohol service, when applicable. Code Comp
- 7.15 The approved hours of operation are 8:00 a.m. to 12:00 a.m., seven days a week. Customers shall vacate the premises within 30 minutes of event completion. Clean up activities shall cease and all event center staff/caterers/vendors shall have vacated the premises by 1:00 a.m. All indoor and outdoor clean-up activities shall be in full compliance with the City of San Clemente Noise Ordinance. Planning **
- 7.16 The maximum occupancy shall not exceed 200 persons, based upon available parking. Planning **
- 7.17 The Applicant (including any property owners, managers, and their designees) or any vendor(s) shall not conduct any outdoor set-up/outdoor clean-up or any outdoor maintenance activities including loading or unloading of rentals after 10:00 p.m. except as required within the courtyard event space. Planning Code Comp **
- 7.18 The Applicant (including any property owners, managers, and their designees) shall be responsible for ensuring that no noise-generating maintenance activities on the subject property are conducted between the hours of 10:00 p.m. and 7:00 a.m. Such prohibited activities include, but are not limited to, dumping trash Code Comp **

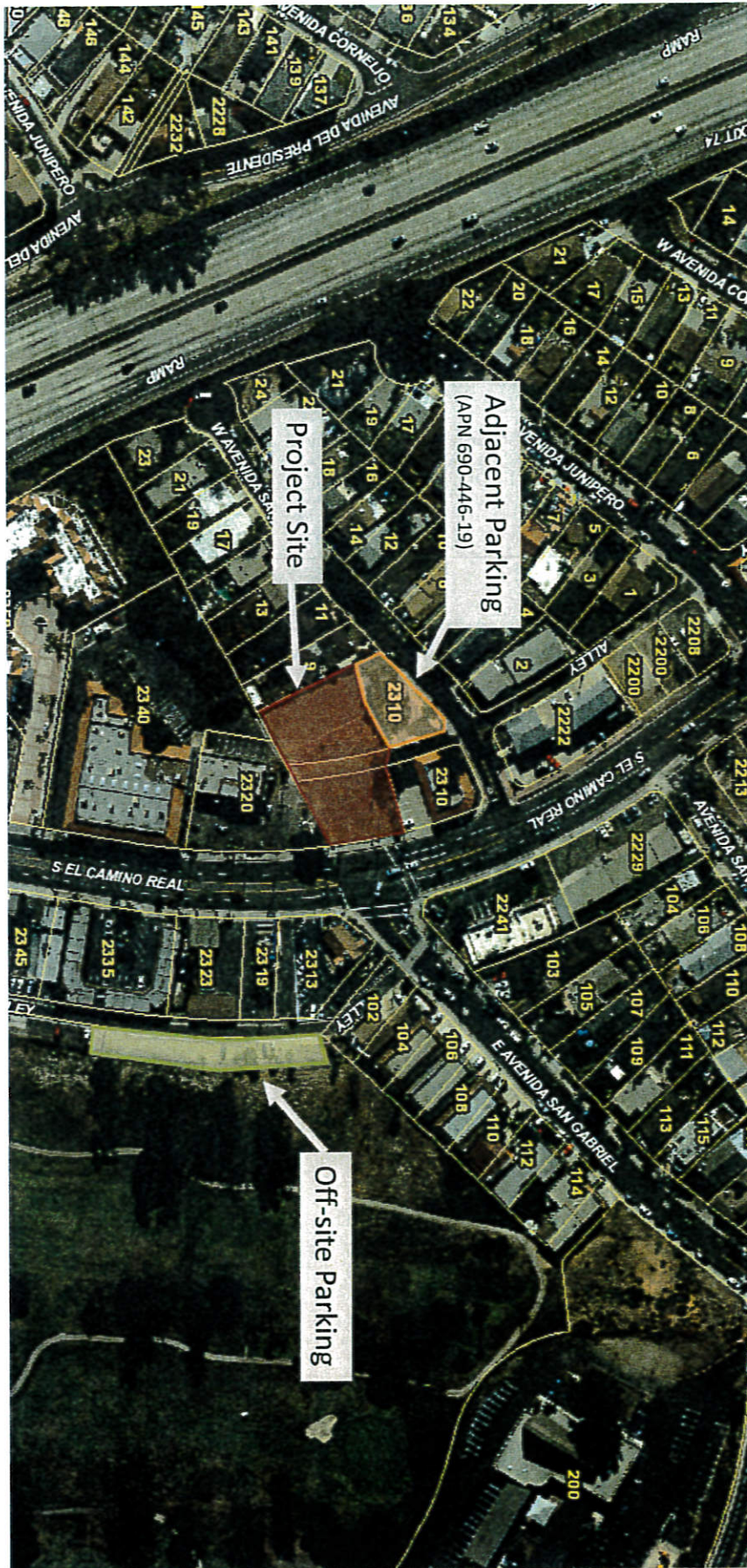
into the outside trash bins, the use of parking lot sweepers, and the use of high-pressure washers.

- 7.19 The Applicant (including any property owners, managers, and their designees) shall be responsible for ensuring that no loud and excessive noise-generating activities on the subject property in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, or containers are conducted between the hours of 10:00 p.m. and 7:00 a.m.

Code
Comp
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* Denotes a modified standard Condition of Approval

** Denotes a project-specific Condition of Approval



RESOLUTION NO. 15-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 13-249, ARCHITECTURAL PERMIT 13-251, SITE PLAN PERMIT 13-525, AND INTERPRETATION 13-505, LA VENTURA EVENT CENTER, A REQUEST TO CONSIDER THE CONSTRUCTION AND OPERATION OF A NEW EVENT FACILITY, LOCATED AT 2316 SOUTH EL CAMINO REAL

WHEREAS, on June 24, 2013, an application was submitted, and deemed complete on January 29, 2015, by Don Kappauf, 1908 South El Camino Real, San Clemente, CA 92672, for Conditional Use Permit 13-249, Architectural Permit 13-251, Site Plan Permit 13-525, a request to consider the construction of a 5,456 square foot new event facility. The subject site is also located in the Neighborhood Commercial zoning district (NC3) at 2316 S. El Camino Real. The site's legal description is Lot 3 and 4, Block 10, Tract 852, and Assessor's Parcel Number 690-446-17; 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 determine this project categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303 because the project involves a new commercial building of less than 10,000 square feet in an urban area; and

WHEREAS, on August 1, 2013, October 24, 2013, April 10, 2014; October 30, 2014, and January 29, 2015, 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 December 18, 2013, 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 and continued the item to January 22, 2014; and

WHEREAS, on January 22, 2014, the Planning Commission held a duly noticed public hearing on the subject application and tabled the item to a future date at the request of the applicant; and

WHEREAS, on July 16, 2014, 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, and tabled the item to a future date at the request of the applicant to address Planning Commissions concerns; and

WHEREAS, on March 18, 2015, 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, and approved the requested applications 6-1; and

WHEREAS on April 7, 2015, the City Council appealed the Planning Commissions approval and requested the item be agenized to a future date for their consideration; and

WHEREAS on May 19, 2015, the City Council 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 City Council of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303 because the project involves a new commercial building of less than 10,000 square feet in an urban area.

Section 2: With regard to Conditional Use Permit 13-249, the City Council finds as follows:

- A. The proposed use, an event facility with a shared off-site parking agreement, is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed in that it is a visitor serving use with high quality architecture within a freeway gateway defined area.
- B. The site is suitable for the type and intensity of use that is proposed in that the project complies with all developments standards with the approval of the off-site parking agreement and was designed to minimize potential adverse impacts of the facilities operations on surrounding businesses and adjacent residents.
- 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 the proposed project provides a new access point to the facility at a signaled intersection, and the project meets parking requirements.

Section 3: With regard to Architectural Permit 13-251, 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 the eclectic character of the area. The project also complies with the Zoning Ordinance development standards including, but not limited to, height, setback, design, and parking.
- 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 applicant is proposing a one-story building with pedestrian friendly elements along the public right of way, with parking located at the back of the building.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposed project is a permitted commercial use within a commercial zone and the proposed project is within the permitted development standards of the project site.

Section 4: With regard to Site Plan Permit 13-252, 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, Architectural Permit, and Conditional Use Permit, and complies with all the applicable provisions of this title, the goals and objectives of the San Clemente Centennial General Plan, and the purpose and intent of the zone in which the development is being proposed in that the project is in conformance with all development standards with the approval of these entitlements.

- B. The site is suitable for the type and intensity of development that is proposed in that the project conforms to the requirements of the Zoning Ordinance, including but not limited to parking, floor area ratio; and lot coverage.
- 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 respectful and in character with the surrounding development. The project provides primary ingress and egress on El Camino Real to detour patrons from accessing the project site from Avenida San Gabriel. The project also meets parking requirements and proposes an off-site parking agreement of 22 spaces ensuring parking needs are meet.
- 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 is in a zone that permits developments up to 45 feet in height with zero setback from the public right-of-way. The proposed project has been designed to fit in with the character of the surrounding community in terms of scale and architecture and is providing an access point from El Camino Real as opposed to providing access off Avenida San Gabriel. The one-story development will be a nice addition to the streetscape and help improve the immediate area.

Section 5: With regard to Interpretation 13-505, the City Council finds as follows:

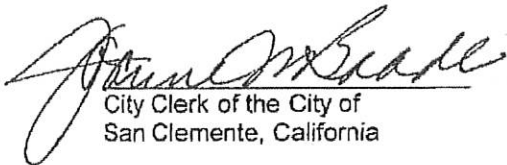
- A. The proposed use, a courtyard, is similar in nature to the listed use in the definition of Accessory Structures in terms of its function in that the courtyard is proposed to be used as an extension of the building without a solid roof.
- B. The proposed structure is as restrictive as the use to which it is being compared in terms of impacts to traffic, parking, dust, noise, or other negative impacts in that the accessory structure will have to adhere to the same development standards as the primary building and will have to adhere to the same conditions of approval.


Section 6: The City Council of the City of San Clemente hereby approves INT 13-505, CUP 13-249, AP 13-251, and SPP 13-252, La Ventura Event Center, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit A.

Section 7. The City Clerk shall certify to the passage and adoption of this resolution and enter into the book of original resolutions.

APPROVED, ADOPTED and SIGNED this 19th day of May, 2015.

ATTEST:


City Clerk of the City of
San Clemente, California


Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

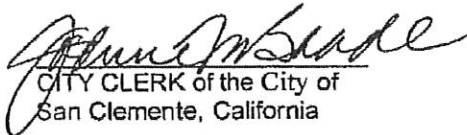
I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 15-24 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 19th day of May, 2015, by the following vote:

AYES: BAKER, DONCHAK, WARD, MAYOR HAMM


NOES: NONE

ABSENT: BROWN

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 25th day of MAY, 2015.


CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:


City Attorney

CONDITIONS OF APPROVAL

Conditional Use Permit 13-249, Architectural Permit 13-251, Site Plan Permit 13-525, Interpretation 13-505, La Ventura Event Center

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. Prior to the issuance of building permits, the owner or designee shall submit for review, and shall obtain the approval of the City Attorney or designee for, a shared parking agreement between the subject property owner and the City of San Clemente for the use of 22 off-site parking spaces. Following approval of the agreement by the City Attorney or designee, the owner or designee shall have the parking agreement recorded with the County of Orange; prior to the issuance of the first permit, the owner or designee shall furnish a copy of the recorded agreement to the Community Development Department. *[Citation - Section 17.24.050.C.2 of the S.C.M.C.]* (PIng.)_____

3. 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.) _____
4. Conditional Use Permit 13-249, Architectural Permit 13-251, Site Plan Permit 13-525 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.) _____
5. A use shall be deemed to have lapsed, and Conditional Use Permit 13-249, Architectural Permit 13-251, Site Plan Permit 13-525, and Interpretation 13-505 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.) _____
6. The owner or designee shall have the right to request an extension of Conditional Use Permit 13-249, Architectural Permit 13-251, Site Plan Permit 13-525 and Interpretation 13-505 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.) _____
7. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Assurance Program]* (PIng.) _____
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 Planning Commission on March 18, 2015, 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. The approved hours of operation are 8 a.m. to 10 p.m., seven days a week. Customers shall vacate the premises within 30 minutes of event completion. Clean up activities shall cease by 11 p.m. and all workers/caterers/vendors shall have vacated the premises by 11 p.m. The maximum occupancy shall not exceed 150 persons, the maximum proposed by the applicant. ■■ (PIng.) _____
10. There shall be no loitering in the parking lot. Employees, vendors, and guest shall not linger after the event or purpose is complete to not create a negative noise on the adjacent residences. ■■ (PIng.) _____
11. Amplified sound shall be permitted indoors only in a manner that conforms to the City's noise ordinance during the approved operating hours. All doors and windows shall remain closed when amplified sound is in use. ■■ (PIng.) _____
12. All parking lot and building light fixtures shall be designed and installed to ensure that no light spillage or light trespass occurs. ■■ (PIng.) _____
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.) _____
14. The applicant shall maintain canopy trees in a manner that they provide coverage and encourages the canopy to grow to provide shade. The applicant shall avoid pruning the trees to the point where they do not grow into a canopy tree. ■■(PIng.) _____
15. The applicant shall enter into a landscaping easement with the property owner at 2310 South El Camino Real (APN 690-446-20), with the City as a third part to allow for the landscaping of the wall between the two properties. ■■ (PIng.) _____
16. The management company of the event center shall include in the facility rental agreement that guests shall not park on Avenida San Gabriel, and they shall provide a map to customers showing available parking lot areas and that events with 80 or more guest shall be required to provide valet services. ■■ (PIng.) _____

- 17. The vender agreement shall state that valet parking services shall not park vehicles on residential streets, and shall utilize the on-site El Camino Real ingress and egress to shuttle cars to the adjacent off-site parking lot. It shall also state that the valet booth shall not impact on-site parking spaces or circulation. ■■(PIng.) _____
- 18. Outdoor amplified sound is not part of this approval. Any outdoor amplified sound would require an amendment of the Conditional Use Permit or the approval of a Special Activity Permit. [Citation - Section 17.16.240.D& 17.16.250.D of the SCMC] ■■ (PIng.) _____
- 19. 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.)_____
- 20. 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) _____
- 21. In the event that noise impacts neighboring businesses, the tenant must soundproof the facility, or use other best management practices as determined by the City Planner, to eliminate the problem and comply with the City Noise Ordinance. [Citation - Direction form the Planning Commission 2011] (PIng.)_____

Spanish Style Architecture

- 22. 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). [Citation – City of San Clemente Design Guidelines, November 1991]
23. All doors shall have a minimum inset of eight inches, and all windows what have a minimum inset of six inches. ■■ (PIng.)_____
24. All architectural decorative details shall be reviewed and approved by the City Planner prior to installation, including but not limited too: cornice, decorative lighting, wall murals, etc. ■■ (PIng.)_____
25. Plans showing the location of expansion joints shall be reviewed and approved by the City Planner prior to issuance of building permit. ■■ (PIng.)_____
26. The two inset arches along El Camino real shall have decorative wall murals, with appropriate lights. The murals shall be reviewed and approved through the Minor Architectural Permit Process prior to installation. ■■ (PIng.)_____

Roof Equipment

27. 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.)_____

Fees and Plan Check Deposit

28. Prior to the issuance of any permits, plan check fees shall be submitted for the Engineering Department plan check of soils reports and grading plans. [Citation – Fee Resolution No. 08-81 and Section 15.36 of the SMC] (Eng.)_____
29. 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, 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

- 30. 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.)_____
- 31. 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.)_____
- 32. Prior to issuance of any permits, the owner shall submit for review, and shall obtain the approval of the City Engineer or designee for a hydrology and hydraulic study prepared by a registered civil engineer to determine the sizes and locations of all on-site and off-site drainage facilities in accordance with all applicable City regulations and standards. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Grading

- 33. 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 onsite improvements, including but not limited to, grading, building pad grades, storm drains, sewer system, retaining walls, water system, etc., as required by the City Grading Manual and Ordinance. Proposed parking stalls designed to overhang landscape areas shall be designed with 4 inch curb height and include landscaping in the overhang area which is low lying ground cover. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Improvement Plans

- 34. 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, & 12.24.050 of the SCMC]* ■ ■ (Eng.)_____
 - A. Streets, sidewalks, curbs, gutters, storm drains, catch basins, sewer lines, traffic signal improvements, landscaping, onsite storm drain and street lights. All private and public improvements shall be designed and constructed in accordance with City standards.

- B. The owner or his designee shall be responsible for the construction of all required frontage and onsite improvements as approved by the City Engineer or his designee.
- C. The owner or his designee shall be responsible for the construction of storm drain system as required by the City Engineer or his designee to convey storm water from the alley and El Camino Real to an approved drainage facilities.
- D. Drive aisles and parking area slopes shall not exceed 5%. Handicap parking stall slope shall not exceed 2% in any direction.
- E. The owner or his designee shall be required to modify and upgrade the intersection and the traffic signal at S. El Camino Real and W. Avenida San Gabriel as required by the City Engineer or his designee. The work shall include, but not limited to, traffic signal modifications, loop detectors, cabinets upgrade, pull boxes, median, left turn pocket, relocation of signal poles/utilities and other required appurtenances per City Engineer direction.
- F. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000, the owner or designee shall construct sidewalk along the property frontage. This includes construction of compliant sidewalk up and around drive approach to meet current City standards (2% cross fall) when adequate right-of-way exists. If necessary, a sidewalk easement may be required to be granted to the City prior to the final of permits for any portion of sidewalk within the property needed to go up and around the drive approach or other obstructions.
- G. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way.

Merger of Parcels

35. Prior to the issuance of the building permits, if applicable, the applicant or his designee shall merge all of the properties into one parcel as approved by the City Engineer or his designee. *[Citation – Section 15.36 of the SCMC]*
 ■ (PIng.) _____ (Eng.) _____

Easements

36. Prior to issuance of any permits, the owners of 2316 and 2310 South El Camino Real shall enter into a Drainage Easement Agreement(s) with the City to accept conveyance of the drainage from the alley to the existing drainage facilities south of the applicant's property. The easement documents shall be reviewed and approved by the City and recorded at the County Recorder's Office prior to

issuance of any permits. The Drainage Easement Agreement(s) will be subject to the approval and acceptance of the City Council. Since the proposed building will block the existing alley drainage, unless approved otherwise by the City Engineer, the property owner of 2316 South El Camino Real will be responsible to own and maintain the drainage improvements for the new necessary facilities. The applicant has proposed to direct alley drainage through the adjoining property to the north (2310 South El Camino Real) and connect to a City-owned storm drain line south of the applicant's property. The applicant shall be responsible for obtaining all necessary easements/agreements in order to install and maintain the storm drain line on any properties outside its own. Storm drain facilities shall be designed and installed to the satisfaction of the City Engineer. [Citation – Section 15.36 of the SCMC] ■■ (Eng.)_____

37. Prior to issuance of permits, the owner shall show all existing easements crossing the property on the plans and ensure that conflicting easements with structures shall be quit claimed by the appropriate utility or easement holder. Encroachment of any structures into City or utility easements requires an Administrative Encroachment permit. [Citation – Section 15.36 of the SCMC] (Ping.)_____ (Eng.)_____

Drainage

38. All storm water shall be conveyed directly to an approved storm drain system. No storm water from parking areas or structures shall sheet flow over the driveways or sidewalks. [Citation – Section 15.36 of the SCMC] (Eng.)_____

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. For all projects that are greater than one (1) acre, a Notice of Intent (NOI) for coverage under the General Construction Storm Water Permit must be filed with the State Water Resources Control Board <http://www.waterboards.ca.gov/stormwtr/construction.html> and a copy of the NOI, a WDID number and a copy of the Storm Water Pollution Prevention Plan (SWPPP) must be filed with the City.

- B. If the site is determined to be a "Priority Project" (as defined by the Orange County Municipal Storm Water Permit available at <http://www.waterboards.ca.gov/sandiego/programs/ocstormwater.htm>) a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder's Office and filed with the City. Site design plans shall incorporate all necessary WQMP requirements which are applicable at the time of permit issuance.
- C. If a site is determined to be a "Non-Priority Project", a final Non Priority Project Checklist must be filed with the City.

Water

41. 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 – Resolution 10-88 and Section 15.36 of the SCMC]*
(Eng.)_____
- A. Indicate a service system which provides, or allows for, independent water metering.
- B. All water meters shall be tapped into the public water main and be located in the public ROW.
- C. A double detector check shall be installed at the transition from public to private for water systems.

Financial Security

42. Prior to issuance of any permits, the owner shall provide separate improvement 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; frontage improvements; sidewalks; signage; street lights; sewer lines; water lines; onsite storm drains; traffic signals; and erosion control. In addition, the owner shall provide separate labor and material bonds 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

43. 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.) _____

CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF FINANCIAL SECURITY

44. Prior to release of financial security, the owner or designee shall demonstrate to the satisfaction of the City Engineer or designee that all survey monuments damaged or destroyed are restored. "Corner Records" shall be prepared for submission to the City Engineering Division and for filing with the County Surveyor's Office in compliance with AB 1414. All restorations of survey monuments shall be certified by the Registered Civil Engineer or Land Surveyor in accordance with Section 8771 of the Business and Professions Code. *[Citation – State of California, Assembly Bill 1414 & Title 16 of the SCMC]* (Eng.) _____
45. Prior to release of financial securities, the owner shall provide a warranty bond in an amount of 25% of the faithful performance bond for each improvement accepted by the City. This warranty bond shall remain in place for one year from the date of acceptance of improvement. *[Citation – Section 15.36 of the SCMC]* (Eng.) _____
46. 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 RIVIERA BEACH". These markers shall be maintained in good condition by the Property Owners. Unless otherwise approved by the City Engineer, the owner or designee shall insure that all catch basins have filter basket inserts. *[Citation – Section 13.34 of the SCMC]* (Eng.) _____

Building

47. A separate Building Permit is required. Plans to construct new building 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.) _____
48. 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.) _____

49. 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.)_____
50. 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.)_____
51. 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.)_____
52. 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.)_____
53. Prior to issuance of building permits, the owner or designee shall submit a copy 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. (Bldg.)_____ [S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]
54. 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. (Bldg.)_____ [S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]

55. 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.) _____
56. Fire sprinkler protection shall be provided throughout the entire building.
[S.C.M.C – Title 8 – Chapter 8.16- Fire Code] (Bldg.) _____
57. Under ground utilities are required. Overhead wiring shall not be installed outside on private property.
[S.C.M.C – Title 15 – Chapter 15.12-Electrical Code] (Bldg.) _____
58. Provide a sound meter with warning light to be used by performers to insure that they limit their interior sound levels (95 dBC Leq and 105 dBC maximum during the hours of 7:00 am to 10:00 pm, and 85 dBC Leq and 95 dBC maximum during the hours of 10:00pm to 7:00 am) such that the potential exterior noise levels do not exceed City noise standards.
59. Provide a copy of Section 8.48 of the Municipal Code as part of the contract with all musicians with acknowledgement of all potential applicable fines.
60. Install automatic door closers on all exterior doors of the building to ensure doors are not left open. Post sign next to the doors requiring them to be closed when not in use.
61. The applicant shall develop a wayfinding sign plan to help lead patrons to public parking. The plan shall be reviewed and approved by the City Planner and installed prior to Certificate of Occupancy. ■■(Plng.) _____

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

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



El Camino Real

LEGEND

1. ADA PATH OF TRAVEL
2. ORNAMENTAL LANDSCAPE SCREENS
3. ARCHED WOOD COURTYARD DOORS
4. GATE
5. OVERHEAD TRELLIS
6. DECORATIVE TILE RECESS
7. DECORATIVE PAVING, REFER TO LANDSCAPE PLANS.
8. 6" CONCRETE CURB
9. ZERO CURB
10. (E) PUBLIC SIDEWALK
11. EASEMENT
12. (E) SIGNAL POLE
13. (E) METER PEDestal
14. (E) SIGNAL CONTROLLER
15. (E) WOOD TELEPHONE POLE
16. (E) FIRE HYDRANT
17. 12" HIGH COURTYARD WALL
18. OVERHEAD BEAMS
19. FIREPLACE, REFER TO LANDSCAPE PLANS.
20. PLANTING AREA, REFER TO LANDSCAPE PLANS.
21. DRIVEWAY APPROACH PER CITY STANDARDS.
22. ELEVATOR
23. OUTLINE OF BUILDING ABOVE
24. ELECTRIC METER
25. PROPERTY LINE WALL - CONCRETE BLOCK WITH STUCCO FINISH
26. PROPERTY LINE
27. PARKING STRIPING PER CITY STANDARDS
28. ROOF BELOW
29. MECHANICAL EQUIPMENT
30. RIDGE TILES
31. HIP TILES
32. PARADET WALL
33. TWO PIECE CLAY TILE
34. BUILT UP ROOFING
35. TACTILE WARNING PANELS

Parking

- 19 Parking Spaces On site
- 31 Offsite parking spaces

Lot Area

21,390 SF or .49 Acres

Square Footage

Ground Floor 5,456 SF

OWNER:

The Koppol Family
1508 So. El Camino Road
San Clemente, CA 92672

ARCHITECT:

Keisker & Wiggle Architects
26651 Camino de Estrella
Suite 200
Capitola Beach, California 92024
949/385-1250
949/388-1250
gov@kwa-architects.com

Floor Area Ratio

Allowable .35 or 7,487 SF
Proposed .255 or 5,456 SF

Site Plan

Scale: 1/8" = 1'-0"

A.1

April 2, 2014