



STAFF REPORT SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: November 19, 2020

- PLANNER:** Christopher Wright, Associate Planner II
- SUBJECT:** **Amendment to Site Plan Permit 17-113 (PLN20-286) – Zov’s Restaurant,** a request to allow minor modifications to the site plan of an approved two-story commercial building.
- LOCATION:** 155 Avenida Del Mar and 154 Avenida Granada
- ZONING/GENERAL PLAN:** Zoning: Mixed Use 3.0 Zoning District, Central Business, Architectural, and Coastal Zone Overlays (MU 3.0-CB-A-CZ); General Plan: MU 3.0, Pedestrian, Architectural and Coastal (MU 3.0-P-A-CZ)

PROJECT SUMMARY:

- On March 21, 2018, the Planning Commission adopted Resolution PC 18-008, approving Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113; a request to allow: 1) the construction of a two-story commercial building, 2) restaurant full alcohol service [beer, wine, distilled spirits] for on-site consumption indoors and outdoors, and 3) waivers of six parking spaces with conditions that make 12 on-site parking spaces available as public parking. The Planning Commission determined the project was Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). For background information, please see Attachment 4 for the Planning Commission staff report, resolution, minutes, and approved plans.
- The site includes two 4,000 square-foot back-to-back parcels: a parcel at 154 Avenida Granada that includes a parking lot and a parcel at 155 Avenida Del Mar developed with a one-story retail building. The City leases the parking lot parcel to allow public use of the parking spaces. As a condition of approval, the project is to merge the two parcels into an 8,000 square-foot through lot with street frontage on Avenida Granada and Avenida Del Mar.
- The approved site plan includes a shared drive-aisle between the site and adjacent parking lot at 150 Avenida Granada, which is also leased for use as public parking. This design was to eliminate a curb cut by removing the need for the adjacent lots to have their own street access, so there was more space for landscaping and circulation. An existing trash enclosure on the adjacent parcel at 150 Avenida Granada, behind a retail building on Avenida Del Mar, was to provide shared trash storage for the project. Condition #62 requires the recordation of a reciprocal shared parking and trash enclosure access easement on the site and the adjacent parcel at 150 Avenida Granada. The easement is to establish: 1) continued public access of the parking spaces on the site, but without a lease, and 2) ensure the applicant and

adjacent property owner (150 Avenida Granada) have shared use of the drive-aisle between the properties and use of the trash enclosure. At the time of project approval, it was understood by the City and applicant that the adjacent property owner accepted the reciprocal easement. Since then, the adjacent property owner has decided not to enter into an agreement with the applicant. As a result, modifications to the project are necessary for the development of the two-story commercial building approved in 2018, which is the motivation for this application.

- The applicant requests Zoning Administrator approval of an Amendment to Site Plan Permit (AM SPP) 17-113. To eliminate the need for a reciprocal easement, the applicant proposes site plan modifications that keep a separate drive-aisle on the site and add a required trash enclosure. For this to be feasible, the parking spaces must be shifted to the west side of the parcel by reducing and reconfiguring a landscape planter that contained a walkway from the street to the building. To meet landscaping requirements and screen parking, turf block is proposed on the west side of the parking area and trees would be planted along the west side property line. In addition to site plan modifications, minor architectural changes are necessary on the rear of the building to reconfigure the rear of the building (Avenida Granada side) for disabled parking access and to add a trash enclosure. No changes are proposed to the type and intensity of development, the use, and the number of parking spaces. Lastly, the applicant requests to modify the conditions of approval to reflect the proposed design changes.
- When an amendment is requested, San Clemente Municipal Code Section (SCMC) 17.12.180 directs the City Planner to review the modifications and determine if changes are insignificant, significant without public impact or concern, or significant modifications with public impact or concern. If insignificant, the City Planner may approve changes. If significant without public impact or concern, the modifications are referred to the Zoning Administrator. If significant with public impact or concern, the modifications are referred to the final decision making authority for the project, which was the Planning Commission for this project. As directed by SCMC 17.12.180, the City Planner reviewed the proposal, and
 - Referred the proposed site plan amendment to the Zoning Administrator, finding the requested changes are significant without public impact or concern because the amendment maintains parking supply, is consistent with design guidelines, complies with the zoning requirements and sufficiently meets engineering standards for trash and circulation. Also, the proposed landscaping is designed to maintain screening parking spaces.
 - Approved the architectural modifications administratively, finding the design changes are insignificant because they are consistent with design guidelines and are in character with the original plans. The trash enclosure is sited, sized, and designed to blend-in with the appearance with the rear elevation as much as possible, and the design includes details and materials that have been accepted in approved projects more recently, such as Starbucks. Therefore, the minor architectural modifications are not a part of this application but are mentioned in this report to provide information.
- A small deviation from the Technical Engineering Standards is proposed for vehicle parking stall widths. Per Technical Engineering Standard ST-15, parking stalls adjacent to curbs are required to be 10 feet wide, and parking stalls adjacent to walls or other structures are required to be 11 feet 6 inches wide. The parking stall closest to the street is proposed to be 8 feet 6 inches wide instead of 10 feet. The parking stall closest to the trash enclosure is proposed to be 9 feet wide, instead of 11 feet 6 inches. The Technical Engineering Standards are not codified therefore

changes and amendments are subject to the City Engineer's approval. The Engineering Department has reviewed the proposal and is recommending approval with these slight deviations.

- The City's landscape consultant, Summers Murphy Partners (SMP) reviewed the landscape plans and recommends approval with alternative plant species for the Olive tree and Ceanothos. These recommendations have not be incorporated into the proposed plans, but the applicant agrees to include the changes in construction plans. Condition of approval 4.5 would require the final landscape plan to address the consultant's comments.
- The recommended conditions in the proposed resolution (Attachment 1) are updated in the new standard format and written to supersede conditions in the original resolution PC 18-008. Project specific conditions from the original resolution are included for alcohol consumption hours (7.3), the lot merger (4.20), easement for public parking use and pedestrian access through the site (4.21, 5.17, 7.19), second-story use limitations for the Americans with Disability Act (7.18), and landscape maintenance (7.17). New project specific conditions are recommended for lighting review during plan check (4.22), minor landscape plan revisions (4.5) as noted above, and for fire prevention provided by the Orange County Fire Authority (4.19, 5.14 to 5.16).
- The project with the proposed amendment meets the required findings as described in the attached Resolution and summarized below.
 - The project as amended includes a restaurant with outdoor dining, a pedestrian-oriented, visitor-serving commercial use, that is encouraged by the General Plan and Coastal Land Use Plan (LUP) in the Del Mar/T-zone Focus Area and Downtown Core MU 3.0 Zone.
 - The project as amended improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage, consistent with the General Plan Urban Design Element and City Design Guidelines.
 - The project as amended meets development standards that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, density, and parking with previously approved parking waivers.
 - The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP.
 - The project as amended includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with General Plan and LUP goals and Design Guidelines that emphasize pedestrian-oriented uses in the Del Mar/T-Zone Focus Area and Downtown Core.
 - The project as amended improves the condition of the parking lot on Avenida Granada with the addition of three parking spaces, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging.
- Staff recommends that the Zoning Administrator determine that the amended project continues to be Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). As directed by CEQA, a "Project" is the "whole of an action" that includes the site plan amendment and previous approvals associated with the development of the site. The project as amended continues to be eligible for a Class 3 because it

involves a new commercial building under 10,000 square feet on site that is not environmentally sensitive and is within an urbanized area.

- As of the date this report was prepared, staff has not received comments from the public on this item.

RECOMMENDATION

Based on the information in the staff report and subject to the required findings and conditions of approval, staff recommends that the Zoning Administrator:

1. Determine the project is Categorical Exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures); and
2. Adopt Resolution ZA 20-027, approving AM SPP 17-113, Zov's Restaurant, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution ZA 20-027
Exhibit A - Conditions of Approval
2. Location Map
3. Photos
4. Planning Commission March 21, 2018 meeting documents for the original project approval:
Exhibit A – Staff report
Exhibit B – Resolution
Exhibit C – Minutes
Exhibit D – Previously approved plans
5. Proposed materials board
6. Color elevations
7. Proposed plans

ATTACHMENT 1

RESOLUTION NO. ZA 20-027

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING, AMENDMENT TO SITE PLAN PERMIT 17-113, ZOV'S RESTAURANT, A REQUEST TO AMEND THE SITE PLAN OF AN APPROVED TWO-STORY COMMERCIAL BUILDING LOCATED AT 155 AVENIDA DEL MAR AND 154 AVENIDA GRANADA

WHEREAS, on March 21, 2018, the Planning Commission approved Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113, Zov's Restaurant; a request to allow: 1) the construction of a two-story commercial building, 2) restaurant full alcohol service (beer, wine, distilled spirits) for on-site consumption indoors and outdoors, and 3) waivers of six parking spaces with conditions that make 12 on-site parking spaces available as public parking. The Planning Commission determined the project was Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures); and

WHEREAS, on August 11, 2020, an application was submitted, and completed on October 12, 2020, by Lindsay Ortega of Sagecrest Planning and Environmental (the "Applicant") on behalf of AZ San Clemente Partners LLC (the "Owner"), 17440 17th Street, Tustin, CA 92780; for an Amendment to Site Plan Permit (AM SPP) 17-113 (PLN20-286), a request to consider applicant initiated modifications to a site plan for an approved two-story commercial building. The proposal involves minor site design changes for trash storage, circulation, parking and parking lot landscape. The application does not include changes to the type and intensity of development, the use, and the number of parking spaces. The site includes an 8,000 square-foot through lot, resulting from the merger of two parcels, located in the Mixed Use 3.0 Zoning District, Central Business, Architectural, and Coastal Zone Overlays (MU 3.0-CB-A-CZ) at 155 Avenida Del Mar and 154 Avenida Granada. The site's legal description is Lots 5 and 36, Block 6 of Tract 779 and the site's Assessor's Parcel Numbers are 058-082-05 and 058-082-36; and

WHEREAS, the City Planner reviewed AM SPP 17-113 for applicant requests to change approved applications, as directed in Municipal Code 17.12.180, and referred the proposed modifications to the Zoning Administrator, determining the site plan changes are significant enough to warrant discretionary review but will not have public impacts or cause public concern; and

WHEREAS, the applicant also requested minor architectural modifications that were approved administratively by the City Planner according to Municipal Code Section 17.12.180(A), finding the architectural modifications are "insignificant" because they are minor and consistent with the previous made findings and conditions of approval for the 2018 approval of the development of the commercial building; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). As directed by CEQA, a “Project” is the “whole of an action” that includes the site plan amendment and previous approvals associated with the development of the site. Staff determined the proposed amendment is consistent with the previous CEQA findings made by the Planning Commission on March 21, 2018. Therefore, the Planning Division recommends the Zoning Administrator determine that the project continues to be Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). This is recommended because the project as amended is a commercial building under 10,000 square feet on site that is not environmentally sensitive and within an urbanized area; and

WHEREAS, on September 2, 2020, the Development Management Team (DMT) reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on November 19, 2020, the Zoning Administrator of the City of San Clemente held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties.

NOW, THEREFORE, The Zoning Administrator of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The Zoning Administrator hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Zoning Administrator as fully set forth in this resolution.

Section 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Zoning Administrator, and the facts outlined below, the Zoning Administrator hereby finds and determines that the proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). The Class 3 exemption specifically exempts from further CEQA review the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The use of this exemption is limited to construction of a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area, or up to 10,000 square feet in urbanized areas, on a site zoned for such use. Here, this project involves the construction of a commercial building under 10,000 square feet on site that is not environmentally sensitive and within an urbanized area. Thus, the project qualifies for the Class 3 exemption.

Furthermore, none of the exceptions to the use of the Class 3 categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project is not located in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern. The project involves the redevelopment of a site not in a sensitive environment and does not have environmental resources of hazardous or critical concern. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. The project involves the redevelopment of a site according to land use restrictions that limit the amount of development of the site. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. There are no especially sensitive resources (endangered species, wetlands, etc.) on the project site or in the vicinity. The project redevelops a site with paving and buildings, and lack of habitat to support sensitive species. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. The project is not in a scenic corridor, involve modifications to historic buildings, rock outcroppings, or similar resources. The project does not include any hazardous waste sites, and the project will not cause a substantial adverse change in the significance of a historical resource. The project site is not a hazardous waste site and the project does not alter or impact historic resources, given none are located on or abutting the site. Thus, the Class 3 exemption applies, and no further environmental review is required.

Section 3. Site Plan Permit Findings

With respect to Amendment to Site Plan Permit (AM SPP) 17-113, the Zoning Administrator 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 the Zoning Ordinance, the goals, and objectives of the San Clemente General Plan, Coastal Land Use Plan (LUP), and the purpose and intent of the zone in which the development is being proposed, in that:
 1. The project as amended includes a restaurant and office uses. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the Del Mar/T-zone Focus Area and Downtown Core Mixed Use 3.0 (MU 3.0) Zone. The project as amended is consistent with the following goals and policies that prioritize pedestrian-oriented, visitor-serving commercial uses in the Del Mar/T-Zone Focus Area and Downtown Core:
 - a. General Plan goal for Del Mar/T-Zone Focus Area and Downtown Core to *“Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential “village” providing for the needs of residents and visitors.”*; and
 - b. LUP Policy LU-24, Visitor-Serving Commercial Uses, *“Require visitor-serving commercial uses on the ground floor of proposals for mixed use development in VSCD overlay areas. Development designed to*

enhance public opportunities for coastal recreation shall have priority over private residential development and general commercial development on private lands suitable for visitor-serving commercial recreational facilities.”

2. The project as amended improves the aesthetics of the site with high quality architecture and site improvements that reflect the City’s Spanish Village heritage. The design and materials follow “*basic principles of Spanish Colonial Revival (SCR) architecture*” in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details. Therefore, the project as amended is consistent with and implements the following policies:
 - a. General Plan Urban Design Element Policy UD-5.05, Architectural Overlay District, “*We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival Architecture, per the Architectural Overlay District and Design Guidelines*”; and
 - b. LUP Policy LU-80, Design Treatment, “*Require Spanish Colonial Revival Architecture for all new buildings and major remodels in accordance with the Architectural Overlay District requirements.*”
3. The project as amended meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, and density, and parking with previously approved parking waivers. The project steps up a lot with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar, and the surrounding neighborhood includes a mix of small scale commercial and mixed-use development with one-or-two stories. The project is consistent with design guidelines that call for varied rooflines, building articulation, and building offsets to reduce the apparent scale and bulk of buildings for compatibility with surrounding properties. Therefore, the project as amended is consistent with and implements the following policies:
 - a. General Plan Urban Design Policy UD-5.10, Scale and Massing, “*We require that the scale and massing of a development be compatible with its surroundings...*”; and
 - b. LUP Policy LU-80, Design Treatment, “*Require Spanish Colonial Revival Architecture for all new buildings and major remodels in accordance with the Architectural Overlay District requirements.*”

4. The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP. This means the potential traffic, air quality, noise, and other land use impacts of the project are expected to be below what is projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required.
 5. The project as amended includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan. Therefore, the project as amended is consistent with and implements the following policies:
 - a. General Plan Urban Design Element Policy UD-5.03, Useable Outdoor Areas, *“New buildings and major remodels on Avenida Del Mar and El Camino Real in the Downtown Core should contribute to public and private, publicly accessible outdoor areas, such as patios, recessed storefronts, courtyards and balconies that support a variety of activities and contribute to Downtown’s vitality.”*; and
 - b. LUP Policy LU-79, Outdoor Dining, *“Encourage the development of outdoor dining and other similar uses which do not impede pedestrian use of the sidewalks.”*
 6. The project meets parking requirements with a previously approved CUP for the issuance of parking waivers.
- B. The site is suitable for the type and intensity of development that is proposed, in that:
1. The project as amended includes a restaurant and office uses. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the Del Mar/T-zone Focus Area and downtown core Mixed Use 3.0 (MU 3.0) Zone. Therefore, the project as amended is consistent with the goals and policies that prioritize pedestrian-oriented, visitor-serving commercial uses in the Del Mar/T-Zone Focus Area and Downtown Core;
 2. The project as amended meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, and density, and parking with previously approved parking waivers. The project’s height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front

elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories; and

3. The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP. This means the potential traffic, air quality, noise, and other land use impacts of the project are expected to be below what is projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required.
- 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:
1. The project as amended improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays;
 2. The project as amended meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, and density, and parking with previously approved parking waivers. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP. This means the potential traffic, air quality, noise, and other land use impacts of the project are expected to be below what is projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with General Plan and LUP goals and Design Guidelines that emphasize

pedestrian-oriented uses in the Del Mar/T-Zone Focus Area and Downtown Core;

5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties; and
 6. The project as amended improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging;
- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings, in that:
1. The project as amended improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays;
 2. The project as amended meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, and density, and parking with previously approved parking waivers. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP. This means the potential traffic, air quality, noise, and other land use impacts of the project are expected to be below what is projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;

5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties; and
 6. The project as amended improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging;
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location, in that:
1. The project as amended improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays;
 2. The project as amended meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to urban open area, landscaping, height, lot coverage, number of stories, and density, and parking with previously approved parking waivers. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The project as amended includes less density and lot coverage than what is allowed in the General Plan and LUP. This means the potential traffic, air quality, noise, and other land use impacts of the project are expected to be below what is projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;

5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties; and
6. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging;

Section 4. Zoning Administrator Approval.

Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of San Clemente Zoning Administrator approves Amendment to Site Plan Permit (AM SPP) 17-113, Zov's Restaurant, subject to the above Findings, and the Conditions of Approval set forth in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Zoning Administrator on November 19, 2020

Cecilia Gallardo-Daly, Zoning Administrator

CONDITIONS OF APPROVAL
ZOV'S RESTAURANT

The conditions of approval in this exhibit supersede Resolution PC 18-008 Exhibit A for the Planning Commission's approval of CUP 16-363, CHP 16-364, and SPP 17-113 on March 21, 2018.

1.0 GENERAL CONDITIONS OF APPROVAL

- | | | |
|-----|---|----------|
| 1.1 | Within 30 days of receipt of the signed conditions of approval, 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, unless an extension is granted by the City Planner. | 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. Any modifications to the project shall be reviewed by the City Planner in accordance with Zoning Ordinance Section 17.12.180. | 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 |
| 1.6 | CUP 16-363, CHP 16-364, SPP 17-113 shall be deemed to have expired if within one year of approval the project is not commenced, or the project permitted by the approved application has lapsed, as defined by Zoning Ordinance Section 17.12.150. | Planning |

3.0 PRIOR TO ISSUANCE OF GRADING PERMITS

3.5 The applicant shall submit, and must obtain approval from the City Engineer, a precise grading plan as required by the City Grading Manual and Ordinance. (San Clemente Municipal Code [SCMC] Chapter 15.36) Public Works

Addressing

3.8 The applicant shall submit, and must obtain approval from the City Planner shall approve, a plan depicting all addresses for all of the buildings and facilities within the project. Planning*

Financial Security

3.9 The applicant 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 Engineer, for the following applicable items: 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. (SCMC Chapter 15.36) Public Works

Improvements

3.10 The applicant shall submit, and the City Engineer shall approve, frontage improvement plans. The applicant shall be responsible for the construction of all required frontage improvements as approved by the City Engineer including but not limited to the following: Public Works*

- A. Sidewalk, including construction of compliant sidewalk around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way is approximately 5 feet behind the curbface, a sidewalk easement is anticipated to be required to be granted to the City.
- B. Contractor shall replace any damaged street improvements resulting from construction activities to the satisfaction of the City Inspector.

(SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050)

NPDES

3.14 The applicant shall submit, and must obtain approval from the City Engineer shall approve, a project binder containing the following Public Works

documents:

- A. If the project is greater than 1 acre, a Notice of Intent (NOI) for coverage under the General Construction Storm Water Permit must be filed with the State Water Resources Control Board (refer to https://www.waterboards.ca.gov/water_issues/programs/storm_water/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 San Diego Regional Water Quality Control Board Municipal Separate Storm Sewer Systems Permit – refer to the following web address at https://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/), a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder’s Office and filed with the City; and
- C. If a site is determined to be a “Non-Priority Project,” a final Non-Priority Project Checklist must be filed with the City. (SCMC Chapter 15.36)

3.20 The waste debris enclosure shall be of appropriate size to accommodate bins for recyclable materials, organic waste (food and landscape trimmings) and trash. Trash Enclosures shall be designed with a solid roof to prevent run-on. (SCMC Chapter 8.28) Public Works*

Fire

3.21 The applicant or responsible party shall submit the following to the Orange County Fire Authority for review and approval: fire master plan (service code PR145). Fire**

4.0 PRIOR TO ISSUANCE OF BUILDING PERMITS

4.1 The working drawings shall include within the first four pages a list of all condition of approval included in this resolution. Planning

Coastal Commission Approval

4.4 The applicant shall demonstrate to the City Planner that the project has secured approval from the California Coastal Commission. Planning

Landscaping

4.5 The applicant shall submit, and must obtain approval from the City’s Consulting Landscape Architect, a detailed landscape and irrigation plan in compliance with all pertinent requirements, prepared by a registered landscape architect, incorporating Planning*

drought tolerant plants and the recommended changes the City’s Consulting Landscape Architect provided on the conceptual landscape plan, presented to the Zoning Administrator on November 19, 2020:

- A. Substitute for the olive tree on the plant list with an alternative species that provides a more upright growth habit versus canopy to avoid car parking conflicts with branches.
- B. Substitute Ceanothos with an alternative species that is consistent with requirements and is more successful in San Clemente.

(SCMC Section 17.68.020)

Utilities

4.12 If the project pertains to a Food Service Establishment (FSE), the applicant shall submit, and must obtain approval from the City Utilities Director shall approve, plans depicting the Fats, Oils, and Greases (FOG) controls, with the plans and design approved by the Orange County Health Care Agency. Utilities

4.13 The applicant shall submit, and must obtain approval from the City Engineer shall approve, plans depicting the installation of an approved double-detector check backflow assembly on any/all fire lines above ground and as near to the point of connection to the potable water system as practical, given functional and aesthetic considerations. An isolation valve shall be installed on any/all fire lines at the point of connection to the water main. (SCMC Section 13.04.350) Public Works

General Building

4.15 Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. Building**

4.16 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. Building**

4.17 The stair door and elevator vestibule should not encroach on the accessible loading area. Building**

4.18 Opening allowance and fire protection rating of exterior walls due to distance to property line must be complied with. Building**

Fire

- 4.19 The applicant or responsible party shall submit the following to the Orange County Fire Authority for review and approval: architectural A-2 Occupancy (service code PR204) and underground piping for fire sprinkler systems (service code PR470). Fire**

Lot Merger

- 4.20 Prior to the issuance of any permits, the owner or its designee shall submit for review, approval, and recordation of a lot merger between the project parking lot (155 Avenida Del Mar; Assessor's Parcel Number 058-082-05; Tract 779, Block 6, Lot 19) and the adjoining parcel (154 Avenida Granada; Assessor's Parcel Number 058-082-36; Tract 779, Block 6, Lot 36) in order to meet the requirements of the Engineering, Planning, and Building Departments. The lot merger certificate shall be recorded at the Orange County Recorder's Office prior to issuance of the building permit. Public Works**

Access Easement Agreement

- 4.21 Prior to the issuance of permits, the owner or its designee shall submit an easement agreement to the satisfaction of the City Attorney that establishes public rights to access and use parking spaces on the site (155 Avenida Del Mar and 154 Avenida Granada; Assessor's Parcel Numbers 058-082-05 and 058-082-36; and legal description of Tract 779, Block 6, Lots 19 and 36). The purpose of the agreement shall be stated in the document recorded to the site by the Orange County Recorder's Office. Expenses associated with this condition shall be paid by the owner. Planning **

Lighting

- 4.22 Prior to issuance of a construction permit, lighting on the construction plans shall be consistent with requirements for Spanish Colonial Revival architecture and policies for dark skies to the satisfaction of the City Planner or designee. Planning **

5.0 PRIOR TO FINAL INSPECTION

- 5.4 The applicant shall demonstrate to the satisfaction of the City Engineer and City Maintenance Manager that all street improvements have been completed and accepted and that any damage to new or existing street right-of-way during construction has been repaired/replaced. (SCMC Title 12) Public Works

Landscaping

- 5.5 The applicant shall submit, and must obtain approval from the City Planner shall approve, a letter from a registered landscape architect confirming that landscaping and irrigation have been installed in accordance with the approved plans. Planning

Lighting

- 5.7 The applicant shall submit, and must obtain approval from the City Planner shall approve, a letter from the preparer of the lighting plans confirming that all lighting has been installed in accordance with the approved plans, and that the lighting conforms to all standards set forth in the Municipal Code. Planning

Survey

- 5.8 Prior to approval to pour foundations, the applicant shall submit, and must obtain approvals from the City Planner and Building Official, a survey prepared by a registered civil engineer that is licensed to do surveying or a land surveyor confirming that the building foundations conform to the required setbacks as set forth on the approved plans. Planning
Building

Architecture

- 5.10 All exterior details and materials shall be approved by the Planning Division prior to installation. Planning
- 5.11 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. Planning
- 5.12 Stucco walls shall consist of '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. Planning

Fire

- 5.14 Prior to concealing interior construction, the applicant or responsible party shall submit the following to the Orange County Fire**

Fire Authority for review and approval: sprinkler monitoring system (service code PR500), fire sprinkler system (service codes PR420-425), hood and duct extinguishing system (service code PR335), and CO2 leak detection (service code 350) if greater than 100 pounds of liquid CO2 is used for beverage dispensing.

5.15 Prior to issuance of temporary or final certificate of occupancy, all OCFA inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested. Inspections shall be scheduled at least five days in advance by calling OCFA Inspection Scheduling at 714-573-6150. Fire**

5.16 After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials onsite. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection. Fire**

Access

5.17 The applicant shall install signs visible from public right-of-way on Avenida Granada and Avenida Del Mar. According to terms in the easement agreement recorded to the site (Condition 4.21), the signage is to inform the public that they may: 1) use on-site parking spaces, and 2) travel across the site between Avenida Granada to Avenida Del Mar during business hours. The signs shall be approved for compliance with development standards and zoning ordinance requirements to the satisfaction of the City Planner. Planning**

7.0 OPERATIONAL CONDITIONS OF APPROVAL

Businesses Selling Alcoholic Beverages

7.3 The sale of beer and wine/alcoholic beverages for on-site consumption shall be limited to the hours of 11:00 a.m. to 11:00 p.m. Monday through Friday, and Saturday and Sunday from 8:00 a.m. to 11:00 p.m. Planning*

7.4 All employees shall receive Responsible Alcoholic Beverage Service training as offered through programs established by the Orange County Health Care Agency and Alcoholic Beverage Control of the State of California. Training shall be provided as soon as practical following the hire date of each employee. Evidence of such training shall be maintained on-site during business hours, and made available for inspection by any city official upon request. Code Comp

(SCMC Section 17.16.070)

- 7.5 The service and consumption of alcoholic beverages shall only be permitted in conjunction with food service. The foods shall be available at all times that alcoholic beverages are being served. Code Comp
- 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 alcohol service. 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 alcohol service, when applicable. Code Comp*
- 7.8 The use of amplified sound (including the electronically amplified sound of live music, human voice, or other sound within a business, restaurant, bar, or other commercial establishment) shall not be permitted. This prohibition does not include televisions, radios, or reasonable background or ambient music. Code Comp*

Landscape Maintenance

- 7.17 The applicant shall maintain the landscaping and irrigation as approved on the final landscape plans in good condition. If landscaping dies and/or irrigation ceases operation, the applicant shall replace all dead landscaping with matching plant material (type and size) and repair broken irrigation as necessary. Trees in the approved landscape plan shall be maintained in a manner so they become canopy trees and provide appropriate coverage for the area in which they are located. The applicant shall avoid pruning the trees to the point where they do not grow into a canopy tree. Planning **

Access

- 7.18 For the second-story commercial tenant space, a direct disabled accessibility route was not required on the basis that the floor space is proposed to be used as professional office per Exception 1.1 of Section 11B-206.2.3 of CBC. If a change of use were proposed in the future, it could trigger a need to provide disabled access according to the California Building Code and American’s with Disability Act (ADA) which could involve exterior changes to the site and to the interior floor plan. Such changes could require permits and discretionary approvals, depending on the nature of Building **

changes involved. If a change of use were proposed for the second-story in the future, plans must be submitted to the Community Development Director for a determination on whether: 1) the upper level must be modified to meet disabled access requirements and 2) review processes required to make any necessary changes, if any. (SCMC Chapter 15.08, CBC Chapter 11A)

- 7.19 During business hours, the public shall have use of a stairway and/or elevator accessible from within the building to travel across the site between Avenida Del Mar from Avenida Granada. Planning
**

NPDES

- 7.20 The applicant (including any property owners and managers, and their designees) shall ensure that discharge of washwater and other pollutants is prohibited from entering the storm drain system. Applicant must prevent pollutants (e.g. sediment, trash, food waste etc.) and any washwater used during cleanup from entering the storm drain system. Code
Comp
**

Condition and Code Enforcement

- 7.21 The applicant (including any property owners and managers, and their designees) shall abide by all applicable laws, including Orange County Health Department and Department of Alcoholic Beverage Control laws. Code
Comp
**

- 7.22 The applicant (including any property owners and managers, and their designees) shall use her/his best judgment and best management practices to ensure the activities on the premises will be conducted in a manner that will not be disruptive to neighbors. The property owner shall be responsible for ensuring compliance with the SCMC, and all conditions of approval contained herein. The applicant (including any property owners and managers, and their designees) hereby understands that noncompliance with regulations and conditions of approval, shall be immediate grounds for citation pursuant to SCMC Section 8.52.030(Y), which states, "It is declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in this City to maintain such premises in such manner that ... A structure, improvement, property, and/or land use is not in compliance with terms and/or conditions of any City of San Clemente issued permit or approval," and any subsequent revision of this section of the code. (SCMC Section 8.52.030(Y)) Code
Comp
**

- 7.23 The applicant (including any property owners and managers, and their designees) shall ensure that all occupancy requirements, and Code
Comp

any and all required signage related to the maximum occupancy limitations, for the building and site are maintained at all times. (SCMC Section 15.08.010, CBC Section [A] 111.1)

**

7.24 The applicant (including any property owners and managers, and their designees) shall be responsible for addressing all issues arising from any person or persons that wander, idle or loiter upon or around the subject property, whether in an automobile or not, without lawful business at the property, or when not authorized by the owner or manager of the premises. To address these issues, the property owner shall do either, or both, of the following: 1) Provide private security to patrol the site on a regular and daily basis and address violations as they arise; or 2) provide authorization to the Orange County Sheriff's Department for the purposes of entering the subject property to request that any person who is at the subject property, including, without limitation, all buildings, structures, parking lots, common areas, and private sidewalks, to leave the subject property when identified as a trespasser by the property owner's authorized representatives. [SCMC Section 9.04.010(B)(8&9)]

Code
Comp
**

- * Denotes a modified Standard Condition of Approval
- ** Denotes a project-specific Condition of Approval



Legend

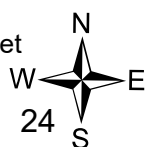
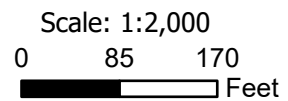
- Coastal Zone Boundary



Vicinity Map

Project: Zov's Restaurant

Address: 155 Avenida Del Mar/154 Avenida Granada



Zov's San Clemente

153 Avenida del Mar

Photographic Location Map



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Planning Commission March 21, 2018 meeting documents for the original project approval

This attachment includes:

- Exhibit A – Staff report
- Exhibit B – Resolution
- Exhibit C – Minutes
- Exhibit D – Previously approved plans



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: March 21, 2018

PLANNER: Christopher Wright, Associate Planner 

SUBJECT: Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113, Zov's Restaurant, a request to allow: 1) the construction of a two-story commercial building, 2) restaurant with full alcohol service for on-site consumption indoors and outdoors, and 3) waivers of six parking spaces. The site is located at 151-155 Avenida Del Mar and 150-154 Avenida Granada.

REQUIRED FINDINGS

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

Conditional Use Permit, Table 17.40.030, to allow restaurant alcohol service for on-site consumption; and Section 17.64.125(A)(2), to allow the issuance of parking waivers in the Downtown Parking Study Area.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all applicable provisions of the Zoning Ordinance, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed.
- b. The site is suitable for the type and intensity of use that is proposed.
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed use will not negatively impact surrounding land uses.

For parking waivers, the following specific findings also must be made:

- a. No more than 180 parking space waivers have been granted in the Downtown Parking Study Area since the effective date of this amendment to the City's Zoning Ordinance;
- b. There is currently adequate parking to support the change of use and/or development and provide adequate beach parking within the study area;
- c. The City Council has approved an interim parking study for the Downtown Parking Study Area that shows the occupancy of the parking spaces in the study area is 90 percent or less during daylight hours, on summer weekends;
- d. Public parking is available in close proximity to the project site; and

- e. The project receiving waivers: 1) improves pedestrian access to and from alleys and streets within the Downtown Parking Study Area to the extent feasible and commensurate with the scale of the project; or 2) the project contains both nonresidential and residential uses and, therefore, promotes shared parking and pedestrian activity within the area.

Cultural Heritage Permit, Table 17.16.100B, to allow the development of a nonresidential building and site improvements in the Architectural Overlay.

- a. The architectural treatment of the project complies with the San Clemente General Plan;
- 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.;
- c. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines;
- d. The general appearance of the proposal is in keeping with the character of the neighborhood; and
- e. The proposal is not detrimental to the orderly and harmonious development of the City.
- f. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village; or
- g. The proposed project complies with the purpose and intent of the Architectural Overlay District, Section 17.56.020.

Site Plan Permit, Section 17.16.050(C), to allow the development of a nonresidential building.

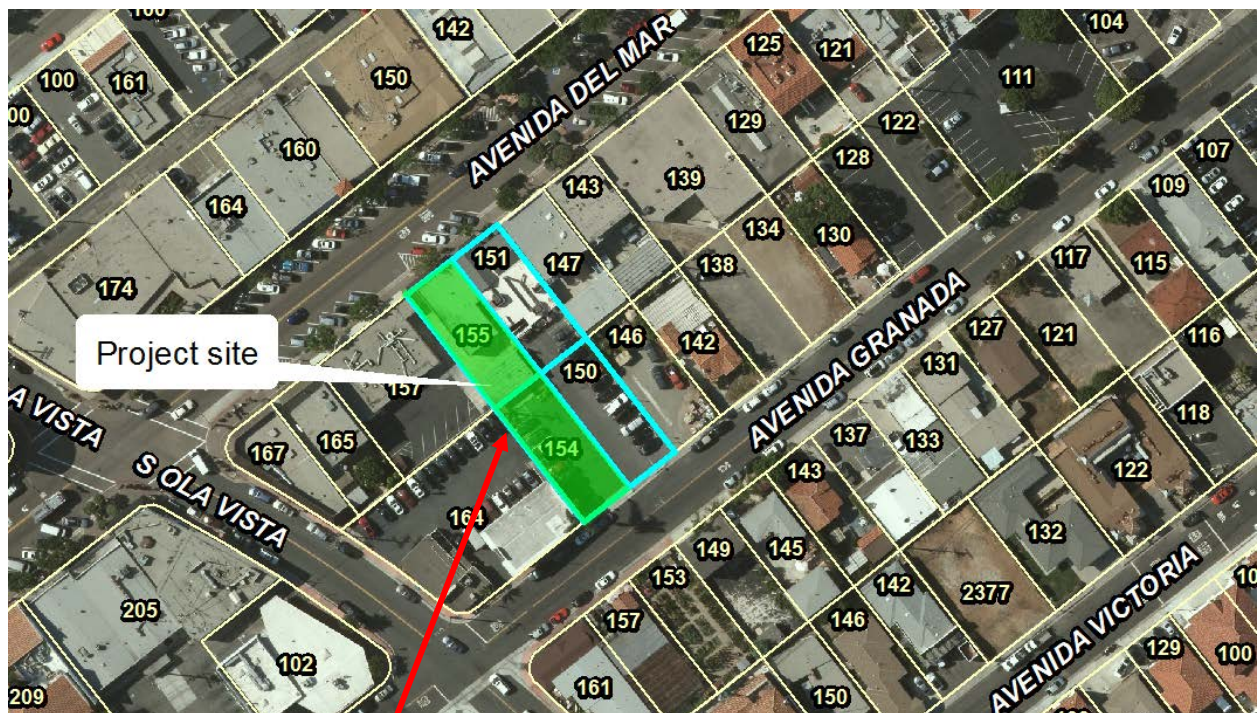
- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), the goals, and objectives of the San Clemente General Plan, and the purpose and intent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

BACKGROUND

The site includes four lots located in the Mixed Use 3.0 zoning district, Central Business, Architectural and Coastal Overlays (MU3.0-CB-A-CZ). The original grade of the site had a downward slope with the Avenida Del Mar side 10 feet lower in grade than the other side on Avenida Granada. The lots are each 4,000 square-feet and 40 feet wide by 100 foot deep. Surrounding land uses are primarily retail, office, commercial, and residential uses. The site is developed with three, one-story contemporary commercial buildings on the Avenida Del Mar side of the site. The buildings are occupied by retail shops and a massage establishment. Parking lots for these buildings are located to the rear (150 and 154 Avenida Granada) with frontage to Avenida Granada.

The project involves the redevelopment and merger of lots at 155 Avenida Del Mar and 154 Avenida Granada, and site improvements on adjoining lots under separate ownership at 151 Avenida Del Mar and 150 Avenida Granada. The lot merger results in a through lot with 8,000 square feet of lot area. This is the main "site" in terms of where a majority of new development is proposed. Figure 1 below provides an aerial photo of the site. The green highlighted area is the area of the proposed redevelopment and lot merger. The unshaded area is the adjoining lot area where site improvements and a trash enclosure are proposed. Figures 2 and 3 on the following page provides photos of the existing site conditions with notes highlighting parts of the project. See Attachment 1 for a vicinity map of the site and Attachment 2 for other photographs.

Figure 1 – Site Area



Green shading is area of proposed redevelopment

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project and recommends approval with conditions shown on Attachment 1, Exhibit A.

Noticing

Public notices were distributed and posted per City and State requirements. Staff has not received any public comments on this item to-date.

PROJECT DESCRIPTION

The applicant proposes to redevelop and merge lots at 155 Avenida Del Mar and 154 Avenida Granada. This involves demolishing two buildings at 155 Avenida Del Mar to construct a new commercial building. Site improvements are proposed on the Avenida Granada side of the site, including a new trash enclosure proposed behind the building at 151 Avenida Del Mar, new landscaping, and parking lot upgrades. The building at 151 Avenida Del Mar would not be modified as part of the project. Figures 2 and 3 below highlight parts of the project.

Figure 2 – Avenida Del Mar frontage

151 Avenida Del Mar:
Building to remain. New shared trash enclosure proposed behind building

155 Avenida Del Mar:
Propose to demolish building and construct new building with two stories on front



Figure 3 – Avenida Granada frontage

154 Avenida Granada

Merge with 153-155 Avenida Del Mar. Propose to demolish building. New building has one-story on this site. Site improvements proposed.

Parking waivers requested

150 Avenida Granada

Merge with 153-155 Avenida Del Mar and propose site improvements with trash enclosure behind building



The proposed commercial building has Spanish Colonial Revival architecture with traditional materials and details. With the sloped topography, the proposed building has two stories facing Avenida Del Mar and one-story at the rear facing Avenida Granada. There is a 3,290 square-foot restaurant proposed at street level on Avenida Del Mar and 1,315 square feet of professional office space on the second-level. Both stories are accessed from Avenida Granada and Avenida Del Mar with an elevator and stairway. As a condition of approval, the public could use a stairway on the site during business hours to travel across the block. The public would access the stairway through the building or a gate on side of the building using the adjacent property (if the owner gives consent). Figures 4-6 on the following page are elevations of the front, rear, and a side of the project.

The proposed restaurant operating hours are from 11 a.m. to 11 p.m. Monday to Friday and 8 a.m. to 11 p.m. on Saturdays and Sundays. The restaurant operator, Zov's, has existing restaurants in Anaheim, Tustin, Irvine, and Newport Beach. There are 75 proposed indoor seats and 16 outdoor seats in a covered patio enclosed by wrought-iron railing adjacent to the sidewalk. Full alcohol service is proposed indoors and outdoors for on-site consumption. No live entertainment and signage are requested as part of the application.

The project adds three parking spaces to the parking lot at 154 Avenida Granada for a total of 12 spaces. The owner requests six parking waivers. In return, the property owner would continue to allow public use of the parking lot but at no cost to the City. An existing driveway on Avenida Del Mar is eliminated and curb cut on Avenida Granada are removed as part of this project. A reciprocal access agreement is required to share vehicular access to the Avenida Granada parking lots and share use of a proposed trash enclosure on the lot at 150 Avenida Granada. The proposed project improves the condition of parking lots along Avenida Granada with the removal of an extra curb-cut, restriping, addition of landscaping, and resurfacing of pavement. Also, design changes would bring the parking area into compliance with requirements for landscaping, accessibility, and electric vehicle charging.

Figure 4 –Front (Avenida Del Mar)

Figure 5 – Rear (Avenida Granada)

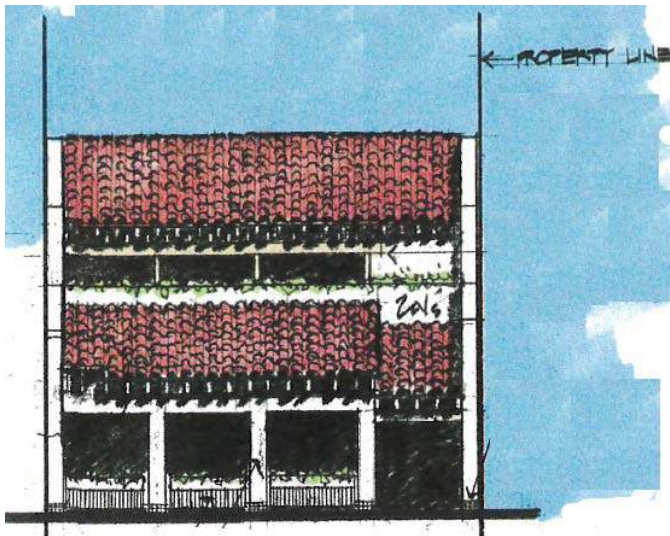
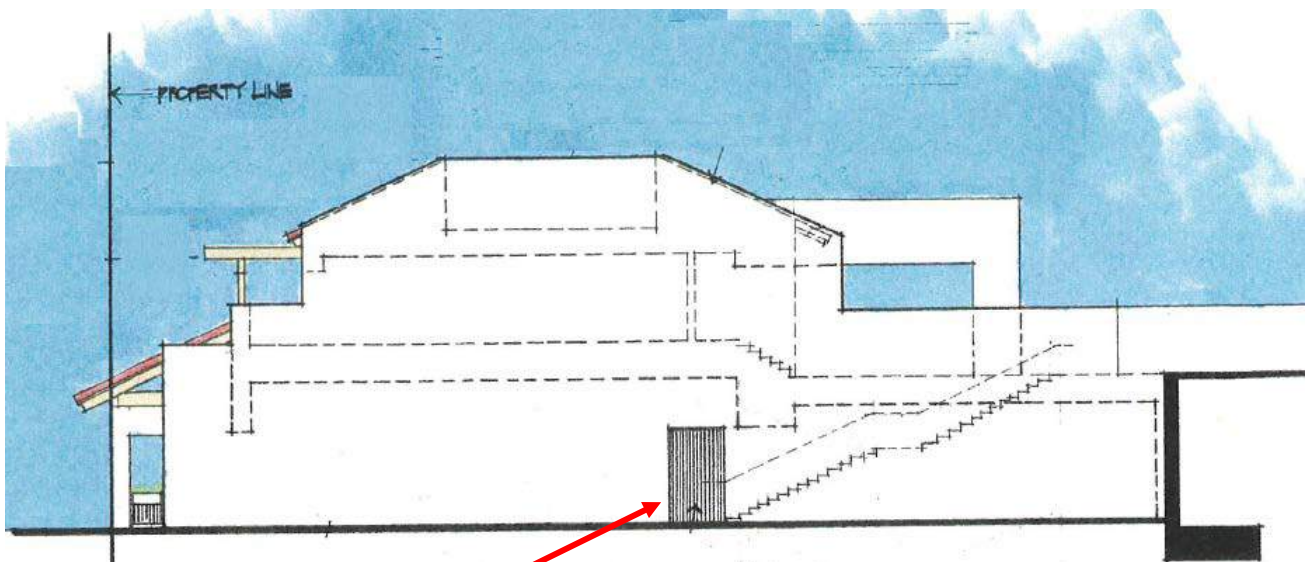


Figure 6 – Side Elevation (facing coast)



Gate/opening leading to stairway (for public use with adjacent owner's consent)

PROJECT ANALYSIS

Development Standards

The proposed project is consistent with development standards, with the exception of parking waivers requested that are discussed later in this report. Table 1 is an analysis of the project's consistency with development standards. The table is based on the 8,000 square foot redevelopment lot, resulting from the merger of 153-155 Avenida Del Mar and 154 Avenida Granada. For the purposes of this report, this lot area is known as the "redevelopment lot."

Table 1 – Development Standards

	Development Standard	Proposed	Complies with standards
Density, Floor Area Ratio (Maximum)	1.0	.58	Yes
Lot coverage (Maximum)	100%	50%	Yes
Height (Maximum)	Two stories, 33' top-of-roof, 26' plate line	Two stories, 32' top-of-roof, 25' plate line	Yes
Setbacks (Minimum):			
Front (north) facing street	0'	0'	Yes
West side yard	0'	0'	Yes
East side yard	0'	0'	Yes
Rear yard (faces Ave. Granada)	0'	113'	Yes
Landscaping (Minimum):	Four 15-gallon trees, 20% urban open area with 25% landscaped, 10% parking lot area landscaped, 10' wide planter at street frontage	7 trees, 24% urban open area with 47% landscaped, 18% parking lot area, 10' planter	Yes

Parking

There are nine on-site parking spaces on the redevelopment site (154 Avenida Granada) and 12 spaces on the adjacent lot (150 Avenida Granada). Both parking lots are currently leased by the City for use as public parking at a cost with agreements that the owners may renew annually with the City. These lots are highly used. In the event the leases are

not renewed in the future by the owner and/or the City, the parking lots would no longer be available for public parking.

In the MU 3.0 zone, the Zoning Ordinance requires one parking space per five restaurant seats and one space per 350 square feet of office space. The Zoning Ordinance allows 16 outdoor restaurant seats without providing additional parking spaces. Based on the restaurant seating and office space proposed, 18 parking spaces required for the project. With a redesign of the parking lot, there are 12 parking spaces on the redevelopment site for a deficit of six parking spaces. To address this, the applicant requests six parking waivers. An analysis of parking waivers is later in this report.

Conditional Use Permit

A Conditional Use Permit (CUP) is required to allow alcohol service and parking waivers in the Downtown Parking Study Area. CUPs are required to ensure the use and waivers are consistent with General Plan policies and the intent of the zone, and are compatible with surrounding properties. Below is an analysis of the proposed alcohol service and parking waivers.

Alcohol Service

Alcohol service (for on-site consumption) is ancillary to a permitted restaurant use. Restaurants with outdoor dining are a pedestrian-oriented, visitor-serving commercial use encouraged in the downtown. Alcohol service is proposed during operating hours that are comparable with several businesses nearby with indoor and outdoor alcohol sales, as shown in Table 2. Code Compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations such as Municipal Code rules for noise and property maintenance.

Zov's restaurant must meet standard conditions of approval and code requirements for alcohol service. This includes requirements to obtain a license to serve alcohol from the California Department of Alcoholic Beverage Control (ABC), employee alcohol service training to avoid the sale of alcohol to minors, and limits on hours of operation. However, if a compatibility issue were to arise, conditions of approval allow the City to adjust operating hours and require soundproofing. This would be pursued if changes were necessary to ensure compliance with the City noise standards and maintain the public health, safety, and welfare of the area. For the reasons above, staff can meet the required findings to support the proposed alcohol service.

Table 2 – Review of Alcohol Service Hours

Business and Address	Indoor Hours	Outdoor Hours
Zov’s restaurant (proposed) at 153-155 Avenida Del Mar	11 a.m. to 11 p.m. Monday to Friday and 8 a.m. to 11 p.m. on Saturdays and Sundays	Same as indoor hours
The Cellar at 156 Avenida Del Mar	Mondays to Wednesdays 6 p.m. to 11 p.m.; Thursdays and Fridays 6 p.m. to 1 a.m.; Saturdays 12 p.m. to 1 a.m.; Sundays 12 p.m. to 11p.m.	No alcohol beyond 10 p.m.
Nicks at 213 Avenida Del Mar	Daily from 7 a.m. to 12 a.m.	Same as indoor hours
H.H. Cottons at 201 Avenida Del Mar	Sunday to Thursdays 8 a.m. to 11 p.m.; Fridays and Saturdays 8 a.m. to 12 a.m.	Same as indoor hours
South of Nicks at 110 N. El Camino Real	Daily from 10 a.m. to 12 a.m.	Same as indoor hours
Plaza Del Mar at 204 Avenida Del Mar	Daily from 10 a.m. to 12 a.m.	Same as indoor

Parking Waivers

Parking waivers are reviewed based on the availability of public parking near a proposed project and whether the project adds to the pedestrian atmosphere of the downtown. The downtown parking waiver program applies to a study area that includes the Avenida Del Mar/T-Zone MU 3.0 Zone, and the MU 3.1 and MU 3.3 Zones. The availability of private parking near a project is not a basis for granting waivers. In the development of the waiver program in 1997, the City recognized each block is unique with its own set of circumstances related to public parking availability, parking demand, pedestrian-orientation, and mix of uses. These circumstances are considered when waiver requests are evaluated.

Approximately every two years the City completes a parking count and evaluation of parking management strategies for the downtown. This is done to assess whether parking waivers and other measures should be taken to increase and/or manage parking supply. Refer to Attachment 5 for background information on the parking waiver program and latest parking count completed in August 2016. This includes the City Council report from February 7, 2017, and several maps of the parking study area.

For approval of a CUP to allow parking waivers (at 154 Avenida Granada), specific findings must met that are listed in page 1 of this report. Refer to Attachment 2 for a detailed analysis of these findings. For reasons summarized below, staff is able to meet the required findings to support the parking waivers:

1. There have been 50 parking space waivers issued to date. This is 28 percent of the 180 space waiver cap in the Zoning Ordinance.
2. The proposed parking waivers support additional indoor restaurant seating and the availability of seating is a contributor toward having a successful restaurant location.
3. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the "maximum effective capacity threshold" that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested.

The 2016 downtown parking study recommended "no more parking waivers unless additional public spaces are obtained at no City cost", and this is the current policy for waivers. Consistent with this policy, conditions of approval require the on-site parking spaces to be made available for public parking at no cost. Currently, parking lots at 150 and 154 Avenida Granada are leased by the City (for \$4,200 a year) to open them up for public use. These lots are highly used. The initial term of the lease is five years and renew annually automatically unless the owner or City decides to end the lease. If the proposed project is approved, public use of the parking lot on 154 Avenida Granada would continue as a condition of approval so the City would no longer have expenses to maintain public use of the parking lot. If the project were not approved, the parking lot could be closed to public use if the owner decided not to renew the lease at the end in July when the annual term concludes.

4. Based on prior City parking studies, by allowing public use of the parking lot, it promotes more efficient use of existing parking in the district. This provides for 50% more proficient use of the existing parking resources. Assuming 50% increased efficiency, by making 12 on-site spaces available to public parking, the downtown parking supply is improved by 16 parking spaces.

Cultural Heritage Permit

A Cultural Heritage Permit (CHP) is required to construct a commercial building in the Architectural Overlay. CHPs are required to ensure projects are consistent with the General Plan, Zoning Ordinance, and Design Guidelines, and are compatible with

surrounding properties. In the Architectural and Central Business Overlays, projects must have Spanish Colonial Revival (SCR) architecture with pedestrian-oriented elements, such as outdoor patios, courtyards, and other urban outdoor areas.

The project improves the aesthetics of the existing site with high quality architecture that follows the basic design elements and principles of SCR architecture. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including, but not limited to; height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories.

There is a covered outdoor patio at the street frontage and other urban outdoor area at the rear of the site, which is encouraged in the zone. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties. Also, when viewing the project from Avenida Del Mar on each side of the site, adjacent one-story buildings will screen and break-up portions of the building mass at street level. For the reasons above, staff can meet required findings to support the CHP.

Site Plan Permit

A Site Plan Permit (SPP) is required to construct a commercial building. Per the Zoning Ordinance, the purpose of this review is to *"encourage site and structural development which respects the physical and environmental characteristics of the site, ensures safe and convenient access and circulation for pedestrians and vehicles, exemplifies the best professional design practices, encourages individual identity for specific uses and structures, encourages a distinct community or neighborhood identity, and minimizes visual impacts."*

The proposed use includes a restaurant with outdoor dining at street level that is encouraged in the downtown. As stated above, the project meets development standards of the zone, except for the six parking waivers. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR are allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-

story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required.

The site plan removes a driveway from Avenida Del Mar and Avenida Granada. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, removal of an extra curb-cut, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging. As a condition of approval, during business hours the public would have access to Avenida Del Mar from Avenida Granada with use of a stairway for travel across the block. For the reasons above, staff can meet required findings to support the SPP.

Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the project on April 26, 2017 and September 27, 2017, and supported the project. Design changes were recommended and materials were requested. The applicant modified the project to address most of the DRSC comments. Conditions of approval address remaining items that include a request for a door and window sample and the addition of Spanish tile on risers on the stairs facing Avenida Granada. Refer to Attachments 6 and 7 for meeting minutes, staff reports, and a summary of applicant responses to DRSC comments.

Since the September 27, 2017 DRSC meeting, minor design changes were needed to the parking lot layout, rear elevation, and front elevation to address building code requirements. This includes adjusting parking spaces, an added minor 24-inch side setback to roof over the front outdoor patio (where it extends over the sidewalk), and an enlarged flat roof and wall element at the rear to provide a van-accessible electric vehicle charging station. Attachment 8 provides a markup of prior building elevations showing the location of these design changes.

GENERAL PLAN CONSISTENCY

The proposed project is consistent with goals and policies of the Centennial General Plan. A detailed analysis is provided in Attachment 9. The project includes a pedestrian-oriented use and design features. Conditions of approval are included to ensure compliance with the noise ordinance and maintain public health, safety and welfare. The architecture follows SCR Design Guidelines for the Architectural Overlay and meets development standards. There is adequate parking supply to support the parking waivers. The requested waivers are consistent with City policy to require on-site parking spaces be available for public parking at no City cost. The project eliminates a driveway on Avenida Del Mar and Avenida Granada, and therefore, supports policies that encourage continuous storefronts. And, as a condition of approval, during business hours the public would have access to a stairway for travel across the block.

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA)

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is Categorical Exempt from CEQA pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). This is recommended because the project involves the construction of a commercial building under 10,000 square feet on site that is not environmentally sensitive and within an urbanized area.

CALIFORNIA COASTAL COMMISSION REVIEW

The site is in the Coastal Zone. If the project is approved by the City, Coastal Commission approval is also required.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and approve the proposed project.

This is the recommended action. This action would result in the adoption of the attached Resolution PC 18-008, approving the project per required findings and conditions of approval. The Commission can take this action if they determine the request meets all required findings shown in Attachment 1.

2. The Planning Commission, at its discretion, may change the project's design or conditions of approval.

This action would result in any modifications to the project or conditions of approval. For example, conditions could be modified to require design changes that improve the project's consistency with required findings. This may include changes to architectural details, finishes, massing, and site design.

3. The Planning Commission can deny the proposed project.

This action would result in not allowing the project, requiring this item to be continued so staff can draft a new resolution. The Commission should cite reasons for not being able to meet required findings.

These actions may be appealed by the applicant to the City Council or be called up by the City Council for review and action.

RECOMMENDATION

Based on the information in the staff report and subject to the required findings and conditions of approval, staff recommends that the Planning Commission:

1. Determine the project is Categorically Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures); and
2. Adopt Resolution PC 18-008, approving Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113, Zov's Restaurant, subject to the attached Resolution and conditions of approval.

Attachments:

1. Resolution No. PC 18-008
Exhibit A - Conditions of Approval
2. Location Map
3. Photos
4. Photo of materials board
5. Background information on parking waivers
6. Summary of responses to Design Review Subcommittee (DRSC) comments
7. DRSC meeting minutes and staff reports
8. Markup of prior elevations showing the location of minor design changes since last DRSC meeting
9. General Plan policy analysis
10. Height analysis
Plans (under separate cover)

RESOLUTION NO. PC 18-008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING, CONDITIONAL USE PERMIT 16-363, CULTURAL HERITAGE PERMIT 16-364, SITE PLAN PERMIT 17-113, ZOV'S RESTAURANT, A REQUEST TO ALLOW A TWO-STORY COMMERCIAL BUILDING, RESTAURANT FULL ALCOHOL SERVICE FOR ON-SITE CONSUMPTION INDOORS AND OUTDOORS, AND WAIVERS OF SIX PARKING SPACES ON A SITE THAT INCLUDES FOUR LOTS LOCATED AT 151-155 AVENIDA DEL MAR AND AT 150-154 AVENIDA GRANADA

WHEREAS, on October 5, 2016, an application was submitted, and completed on February 28, 2018, by Armen Karmardian of AZ San Clemente Partners LLC, 17440 17th Street, Tustin, CA 92780; for Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113, Zov's Restaurant; a request to allow: 1) the construction of a two-story commercial building, 2) restaurant full alcohol service (beer, wine, distilled spirits) for on-site consumption indoors and outdoors, and 3) waivers of six parking spaces with conditions that make 12 on-site parking spaces available as public parking. The site includes four properties located in the Mixed Use 3.0 Zoning District, Central Business, Architectural, and Coastal Zone Overlays (MU 3.0-CB-A-CZ) at 151-155 Avenida Del Mar and 150-154 Avenida Granada. The site's legal description is Lots 18, 19, 35, and 36, Block 6 of Tract 779 and Assessor's Parcel Numbers are 058-082-05 and 06, and 058-082-35 and 36; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). This is recommended because the project involves the construction of a commercial building under 10,000 square feet on site that is not environmentally sensitive and within an urbanized area; and

WHEREAS, on several occasions, the Development Management Team (DMT) reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on April 26 and September 27, 2017, the City's Design Review Subcommittee (DRSC) considered the project and supported it with recommended design changes; and

WHEREAS, on March 21, 2018, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties.

NOW, THEREFORE, The Planning Commission of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

Section 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures). The Class 3 exemption specifically exempts from further CEQA review the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The use of this exemption is limited to construction of a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area, or up to 10,000 square feet in urbanized areas, on a site zoned for such use. Here, this project involves the construction of a commercial building under 10,000 square feet on site that is not environmentally sensitive and within an urbanized area. Thus, the project qualifies for the Class 3 exemption.

Furthermore, none of the exceptions to the use of the Class 3 categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project is not located in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern. The project involves the redevelopment of a site not in a sensitive environment and does not have environmental resources of hazardous or critical concern. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. The project involves the redevelopment of a site according to land use restrictions that limit the amount of development of the site. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. There are no especially sensitive resources (endangered species, wetlands, etc.) on the project site or in the vicinity. The project redevelops a site with paving and buildings, and lack of habitat to support sensitive species. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. The project is not in a scenic corridor, involve modifications to historic buildings, rock outcroppings, or similar resources. The project does not include any hazardous waste sites, and the project will not cause a substantial adverse change in the significance of a historical resource. The project site is not a hazardous waste site and the project does not alter or impact historic resources, given none are located on or abutting the site. Thus, the Class 3 exemption applies, and no further environmental review is required.

Section 3. Conditional Use Permit Findings

A. With respect to Conditional Use Permit (CUP) 16-363, the Planning Commission finds as follows for the proposed on-site sale and consumption of alcohol:

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, in that:
 - a. The proposed alcohol service (for on-site consumption) is ancillary to a permitted restaurant use. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *“Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential “village” providing for the needs of residents and visitors.”* Also, the use provides adds to the diverse mix of uses to meet needs of the zone, consistent with the Land Use Element goal for commercial uses to *“Achieve and maintain a healthy employment base with diverse retail, office, and service uses that: 1) meet citizens’ needs; 2) help generate municipal revenues that improve quality of life; 3) are compatible with adjacent residential neighborhoods; and 4) support the goals and policies of the Economic Development Element.”*; and
 - b. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan. Therefore, the proposed project supports Urban Design Element Policy UD-5.03, Useable Outdoor Areas, *“New buildings and major remodels on Avenida Del Mar and El Camino Real in the Downtown Core should contribute to public and private, publicly accessible outdoor areas, such as patios, recessed storefronts, courtyards and balconies that support a variety of activities and contribute to Downtown’s vitality.”*
2. The site is suitable for the type and intensity of use that is proposed, in that:
 - a. The proposed alcohol service (for on-site consumption) is ancillary to a permitted restaurant use. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *“Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential “village” providing for the needs of residents and visitors.”*;

- b. The proposed use is subject to land use controls in support Land Use Element Policy LU-3.02, Regulation of Uses and Nuisances, “*We regulate the location, concentration, design and operations of commercial and industrial uses and parking structures that can adversely affect surrounding sensitive land uses. Impacts may include, but are not limited to, noise, vibration, odors, exterior light, visibility of activity, vehicular traffic and safety hazards.*” The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, Alcohol Beverage Control licensing requirements, and the Municipal Code. This includes but is not limited to requiring employees to receive alcohol service training to avoid the sale of alcoholic beverages to minors for consumption, and limits on hours of operation. Nevertheless, should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area;
 - c. Code compliance staff and the Orange County Sheriff’s Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations;
 - d. The applicant is required to obtain permits and inspections to ensure the construction work and operations comply with the Fire Code, California Building Code, food safety and health requirements, and the Municipal Code; and
 - e. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B below of this Resolution.
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, in that:
 - a. The proposed use is subject to land use controls in support Land Use Element Policy LU-3.02, Regulation of Uses and Nuisances, “*We regulate the location, concentration, design and operations of commercial and industrial uses and parking structures that can adversely affect surrounding sensitive land uses. Impacts may include, but are not limited to, noise, vibration, odors, exterior light, visibility of activity, vehicular traffic and safety hazards.*” The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, Alcohol Beverage Control licensing requirements, and the Municipal Code. This includes but is not limited to requiring employees to receive

- alcohol service training to avoid the sale of alcoholic beverages to minors for consumption, and limits on hours of operation. Nevertheless, should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area;
- b. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations;
 - c. The applicant is required to obtain permits and inspections to ensure the construction work and operations comply with the Fire Code, California Building Code, food safety and health requirements, and the Municipal Code; and
 - d. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B below of this Resolution.
4. The proposed use will not negatively impact surrounding land uses, in that:
- a. The proposed use is subject to land use controls in support Land Use Element Policy LU-3.02, Regulation of Uses and Nuisances, "*We regulate the location, concentration, design and operations of commercial and industrial uses and parking structures that can adversely affect surrounding sensitive land uses. Impacts may include, but are not limited to, noise, vibration, odors, exterior light, visibility of activity, vehicular traffic and safety hazards.*" The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, Alcohol Beverage Control licensing requirements, and the Municipal Code. This includes but is not limited to requiring employees to receive alcohol service training to avoid the sale of alcoholic beverages to minors for consumption, and limits on hours of operation. Nevertheless, should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area;
 - b. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations;

- c. The applicant is required to obtain permits and inspections to ensure the construction work and operations comply with the Fire Code, California Building Code, food safety and health requirements, and the Municipal Code; and
 - d. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B below of this Resolution.
- B. With respect to CUP 16-363 for the proposed parking waivers, the Planning Commission finds as follows:
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, in that:
 - a. The proposed project includes a restaurant and office uses. The proposed parking waivers support additional indoor restaurant seating and the availability of seating is a contributor toward having a successful restaurant location. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *“Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential “village” providing for the needs of residents and visitors.”*;
 - b. The proposed parking waivers are consistent with Mobility Element Policy M-4.01, Parking Management, *“We manage and evaluate public and private parking resources in key destination areas.”* There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the “maximum effective capacity threshold” that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested;
- The 2016 downtown parking study recommended “no more parking waivers unless additional public spaces are obtained at no City cost”, and this is the current policy for waivers. Consistent with this policy, conditions of approval require the on-site parking spaces to be made available for public parking at no cost. Based on prior City parking studies, opening the

parking up to the public and not restricting it to on-site patrons promotes more efficient use of existing parking in the district, and provides for 50% more proficient use of the existing parking resources. Assuming 50% increased efficiency, by making 12 on-site spaces available to public parking, it is expected this will increase the efficiency of the downtown parking supply to 16 parking spaces; and

- c. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. This supports Design Element Policy UD-5.22, *"We encourage continuous storefronts in the Downtown Core, with driveways and curb cuts on Avenida Del Mar and El Camino Real discouraged unless no alternative access ways exist."*
2. The site is suitable for the type and intensity of use that is proposed, in that:
 - a. The proposed project includes a restaurant and office uses. The proposed parking waivers support additional indoor restaurant seating and the availability of seating is a contributor toward having a successful restaurant location. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *"Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of residents and visitors."*;
 - b. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the "maximum effective capacity threshold" that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested; and
 - c. The 2016 downtown parking study recommended "no more parking waivers unless additional public spaces are obtained at no City cost", and this is the current policy for waivers. Consistent with this policy, conditions of approval require the on-site parking spaces to be made available for public parking at no cost. Based on prior City parking studies, opening the parking up to the public and not restricting it to on-site patrons promotes more efficient use of existing parking in the district, and provides for 50%

more proficient use of the existing parking resources. Assuming 50% increased efficiency, by making 12 on-site spaces available to public parking, it is expected this will increase the efficiency of the downtown parking supply to 16 parking spaces.

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, in that:
 - a. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the “maximum effective capacity threshold” that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested; and
 - b. The 2016 downtown parking study recommended “no more parking waivers unless additional public spaces are obtained at no City cost”, and this is the current policy for waivers. Consistent with this policy, conditions of approval require the on-site parking spaces to be made available for public parking at no cost. Based on prior City parking studies, opening the parking up to the public and not restricting it to on-site patrons promotes more efficient use of existing parking in the district, and provides for 50% more proficient use of the existing parking resources. Assuming 50% increased efficiency, by making 12 on-site spaces available to public parking, it is expected this will increase the efficiency of the downtown parking supply to 16 parking spaces.
4. The proposed use will not negatively impact surrounding land uses, in that:
 - a. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the “maximum effective capacity threshold” that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested; and;
 - b. The 2016 downtown parking study recommended “no more parking waivers unless additional public spaces are obtained at no City cost”, and this is the current policy for waivers. Consistent with this policy, conditions of approval require the on-site parking spaces to be made available for public parking at no cost. Based on prior City parking studies, opening the

parking up to the public and not restricting it to on-site patrons promotes more efficient use of existing parking in the district, and provides for 50% more proficient use of the existing parking resources. Assuming 50% increased efficiency, by making 12 on-site spaces available to public parking, it is expected this will increase the efficiency of the downtown parking supply to 16 parking spaces;

5. No more than 180 parking space waivers have been granted in the Downtown Parking Study Area since the effective date of this amendment to the City's Zoning Ordinance. There have been 50 parking waivers issued to date;
6. There is currently adequate parking to support the change of use and/or development and provide adequate beach parking within the study area. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the "maximum effective capacity threshold" that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested;
7. The City Council has approved an interim parking study for the Downtown Parking Study Area that shows the occupancy of the parking spaces in the study area is 90 percent or less during daylight hours, on summer weekends. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the "maximum effective capacity threshold" that is the parking industry standard of 85% for on-street and 90% for off-street parking;
8. Public parking is available in close proximity to the project site. There is adequate parking supply in the downtown area to support parking waivers, according to a 2016 parking study of the downtown parking study area. The overall peak occupancy observed for downtown occurred on a Thursday at 1 P.M. at an occupancy rate of 71%, below the "maximum effective capacity threshold" that is the parking industry standard of 85% for on-street and 90% for off-street parking. Within 300 feet of the site, there is on-street parking and eight parking lots containing 89 parking spaces. At peak occupancy of these parking lots, 82 parking spaces were used for a surplus of seven spaces. This surplus can accommodate the six parking waivers requested; and
9. The project receiving waivers improves pedestrian access to and from alleys and streets within the Downtown Parking Study Area to the extent feasible and commensurate with the scale of the project. The proposed project is located on property with street frontage on Avenida Granada and Avenida Del

Mar. On-site parking is accessed from Avenida Granada. As a condition of approval, the public would have use of a stairway on the site during business hours to travel across the block. The 12 on-site parking spaces will be open to the public. This would result in an addition of 12 parking spaces to the downtown public supply at no cost to the City.

Section 4. Cultural Heritage Permit Findings

With respect to Cultural Heritage Permit (CHP) 16-364, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan, in that:
1. The project has Spanish Colonial Revival (SCR) architecture as required in the Architectural Overlay. The proposed architecture and site improvements are high-quality consistent with Design Guidelines. The proposed design and materials reflect the City's Spanish Village heritage, consistent with Urban Design Element Policy UD-5.05, Architectural Overlay District, *"We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival Architecture, per the Architectural Overlay District and Design Guidelines"*;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories. Therefore, the proposed project supports Urban Design Policy UD-5.10, Scale and Massing, *"We require that the scale and massing of a development be compatible with its surroundings..."*;
 3. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan. Therefore, the proposed project supports Land Use Element Policy LU-11.04, Outdoor Dining, *"We encourage the development of outdoor dining and other similar uses which do not impede pedestrian use of the sidewalks"*, Urban Design Element (UD) Policy UD-5.01, Outdoor Spaces; *..."for mixed use and commercial development, we required integration of outdoor spaces into the architecture and site designs by encouraging the use of courtyards, patios, paseos, plazas, and other outdoor spaces enclosed by architectural or landscape elements..."*; and UD-5.03, Useable Outdoor Areas, *"New buildings and major remodels on Avenida Del Mar and El Camino Real in*

the Downtown Core should contribute to public and private, publicly accessible outdoor areas, such as patios, recessed storefronts, courtyards and balconies that support a variety of activities and contribute to Downtown's vitality.”; and

4. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. This supports Design Element Policy UD-5.22, *“We encourage continuous storefronts in the Downtown Core, with driveways and curb cuts on Avenida Del Mar and El Camino Real discouraged unless no alternative access ways exist.”*
- B. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, color, in that:
1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow *“basic principles of Spanish Colonial Revival (SCR) architecture”* in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with

Urban Outdoor Area requirements to have outdoor patios, courtyards, and other outdoor spaces, consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan; and

5. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines, in that:
1. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories. For these reasons, the project is consistent with Design Guidelines Section II.B.3 "*Design buildings to be compatible in scale, mass and form with adjacent structures and the pattern of the neighborhood.*";
 2. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan. Design Guidelines Section II.C. Architectural Character Outdoor Spaces, calls for projects to "*incorporate defined outdoor spaces into the buildings and site designs of all new development in the City. This is the most fundamental and important principle of the Spanish Colonial Revival*" tradition that can be used in all buildings..."; and
 3. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties. This is consistent with Design Guidelines Section II.C.3.b "*Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components*", and Section II.C.2 "*Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components.*"
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:

1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required; and
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan.
- E. The proposal is not detrimental to the orderly and harmonious development of the City, in that:
1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;

2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;
5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties;
6. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, removal of an extra curb-cut, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging. As a condition of approval, during business hours the public would have use of a stairway on the site for travel across the block;
7. The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, and the Municipal Code. Should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require

soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area. The applicant is required to obtain permits and inspections to ensure the project and use operations comply with requirements;

8. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations; and
 9. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- F. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village, in that:
1. The proposed project includes a restaurant and office uses. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *"Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of residents and visitors."*;
 2. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow *"basic principles of Spanish Colonial Revival (SCR) architecture"* in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;
 3. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan; and
 4. As a condition of approval, during business hours the public would have use of a stairway on the site for travel across the block.
- G. The proposed project complies with the purpose and intent of the Architectural Overlay District, in that:

1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details; and
2. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Architectural Overlay of the Avenida Del Mar/T-Zone General Plan Focus Area. Design Guidelines Section II.C. Architectural Character Outdoor Spaces, calls for projects to "*incorporate defined outdoor spaces into the buildings and site designs of all new development in the City. This is the most fundamental and important principle of the Spanish Colonial Revival tradition that can be used in all buildings...*"

Section 5. Site Plan Permit Findings

With respect to Site Plan Permit (SPP) 17-113, the Planning Commission 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 the Zoning Ordinance, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed, in that:
 1. The proposed project includes a restaurant and office uses. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to "*Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of residents and visitors.*";
 2. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details. This supports Urban

Design Element Policy UD-5.05, Architectural Overlay District, *“We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival Architecture, per the Architectural Overlay District and Design Guidelines”*;

3. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project steps up a lot with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar, and the surrounding neighborhood includes a mix of small scale commercial and mixed-use development with one-or-two stories. The project is consistent with design guidelines that call for varied rooflines, building articulation, and building offsets to reduce the apparent scale and bulk of buildings for compatibility with surrounding properties. Therefore, the proposed project supports Urban Design Policy UD-5.10, Scale and Massing, *“We require that the scale and massing of a development be compatible with its surroundings...”*;
4. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
5. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan. Therefore, the proposed project supports Urban Design Element Policy UD-5.03, Useable Outdoor Areas, *“New buildings and major remodels on Avenida Del Mar and El Camino Real in the Downtown Core should contribute to public and private, publicly accessible outdoor areas, such as patios, recessed storefronts, courtyards and balconies that support a variety of activities and contribute to Downtown’s vitality.”*;
6. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. This supports Design Element Policy UD-5.22, *“We encourage continuous storefronts in the Downtown Core, with driveways and*

curb cuts on Avenida Del Mar and El Camino Real discouraged unless no alternative access ways exist.”; and

7. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- B. The site is suitable for the type and intensity of development that is proposed, in that:
1. The proposed project includes a restaurant and office uses. Restaurants are a pedestrian-oriented, visitor-serving commercial use encouraged in the General Plan Del Mar/T-zone focus area and downtown core Mixed Use 3.0 (MU 3.0) Zone. This is reflected in the focus area goal to *“Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential “village” providing for the needs of residents and visitors.”*;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project’s height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, and the Municipal Code. Should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area. The applicant is required to obtain permits and inspections to ensure the project and use operations comply with requirements;

5. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations; and
 6. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- 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:
1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
 4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;

5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties;
 6. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, removal of an extra curb-cut, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging. As a condition of approval, during business hours the public would have use of a stairway on the site for travel across the block between Avenida Del Mar and Avenida Granada;
 7. The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, and the Municipal Code. Should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area. The applicant is required to obtain permits and inspections to ensure the project and use operations comply with requirements;
 8. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations; and
 9. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings, in that:
1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment

screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;

2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100% lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;
4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;
5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties;
6. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, removal of an extra curb-cut, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging. As a condition of approval, during business hours the public would have use of a stairway on the site for travel across the block;

7. The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, and the Municipal Code. Should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area. The applicant is required to obtain permits and inspections to ensure the project and use operations comply with requirements; and
 8. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations; and
 9. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location, in that:
1. The project improves the aesthetics of the site with high quality architecture and site improvements that reflect the City's Spanish Village heritage. The design and materials follow "*basic principles of Spanish Colonial Revival (SCR) architecture*" in Design Guidelines Section II.C.2, as required in the Architectural and Central Business Overlays. This includes design guidelines for building mass and form, articulation, materials, equipment screening, landscaping, and parking location. The project has traditional SCR materials, such as single-barrel clay tile roof, wood corbels, smooth hand-troweled stucco, and wrought iron details;
 2. The project meets development standards of the zone that define the intended scale and size of development in the neighborhood, including but not limited to height, lot coverage, number of stories, and density. The project's height and massing steps up with sloped original topography so the size of the building is limited to one-story at the rear and two stories facing Avenida Del Mar. The two-story front elevation, although taller than the adjacent development, is consistent with the surrounding neighborhood that includes a mix of small-scale commercial and mixed-use development with one-or-two stories;
 3. The MU 3.0 zone permits a higher density and lower coverage than being requested by the project. This means the traffic, air quality, noise, and other land use impacts of the project are below what was projected and mitigated in the environmental study for the General Plan build-out. The project has 50% lot coverage and density of .58 Floor Area Ratio (FAR), where 100%

lot coverage and 1.0 FAR allowed in the MU 3.0 zone. Also, on the rear elevation, the project has a one-story scale below the two-story height limit, and is set back 113 feet from the rear property line where no setback is required;

4. The project includes an outdoor patio for restaurant dining that is visible from adjacent sidewalk along Avenida Del Mar. This is consistent with goals and Design Guidelines to emphasize pedestrian-oriented uses in the Avenida Del Mar/T-Zone Focus Area of the General Plan;
5. The building has varied rooflines with shed and flat roof elements. Although the zone has no setbacks, the proposed building has articulation and offsets with a large rear setback, and front setbacks to the entry and a second level deck. These massing offsets reduce the apparent scale and bulk of buildings for compatibility with surrounding properties;
6. The project eliminates a driveway on Avenida Del Mar and Avenida Granada in support of policies that encourage continuous storefronts in the downtown core with the removal of driveways and curb cuts. The on-site parking is accessed from Avenida Granada with a reciprocal shared access between two narrow lots in order to maximize efficient use of space for parking lots that are highly used. The project improves the condition of the parking lots along Avenida Granada with the addition of three parking spaces, removal of an extra curb-cut, lot restriping, addition of urban outdoor area and landscaping, and pavement resurfacing. Also, design changes bring the parking lot into compliance with requirements for landscaping, accessibility, and electric vehicle charging. As a condition of approval, during business hours the public would have use of a stairway on the site for travel across the block;
7. The proposed use must comply with conditions of approval and code requirements to maintain the public health, safety, and welfare of the area, such as the Fire Code, California Building Code, and the Municipal Code. Should there be a compatibility issue, conditions of approval attached hereto as Exhibit A, allow the City to adjust operating hours and require soundproofing, if changes are necessary to ensure compliance with the noise ordinance and maintain the public health, safety, and welfare of the area. The applicant is required to obtain permits and inspections to ensure the project and use operations comply with requirements; and
8. Code compliance staff and the Orange County Sheriff's Department reviewed the proposed alcohol service and concluded alcohol can be served and consumed on-site without compatibility issues, provided that operations comply with licensing requirements, conditions of approval, and with regulations; and
9. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.

- 9. The proposed use meets parking requirements with a CUP for the issuance of parking waivers per findings in Section 2B above of this Resolution.

Section 6. Planning Commission Approval.

Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of San Clemente Planning Commission approves Conditional Use Permit (CUP) 16-363, Cultural Heritage Permit (CHP) 16-364, Site Plan Permit (SPP) 17-113, Zov's Restaurant, subject to the above Findings, and the Conditions of Approval set forth in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Planning Commission on March 21, 2018.



Chair

CERTIFICATION:

I HEREBY CERTIFY this Resolution was adopted at a regular meeting of the City of San Clemente Planning Commission on March 21, 2018, carried by the following roll call vote:

AYES: COMMISSIONERS: Brown, Crandell, Blackwell, Smith, Talley, Wu, Ruehlin

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:



Secretary of the Planning Commission

CONDITIONS OF APPROVAL
CUP 16-363, CHP 16-364, SPP 17-113, ZOV'S RESTAURANT

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. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____

3. CUP 16-363, CHP 16-364, SPP 17-113 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.)_____

A use shall be deemed to have lapsed, and CUP 16-363, CHP 16-364, SPP 17-113 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.)_____

4. The owner or designee shall have the right to request an extension of CUP 16-363, CHP 16-364, SPP 17-113 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____
5. Prior to issuance of certificate of occupancy, the project shall be developed in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Planning Commission, subject to the Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, details, or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. *[Citation - Section 17.12.180 of the SCMC]* (PIng.)_____

6. The on-site sale and indoor consumption of alcohol use shall be deemed to have lapsed, and CUP 16-363 shall be deemed to have expired, ninety (90) days after the date the on-site sale and indoor and outdoor consumption of beer and wine ceases operation and/or the business closes at such location. *[Citation - Section 17.12.150(C) of the SCMC]* (PIng.)_____
7. The sale of alcohol for on-site consumption shall be limited to the hours of 11:00 a.m. to 11:00 p.m. Monday through Friday, and Saturday and Sunday from 8:00 a.m. to 11:00 p.m. Any proposed change in the hours of operation shall require an amendment to this Conditional Use Permit. *[Citation – Division 9 (Alcoholic Beverages), Section 25631 to 25633of Business & Professions Code, State of California]* ■ (PIng.)_____
8. Prior to issuance of 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 - Section 17.56.050 of the SCMC & Division 20, Public Resources Code]* (PIng.) _____
9. 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 17.16.240.D& 17.16.250.D of the SCMC]* (PIng.)_____

10. 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]*
11. 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.)_____
12. 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.)_____
13. Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the stucco on the entire structure is a smooth finish with slight undulations, painted the approved color. *[Citation – City of San Clemente Design Guidelines, November 1991]*
(PIng.)_____
14. Prior to installing landscaping and irrigation, the owner or designee shall submit for review and approval by the Community Development Director or designee, a detailed landscape and irrigation plan incorporating drought tolerant plants for landscaped areas, prepared by a registered landscape architect, and in compliance with all pertinent requirements including, but not limited to the Zoning

Ordinance and City's Design Guidelines. *[Citation – Section 17.68.020.B.2 of the SCMC]* ■ (PIng.) _____

15. 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.)_____
16. The owner or designee shall obey all rules, regulations and conditions imposed upon the project through, but not limited to, the Alcoholic Beverage Commission (ABC) and relevant State laws. Revocation of, or sale of said ABC license to another person at another location, shall render any City approved CUP for alcohol service at the subject property null and void. Prior to any sale of the ABC license, the owner or designee shall notify the Community Development Department of the sale. *[Citation – Division 9 (Alcoholic Beverages), Business and Professions Code, State of California]*
(PIng.)_____
17. The owner or designee shall be responsible for ensuring that all employees receive “Responsible Alcoholic Beverage Service” training as offered through programs established by the Orange County Health Care Agency and Alcoholic Beverage Control of the State of California. Evidence of such training and the training records of all employees shall be maintained on-site during business hours, and made available for inspection upon request. *[Citation - Section 17.16.070.K of the of the SCMC]*
(PIng.)_____
18. 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.)_____
19. 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.)_____
20. 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.)_____

21. 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.)_____

22. 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.)_____

23. 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.)_____

24. 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.)_____

25. 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. *[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]*
(Bldg.)_____

26. 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.)_____

27. 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.)_____
28. Fire sprinkler system required throughout as follows:
i. All new Group A occupancies.
ii. All new Group B occupancies exceeding 1,000 square feet.
[S.C.M.C – Title 15 – Chapter 15.08]
(Bldg.)_____
29. 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.)_____
30. Accessible route shall be provided to the trash enclosure.
[S.C.M.C – Title 15 – Chapter 15.08]
(Bldg.)_____
31. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, plan check fees shall be submitted for the Engineering Department plan check of soils reports and grading plans. *[Citation – Fee Resolution No. 08-81 and Section 15.36 of the SCMC]*
(Eng.)_____
32. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]*
(Eng.)_____
33. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, 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.)_____

34. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, 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. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
35. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, 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.)_____
36. Prior to the issuance of any permits, in the event that Grading Plans are required due to anticipated soil processing placing or recompacting 50 cubic yards of soil or more, the owner shall provide surety, improvement bonds, or irrevocable letters of credit for performance, labor and materials as determined by the City Engineer for 100% of each estimated improvement cost plus a 10% contingency, as prepared by a registered civil engineer as required and approved by the City Attorney or the City Engineer, for each applicable item, but not limited to, the following: grading earthwork, grading plan improvements, retaining walls, frontage improvements; sewer lines; water lines; storm drains; and erosion control. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
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 improvements as approved by the City Engineer including but not limited to the following: *[Citation – Section 15.36, 12.08.010, and 12.24.050 of the SCMC]* ■ (Eng.)_____
- A. Per City Municipal Code Section 12.08.010 (A), when building permit valuations exceed \$50,000, the owner or designee shall construct sidewalk along the property frontage, unless a waiver is obtained. This includes construction of compliant sidewalk up and around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way is approximately 5 feet behind the curbface a sidewalk easement is anticipated to be required to be granted to the City prior to final of Building Permits.

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.

38. An Engineering Department Encroachment Permit shall in place prior to the commencement of any work in the public right-of-way. (Eng.)_____

39. 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]*

In the event the site construction is modified so that it becomes a Priority Project, (as defined by the Orange County’s MS4 Permit for the South Orange County ModelWQMP, 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 recorded with the Orange County Recorder’s Office and filed with the City prior to Certificate of Occupancy. Site design plans shall incorporate all necessary WQMP requirements, including but not limited to covered trash enclosures.

(Eng.)_____

40. The Applicant (including any property owners and managers, and their designees) shall use her/his best judgment and best management practices to ensure commercial activities on the premises will be conducted in a manner that will not be disruptive to neighbors. The business owner shall be responsible for ensuring compliance with the San Clemente Municipal Code (SCMC), and all conditions of approval contained herein. The Applicant (including any property owners and managers, and their designees) hereby understands that noncompliance with regulations and conditions of approval, shall be immediate grounds for citation pursuant to SCMC Section 8.52.030(Y), which states, “*It is declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in this City to maintain such premises in such manner that ... A structure, improvement, property, and/or land use is not in compliance with terms and/or conditions of any City of San Clemente issued permit or approval,*” and any subsequent revision of this section of the code. *[Citation - Section 8.52.030(Y) of the SCMC]* (Code Compliance)_____

41. The Applicant (including any property owners and managers, and their designees) shall ensure that all occupancy requirements, and any and all required signage related to the maximum occupancy limitations, for the building and site are maintained at all times. *[Citation - Section 15.08.010 of the SCMC, Section [A] 111.1 of the CBC]* (Code Compliance)_____

Project-Specific Conditions – Alcohol

42. The Applicant (including any property owners and managers, and their designees) shall have a manager on the premises at all times, and available to respond to

issues raised by the Orange County Sheriff's Department, Orange County Fire Authority, or City of San Clemente Code Compliance, during the hours of operation when alcohol service. ■■(Code Compliance)_____

43. The Applicant (including any property owners and managers, and their designees) shall cause a sign or notice that states, "WARNING: DRINKING WINE, BEER AND OTHER ALCOHOLIC BEVERAGES DURING PREGNANCY CAN CAUSE BIRTH DEFECTS. FOR INFORMATION AND MATERIALS RELATING TO FETAL ALCOHOL SYNDROME, CONTACT YOUR LOCAL MARCH OF DIMES" to be posted or displayed at the premises in the manner provided for in San Clemente Municipal Code. *[Citation - Section 8.08.010 of the SMC]* ■■ (Code Compliance)_____

Project-Specific Conditions – Restaurant Operations

44. The Applicant (including any property owners and managers, and their designees) shall ensure that discharge of washwater and other pollutants is prohibited from entering the storm drain system. Applicant must prevent pollutants (e.g. sediment, trash, food waste etc.) and any washwater used during cleanup from entering the storm drain system. ■■(Eng) (Code Compliance) _____

45. The Applicant (including any property owners and managers, and their designees) shall abide by all applicable laws, including Orange County Health Department and Department of Alcoholic Beverage Control laws. ■■ (Code Compliance)(Health)(ABC)_____

46. The Applicant (including any property owners and managers, and their designees) understands and acknowledges that the use of amplified sound, including the electronically amplified sound of music, human voice, or other sound within a business, restaurant, bar or other commercial establishment is not permitted except under a conditional use permit (CUP) granted by the City. Sound amplification devices located outside any business's primary building are not permitted, unless specifically identified and approved in necessary permits approved by the City. *[Citation - Section 8.48.080 of the SMC]* ■■ (Code Compliance) _____

47. The Applicant (including any property owners and managers, and their designees) shall post these conditions of approval 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 Compliance) (Sheriff)_____

48. The Applicant (including any property owners and managers, and their designees) shall use his/her best judgment and best management practices to ensure activities on the premises will be conducted in a manner that will not be disruptive to other commercial or residential neighbors and result in police services, which cost the City of San Clemente expense. ■■ (Code Compliance) (Sheriff)_____

49. The property owner, applicant, or designee shall be responsible for immediately resolving any problems associated with the activity and/or issues of concern raised by neighbors. ■■ (PIng.)_____
50. If it is found that the permitted hours of operation are not appropriate to mitigate impacts on neighboring properties, at the discretion of the Police Department or Code Compliance, the permitted hours of operation may be revised. ■■ (PIng.) _____

Project-Specific Conditions – Noise

51. The Applicant (including any property owners and managers, and their designees) understands and agrees that in the event noise generated by the use approved by this permit impacts neighboring properties, the tenant must soundproof the facility, or use other best management practices as determined by the City Planner and/or City Building Official, to comply with the City’s noise standards, as described in SCMC Chapter 8.48. ■■ (Code Compliance) _____

Project-Specific Conditions – Signs

52. The Applicant (including any property owners and managers, and their designees) understands and agrees that no window, banner, or temporary signage is part of this review, nor is any such signage approved or permitted by this permit. Window, banner, and temporary signage shall comply with Zoning Ordinance Table 17.84.030A & Section 17.84.030(H), and any applicable Master Sign Programs. Applicant understands and agrees that as a condition of approval of this permit that Applicant is aware of the City’s window, banner, and temporary sign regulations and that compliance with those regulations is a term of the subject permit’s approval by the City. As such, any violation of the City’s regulations related to window, banner, or temporary signs shall constitute a violation of SCMC Section 8.52.030(Y), as discussed in accompanying conditions of approval. *[Citation - Section 17.16.240.D of the SCMC]* ■■ (Code Compliance)_____

Project-Specific Conditions – Use Restrictions

53. The Applicant (including any property owners and managers, and their designees) understands, acknowledges, and shall be responsible for ensuring that the only activities that occur on the subject site are those permitted by this permit and routinely performed, provided, or undertaken by the subject land use, recognized on an industry-wide basis on the date of this permit’s approval, or those activities approved through another City, state, or federal permit or license. Services or other activities not typically associated with the specific use authorized by this permit shall require separate review and approval by, but not limited to, the City, and are not allowed until permitted. Typical activities, functions, or events that would require special permitting (such as a Special Activity Permit) would be those that involve events in the parking lot or otherwise outside of an enclosed structure, open houses (other than for real estate sale purposes), the subleasing of the building or property, exhibitions or contests, fairs, sporting events, concerts or entertainment shows, etc. The owner or designee shall be responsible for notifying

the Planning Division at least 30 days prior to any special activity or event to verify whether additional permitting is required for the service, event, or activity. *[Citation - Section 17.28.295 of the SCMC]* ■■ (Code Compliance) _____

Project-Specific Conditions – Illegal Camping, Loitering, and Parking

54. The Applicant (including any property owners and managers, and their designees) shall be responsible for ensuring that no person will occupy or use any mobilehome, trailer, camp car, vehicle or other conveyance, tent or temporary structure of any kind as a dwelling or for living or sleeping purposes upon the subject property or within adjacent public property required to be maintained by the property owner. *[Citation - Section 9.04.100 of the SCMC]* ■■ (Code Compliance) _____

55. The Applicant (including any property owners and managers, and their designees) shall be responsible for ensuring that overnight parking of vehicles, whether occupied or otherwise, does not occur, with the exception of those vehicles authorized to be on the premises for the purposes of commercial activity (such as cleaning and maintenance crews). Property owner shall be responsible for posting signs on the property that provide warnings to this effect, and shall take all necessary steps to enforce this prohibition, including providing private security to patrol the site on a regular and nightly basis. ■■ (Code Compliance) _____

56. The Applicant (including any property owners and managers, and their designees) shall be responsible for addressing all issues arising from any person or persons that wander, idle or loiter upon or around the subject property, whether in an automobile or not, without lawful business at the property, or when not authorized by the owner or manager of the premises. To address these issues, the property owner shall do either, or both, of the following: 1) Provide private security to patrol the site on a regular and daily basis and address violations as they arise; or 2) provide authorization to the Orange County Sheriff's Department for the purposes of entering the subject property to request that any person who is at the subject property, including, without limitation, all buildings, structures, parking lots, common areas, and private sidewalks, to leave the subject property when identified as a trespasser by the property owner's authorized representatives. *[Citation - Section 9.04.010(B)(8&9) of the SCMC]* ■■ (Code Compliance) _____

Project-Specific Conditions – Property Maintenance

57. The Applicant (including any property owners and 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 ten (10:00) p.m. and seven (7:00) a.m. Such prohibited activities include, but are not limited to, dumping trash into outside trash bins, the use of parking lot sweepers, and the use of high-pressure washers. *[Citation - Section 8.48.070(P) of the SCMC]* ■■ (Code Compliance) _____

58. The Applicant (including any property owners and 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 and containers are conducted between the hours of ten (10:00) p.m. and seven (7:00) a.m. *[Citation - Section 8.48.070(O) of the SCMC]*

■■ (Code Compliance) _____

59. The Applicant (including any property owners and managers, and their designees) shall at all times maintain the premises free of litter, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property. In addition, the property owner, business owner, or any other person in control of the subject private property shall remove any litter property owners or tenants produce or distribute, located in the public right-of-way within one hundred (100) feet of their property, and all accumulated litter that abuts their commercial property. *[Citation - Section 8.40.190 & 200 of the SCMC]*

■■ (Code Compliance) _____

60. The applicant shall maintain the landscaping and irrigation as approved on the final landscape plans in good condition. If landscaping dies and/or irrigation ceases operation, the applicant shall replace all dead landscaping with matching plant material (type and size) and repair broken irrigation as necessary. Trees in the approved landscape plan shall be maintained in a manner so they become canopy trees and provide appropriate coverage for the area in which they are located. The applicant shall avoid pruning the trees to the point where they do not grow into a canopy tree.

■■(Plng.)_____

Project-Specific Conditions – Access

61. For the second-story commercial tenant space, a direct disabled accessibility route was not required on the basis that the floor space is proposed to be used as professional office per Exception 1.1 of Section 11B-206.2.3 of CBC . If a change of use were proposed in the future, it could trigger a need to provide disabled access according to the California Building Code and American’s with Disability Act (ADA) which could involve exterior changes to the site and to the interior floor plan. Such changes could require permits and discretionary approvals, depending on the nature of changes involved. If a change of use were proposed for the second-story in the future, plans must be submitted to the Community Development Director for a determination on whether: 1) the upper level must be modified to meet disabled access requirements and 2) review processes required to make any necessary changes, if any. *[S.C.M.C – Title 15 – Chapter 15.08, CBC, Chapter 11A]*

■■ (Bldg.)_____

62. Prior to the issuance of permits, reciprocal parking access and trash enclosure access easements shall be prepared for recorded by the property owner in a manner meeting the approval of the City Attorney. The easement shall be recorded

to property currently addressed as 151-155 Avenida Del Mar and 150-154 Avenida Granada. The legal description is Lots 18, 19, 35, and 36, Block 6 of Tract 779 and Assessor's Parcel Numbers are 058-082-05 and 06, and 058-082-35 and 36. The purpose of the easements shall be specifically stated in the recording document. The easements are for the preservation of access and parking and trash storage availability in accordance with City Ordinances and the State Subdivision Map Act. This includes establishing public rights to access and use parking spaces on the lot resulting from the merger of the project parking lot (currently 154 Avenida Granada; Assessor's Parcel Number 058-082-36; Tract 779 Block 6, Lot 36) and the adjoining parcel (currently 153-155 Avenida Del Mar; Assessor's Parcel Number 058-082-05; Tract 779, Block 6, Lot 10) [Citation – Title 16 & Section 17.64 if the SCMC]. *[Citation – Title 16 & Section 17.64 of the SCMC]* ■■ (Eng.)_____

63. During business hours, the public shall have use of a stairway to travel across the site between Avenida Del Mar from Avenida Granada that is accessible in one of two places: 1) from within the proposed building; or 2) a gate on the south elevation of the proposed building (shown on the plans), if the adjacent property owner (at 157 Avenida Del Mar) consents to allowing the public to access the stairway/gate by traveling through the side of their property to the sidewalk on Avenida Del Mar. If the gate is used to access the stairway, it may be locked outside business hours for the uses on-site. ■■(PIng.)_____

64. The applicant shall install directional signs visible from public right-of-way on Avenida Granada. The directional signs are to inform the public they have the use of parking spaces and pedestrian access (stairs, elevator) to travel across the site. The signs shall be approved for compliance with development standards and zoning ordinance requirements to the satisfaction of the City Planner. ■■(PIng.)_____

Project-Specific Conditions – Lot merger

65. Prior to the issuance of any permits, the owner or its designee shall submit for review, approval, and recordation of a lot merger between the project parking lot (currently 154 Avenida Granada; Assessor's Parcel Number 058-082-36; Tract 779, Block 6, Lot 36) and the adjoining parcel (currently 153-155 Avenida Del Mar; Assessor's Parcel Number 058-082-05; Tract 779, Block 6, Lot 19) in order to meet the requirements of the Engineering, Planning, and Building Departments. The lot merger certificate shall be recorded at the Orange County Recorder's Office prior to issuance of the building permit. *[Citation – Section 16.44 of the SCMC]* ■■ (Eng.)_____

Project-Specific Conditions – Architectural details

66. Prior to framing inspection, the applicant or designee shall provide a sample of doors and windows to review the materials and design for substantial conformance with the approved plans and consistency with Design Guidelines. The sample shall be approved by the City Planner or designee. ■■(PIng.)_____

67. Prior to the issuance of permits, the applicant shall submit building plans showing Spanish tile on stair risers facing Avenida Granada. ■■(PIng.)_____

68. Prior to finish stucco inspection, the applicant or designee shall provide a sample of Spanish tile for installation on stair risers facing Avenida Granada. The sample will be reviewed for substantial conformance with the project approval and consistency with Design Guidelines. The sample shall be approved by the City Planner or designee. ■■(PIng.)_____

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

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

**MINUTES OF THE REGULAR MEETING
 OF THE CITY OF SAN CLEMENTE
 PLANNING COMMISSION
 March 21, 2018 @ 7:00 p.m.
 City Council Chambers
 100 Avenida Presidio
 San Clemente, CA**

1. CALL TO ORDER

Chair Brown called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:24 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Brown led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Jim Ruehlin, Michael Smith, Jason Talley, Zhen Wu; Chair pro tem Michael Blackwell, Vice Chair Barton Crandell, Chair Donald Brown

Commissioners Absent: None

Staff Present: Amber Gregg, City Planner
 Vanessa Norwood, Contract Planner
 Amy Stonich, Contract Planner
 Christopher Wright, Associate Planner
 Thomas Frank, Transportation Engineering Manager
 Matthew Richardson, Assistant City Attorney
 Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Adjourned Regular Planning Commission Meeting of February 21, 2018

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER TALLEY, AND CARRIED 5-0-2, WITH COMMISSIONER WU AND CHAIR BROWN ABSTAINING, TO RECEIVE AND FILE THE MINUTES FROM THE ADJOURNED REGULAR MEETING OF FEBRUARY 21, 2018, AS SUBMITTED.

- 2) Include the concept of red-stripping on the east corner of La Ronda for City Council consideration.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]

8. PUBLIC HEARING

**A. 3 Paseo Vista – Conditional Use Permit 17-390 – Rasta Child Care
(Norwood)**

Public Hearing to consider a request to allow a large family day care facility for up to 14 children where a small family day care currently operates in an existing townhome located at 3 Paseo Vista in the Talega Specific Plan (TSP) zone. The site's legal description is Lot 3, Project 930-02 of Tract 15763. The Assessor's Parcel Number is 701-371-21.

City Planner Gregg recommended the Commission continue this agenda item to the Commission's regular April 18, 2018, meeting to allow staff adequate time to review newly submitted information.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER WU, AND UNANIMOUSLY CARRIED TO CONTINUE 3 PASEO VISTA – CONDITIONAL USE PERMIT 17-390 – RASTA CHILD CARE TO THE REGULAR PLANNING COMMISSION MEETING OF APRIL 18, 2018.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

B. 151-155 Avenida Del Mar/150-154 Avenida Granada – Conditional Use Permit 16-363/Cultural Heritage Permit 16-364/Site Plan Permit 17-113 – Zov's Restaurant (Wright)

Public Hearing to consider a request to allow: 1) the construction of a two-story commercial building, 2) restaurant full alcohol service (beer, wine, distilled spirits) for on-site consumption indoors and outdoors, and 3) waivers of six parking spaces with conditions that make 12 on-site parking spaces available as public parking. The site includes four properties located in the Mixed Use 3.0 Zoning District, Central Business, Architectural, and Coastal Zone Overlays (MU 3.0-CB-A-CZ) at 151-155 Avenida Del Mar and 150-154 Avenida Granada. The site's legal description is Lots 18, 19, 35, and 36, Block 6 of Tract 779 and Assessor's Parcel Numbers are 058-082-05 and 06, and 058-082-35 and 36.

Christopher Wright, Associate Planner, narrated a PowerPoint Presentation entitled, "Zov's Restaurant, CUP 16-363, CHP 16-364, SPP 17-113," dated March 21, 2018. A copy of the Presentation is on file in

Planning Division. He distributed copies of revised Condition no. 62 for consideration.

Greg McCaffrey, representing the applicant, described the applicant's vision for the property; noted success and sterling reputation of current Zov's restaurants operated by the family; thanked staff and the DRSC for their assistance with this application.

Chair Brown opened the public hearing.

Ron Trospen, resident, owns the building one site away from the subject property; opposed the height of the subject building as it will block ocean views from his residential property; opposed the project due to its potential to increase existing parking shortage and add to existing noise and negative impacts from bars.

Gretchen Trospen, resident, questioned whether the subject property could go to 32 feet in height, which is higher than two stories; noted the extra height will impede their tenants' views of sunsets from the residential units; suggested this use is better suited for the Outlet Center as it has plenty of parking and is located away from residences; listed existing negative impacts experienced by their tenants caused by public drunkenness.

Ingrid Currie, resident, opposed the proposed use due to reduced property values, loss of views, existing negative impacts caused by alcohol use, increased parking shortage, and environmental impacts.

Hannah Currie, resident, opposed the proposed use due to negative impacts to the environment, potential loss of property value, view blockage, and too much alcohol.

Maia Currie, resident, opposed the proposed use due to negative impacts including loss of village atmosphere and danger to personal safety caused by public drunkenness.

Armen Karamardian, Tustin resident and applicant, noted Zov's Restaurant is a restaurant operation, family owned and operated, that has grown slowly over the years. They take pride in their good reputation, want to be good neighbors, and will strive to become a positive addition to the neighborhood.

Chair Brown closed the public hearing.

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

- Suggestion to allow the applicant to consider alternative tree species to address potential size of tree and canopy.
- Established from staff that the electric vehicle charging parking space is within the public lot and required by the Building Code; that there will be public access through the restaurant to the back-parking lot; that the City currently maintains the parking lot and pays a lease payment to the parking lot owner.
- Suggested the applicant be required to establish a clear pathway, with signage if necessary, through the restaurant to alert the public that they can access the rear parking from Avenida Del Mar.
- Commented that residents and adjacent business owners have the ability to complain in the event there are negative impacts from this business.
- Commented the applicant has a proven track record of successful restaurant ownership; noted the project as proposed complies with all applicable guidelines and requirements.
- Suggested it would be unfair to require this applicant to install signage to advertise the public path through the restaurant to the rear parking lot when it is not required of other businesses with similar circumstances.
- Recommended directional signage to indicate public access to parking in the rear lot only.
- Suggestion that a nexus exists that would allow the Commission to add a condition to address the neighboring property.
- Encouraged the applicant to work with the neighboring property owner on a public access solution that is in the best interests of all concerned.

IT WAS MOVED BY COMMISSIONER WU, SECONDED BY COMMISSIONER TALLEY, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. 18-008, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-363, CULTURAL HERITAGE PERMIT 13-364, SITE PLAN PERMIT 17-113 ZOV'S RESTAURANT, A REQUEST TO ALLOW A TWO-STORY COMMERCIAL BUILDING, RESTAURANT FULL ALCOHOL SERVICE FOR ON-SITE CONSUMPTION INDOORS AND OUTDOORS AND WAIVERS OF SIX PARKING SPACES ON A SITE THAT INCLUDES FOUR LOTS LOCATED AT 152-155 AVENIDA DEL MAR AND AT 150-154 AVENIDA GRANADA.

Amended as follows:

Page 12, Condition no. 62, replace with the following:

"Prior to the issuance of permits, reciprocal parking access and trash enclosure access easements shall be prepared for recorded by the

property owner in a manner meeting the approval of the City Attorney. The easement shall be recorded to property currently addressed as 151-155 Avenida Del Mar and 150-154 Avenida Granada. The legal description is Lots 18, 19, 35, and 36, Block 6 of Tract 779 and Assessor's Parcel Numbers are 058-082-05 and 06, and 058-082-35 and 36. The purpose of the easements shall be specifically stated in the recording document. The easements are for the preservation of access and parking and trash storage availability in accordance with City Ordinances and the State Subdivision Map Act. This includes establishing public rights to access and use parking spaces on the lot resulting from the merger of the project parking lot (currently 154 Avenida Granada; Assessor's Parcel Number 058-082-36; Tract 779 Block 6, Lot 36) and the adjoining parcel (currently 153-155 Avenida Del Mar; Assessor's Parcel Number 058-082-05; Tract 779, Block 6, Lot 10) [Citation – Title 16 & Section 17.64 if the SCMC]"

Page 13, add new Condition no. 63 as follows:

"The applicant shall install directional signs visible from public right-of-way on Avenida Granada. The directional signs are to inform the public they have the use of parking spaces and pedestrian access (stairs, elevator) to travel across the site. The signs shall be approved for compliance with development standards and zoning ordinance requirements to the satisfaction of the City Planner."

Where appropriate, staff shall add the following standard condition of approval:

"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.]"

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

C. Municipal Code Amendments – Zoning Amendment 18-090 (Temporary Fencing Standards) (Stonich)

Public Hearing to consider Zoning Amendment (ZA) 18-090. This Zoning Amendment is a City-initiated amendment of the San Clemente Municipal Code (SCMC) Title 17, Zoning, to amend standards for temporary fencing. This amendment will be incorporated with the zoning updates for General Plan land use consistency and Housing Element Action Plan updates.

Amy Stonich, Contract Planner, narrated a PowerPoint Presentation entitled, "Zoning Amendment 18-090, Temporary Fencing," dated March 21, 2018. A copy of the Presentation is on file in Planning Division.

ZOVs RESTAURANT

153 AVENIDA DEL MAR
SAN CLEMENTE, CALIFORNIA

RECEIVED
FEB 28 2018
CITY OF SAN CLEMENTE
PLANNING DIVISION

FOR:
AZ SAN CLEMENTE PARTNERS, LLC
c/o ZOVs Bistro, 17400 17th St, Tustin, California

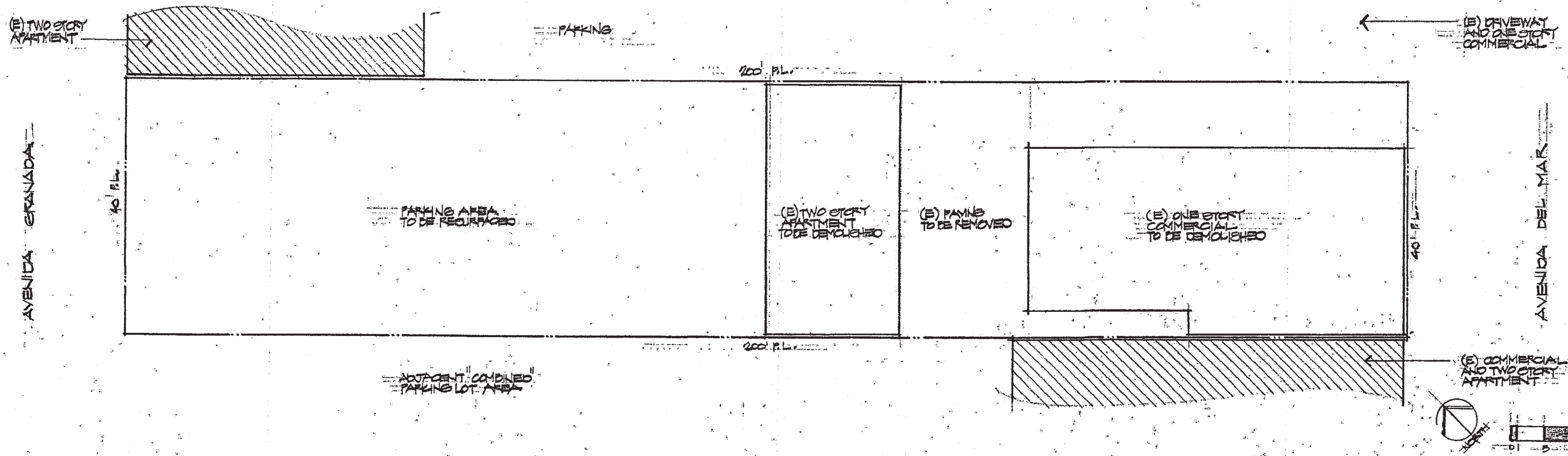
INDEX

- Demolition Plan / Zoning Tabulations /
Zoning and Use Maps / Key Map
- Site Plan / Floor Plans
- Roof Plan / Required Roof Equipment Space
- Exterior Elevations / Site Section
- Exterior Elevation / Wall Sections
- Conceptual Landscape Plan
- Details

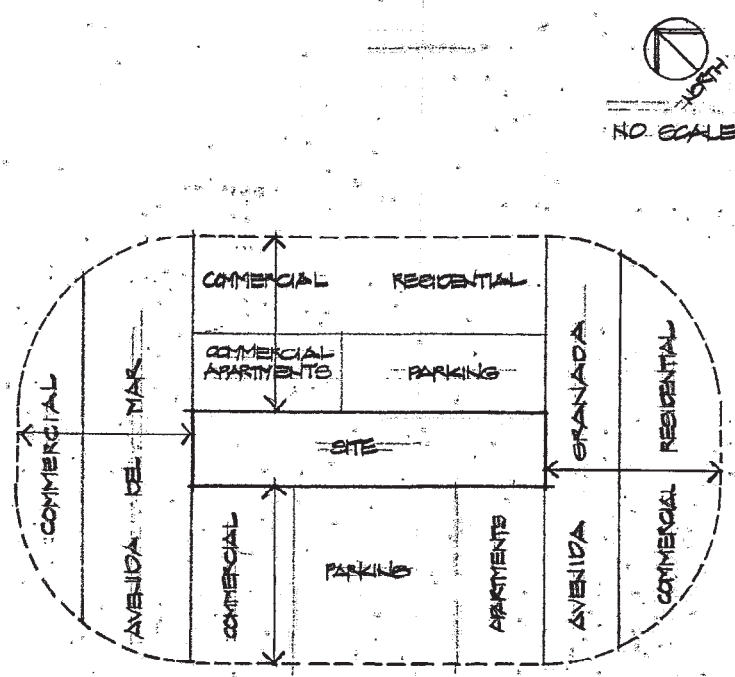
(CITY OF SAN CLEMENTE)
PLANNING DIVISION
APPROVED
WITH CONDITIONS
SIGNATURE: [Signature]
 ZONING ADMINISTRATOR
 PLANNING COMMISSION
 CITY COUNCIL
APPROVAL DATE: 02/21/18

ARCHITECT:
Leason F Pomeroy III, FAIA
158 N. Glassell Street, #201
Orange, California

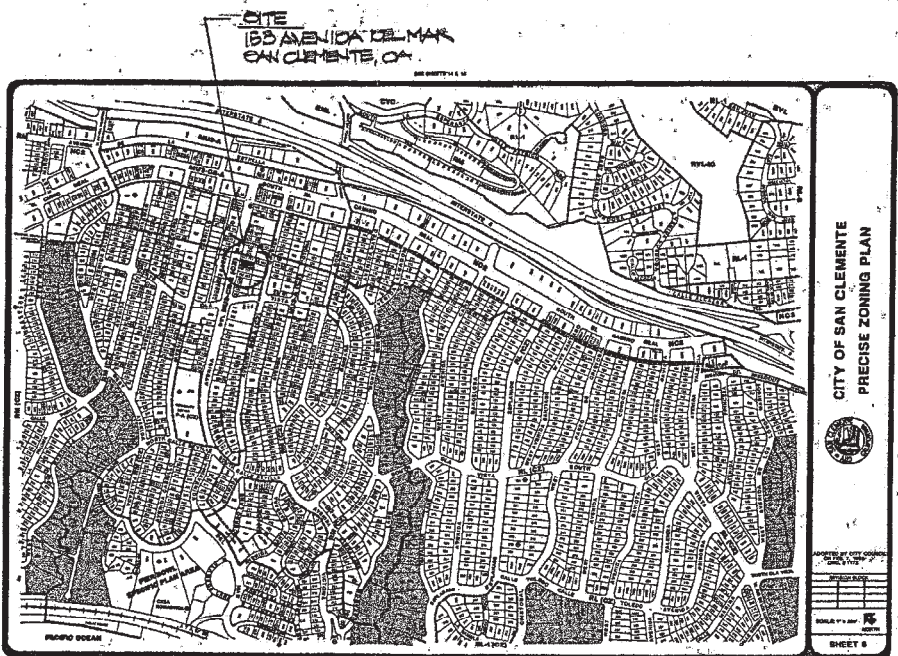
- REVIEWS**
- 01-2017 - PLANNING DEPARTMENT
 - 01-2017 - DESIGN REVIEW COMMITTEE
 - 05-2017 - BUILDING DEPARTMENT
 - 10-2017 - DESIGN REVIEW COMMITTEE
 - 10-2017 - PLANNING DEPARTMENT
 - 11-2017 - BUILDING DEPARTMENT
 - 01-2018 - BUILDING DEPARTMENT
 - 02-2018 - BUILDING DEPARTMENT



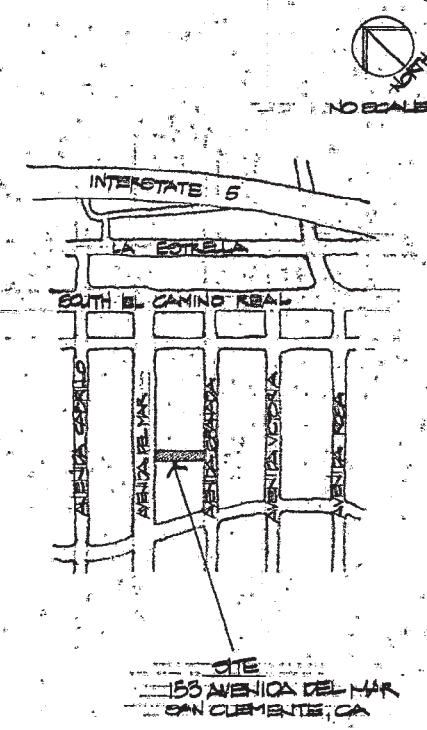
DEMOLITION PLAN



USE MAP



ZONING MAP



KEY MAP

1. Lot Size (40 x 200) 0.184 Acres	8,000 sf
2. Building Size to Demo	3,000 sf
front	1,700 sf
rear	1,300 sf
3. Proposed Building Area (gross)	4,605 sf
restaurant	3,290 sf
office	1,315 sf
lease	- 1,140
restaurant	- 474
patio	280 sf
deck	200 sf
4. Setbacks	
front	0.0 feet
sides	0.0 feet
rear	100.0 feet
5. Parking Provided	12 spaces
Required	18 spaces
patio (16 seats)	0 spaces
Indoor (75 seats)	15 spaces
office (1,140 sf)	3 spaces
6. Building Height	See attached
7. Zoning	
8. Lot Coverage	MU3.0 50%
9. Landscape	922 sf = 11.5% of site
10. Deed Restrictions	none
11. Number of Employees	seven
12. Service from Granada	7:00 am morning
13. Deliveries (Box Trucks)	yes
14. Fire Sprinklers	yes
15. Construction Type	VB
16. Occupancy	A2 and B
17. Urban Open Area	26.5% total (24% of street level)
18. Parking Lot Landscaping	18.4%

ZONING TABULATIONS

PROJECT: **ZOVs RESTAURANT**

LP3 architecture
 159 N. GLASSELL ST. STE. 201
 ORANGE, CA 92668
 TELEPHONE: 714.771.8400
 FACSIMILE: 714.771.8484
 EMAIL: LP3arch@aol.com

REVISION	DATE
BY BUILDING DEPT. CORRECTIONS	02.09.16



DRAWING: **DEMOLITION PLAN
 ZONING TABULATIONS
 ZONING/USE MAPS
 KEY MAP**

JOB NUMBER:	DRAWING NUMBER:
DATE: 08.10.16	1
DRAWN BY: LP3	
SCALE: 1/8"	90 of 1

SPECIAL CIRCUMSTANCES TO ENABLE RESTAURANT CUP

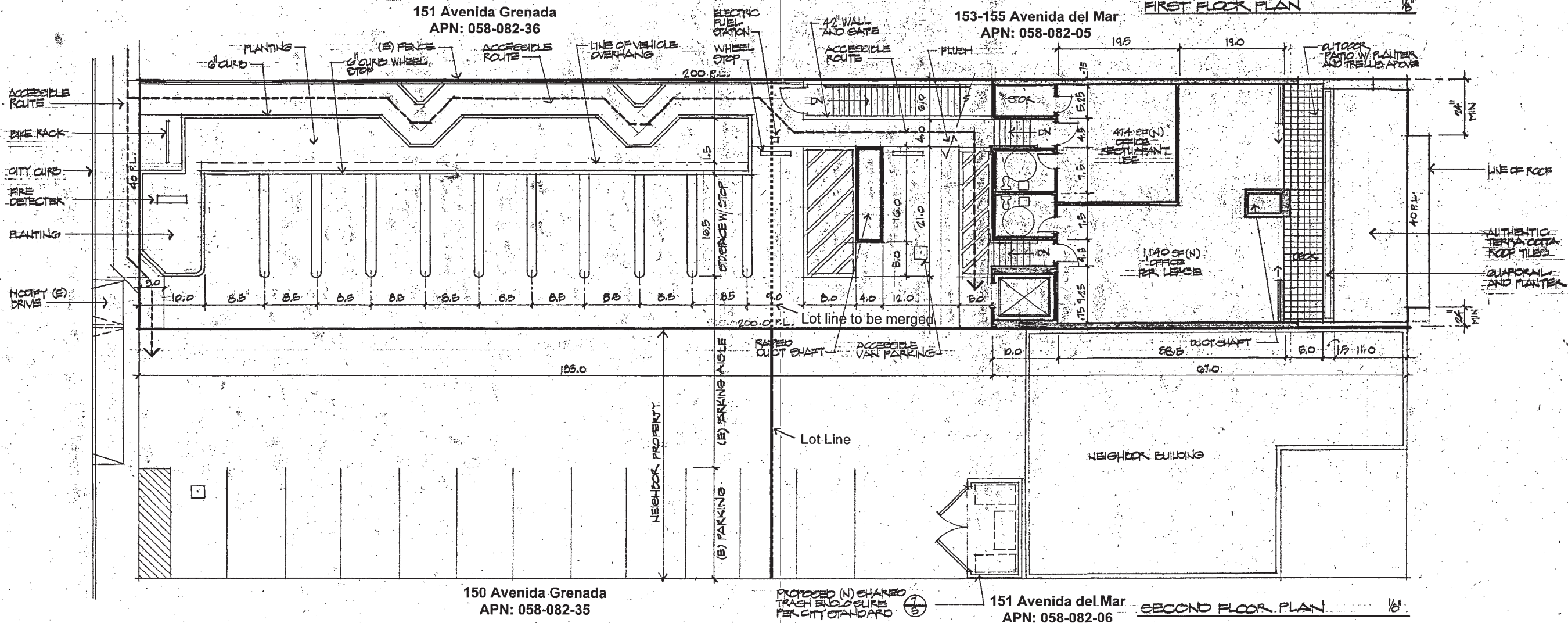
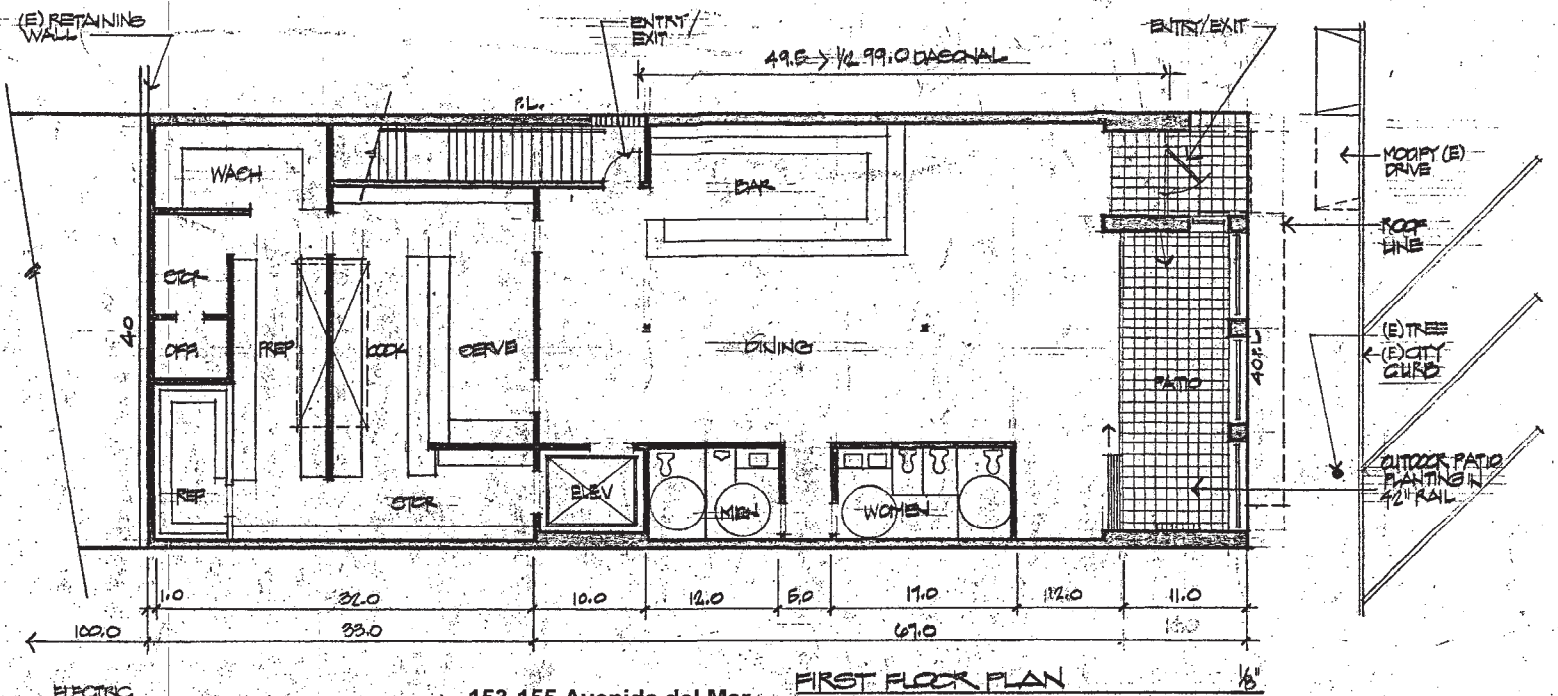
1. APPLICANT ADDS 6 NEW PARKING SPACES TO EXISTING PARKING
2. APPLICANT CONTINUES LEASE PARKING LOT TO THE CITY (AT NO COST) FOR PUBLIC PARKING
3. REQUIRED ACCESSIBLE PARKING (VAN) AT GRANADA SIDE OF THE RESTAURANT WITH DIRECT ACCESS TO RESTAURANT VIA ACCESSIBLE ELEVATOR IN JOINT USE FOR RESTAURANT DELIVERIES
4. APPLICANT TO PROVIDE AGREEMENT WITH NEIGHBOR FOR JOINT USE OF PARKING LOT AND TRASH ENCLOSURE. APPLICANT TO PROVIDE NEW TRASH ENCLOSURE TO MEET CITY DESIGN STANDARDS
5. APPLICANT TO PROVIDE ELECTRIC VEHICLE PARKING ALONG ACCESSIBLE ROUTE
6. APPLICANT TO PROVIDE BICYCLE PARKING ALONG ACCESSIBLE ROUTE
7. HOURS OF OPERATION SHALL BE (M - F 11:AM - 11:00 PM / SAT AND SUN 8:00 AM - 11:00 PM)
8. APPLICANT PROPOSES TO USE EXISTING PARKING LOT SURFACE AND GRADE WITH NEW SLURRY COAT AND STRIPING THUS LESS THAN 50 CY WILL BE MOVED DURING GRADING
9. DELIVERIES SHALL BE MADE IN MORNING HOURS PRIOR TO 11:00 AM

PLUMBING FIXTURE COUNT

Assume 107 total occupants

MALES - 54 FEMALES - 53
wc urinals lavs

MALES 1 1 1
FEMALES 3 - 1

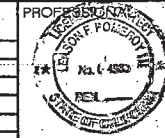


ZOVs RESTAURANT

LP3 architecture

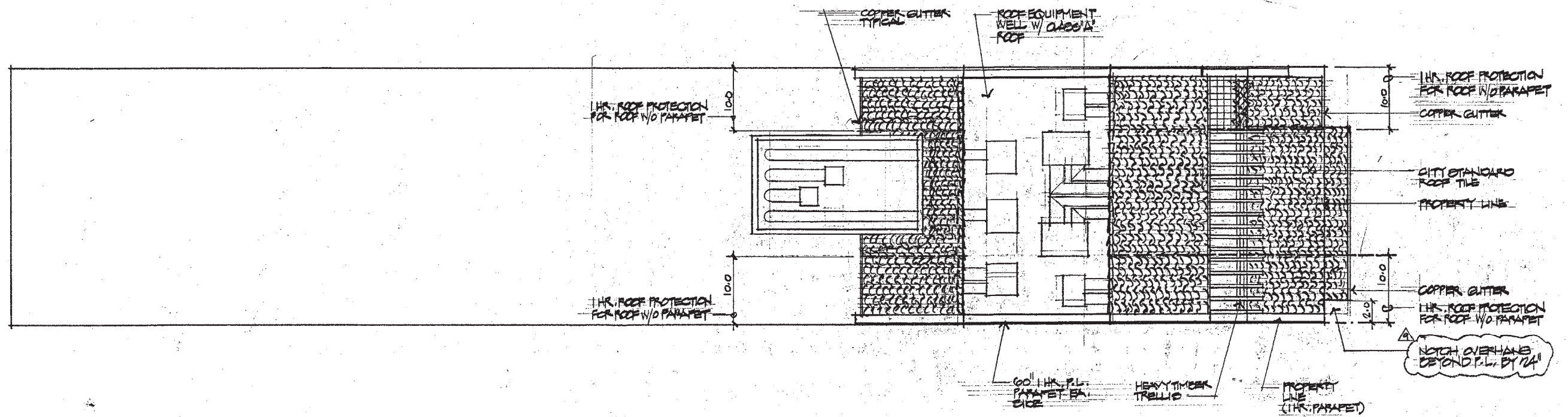
158 N. GLASSSELL ST. STE. 201
ORANGE, CA 92666
TELEPHONE: 714.7718400
FACSIMILE: 714.7718494
EMAIL: LP3arch@aol.com

REVISION	DATE
1. BUILDING DEPT. CORRECTIONS	02.08.18
2. BUILDING/PLANNING DEPT.	02.19.18



DRAWING: **SITE PLAN**
FIRST FLOOR PLAN
SECOND FLOOR PLAN

JOB NUMBER:	DRAWING NUMBER:
DATE: 02.08.18	91 of 97
DRAWN BY: LFP III	
SCALE: 1/8"	




ROOF PLAN

1/8"

PROJECT: **ZOVs RESTAURANT**

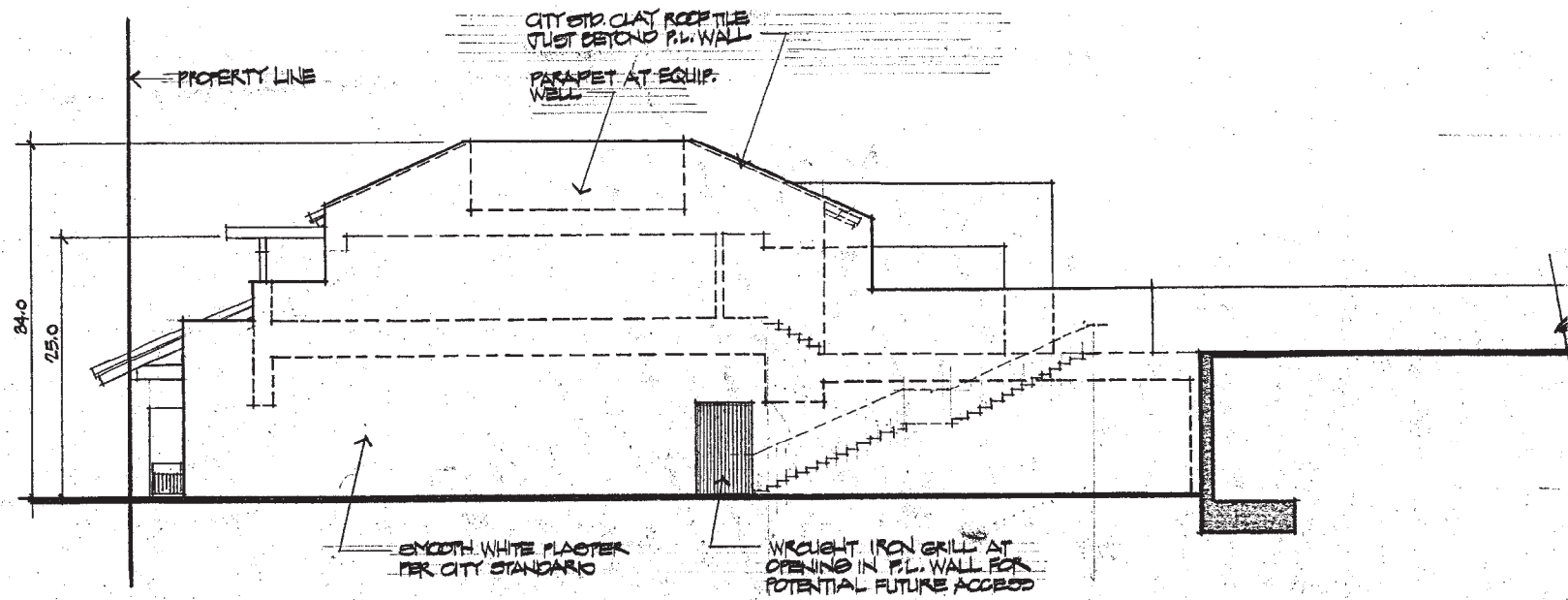
LP3 architecture
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 TELEPHONE: 714.771.8400
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 EMAIL: LP3arch@aol.com

REVISION	DATE
BUILDING DEPT. CORRECTIONS	02.08.10
BUILDING/PLANNING DEPT.	02.19.10

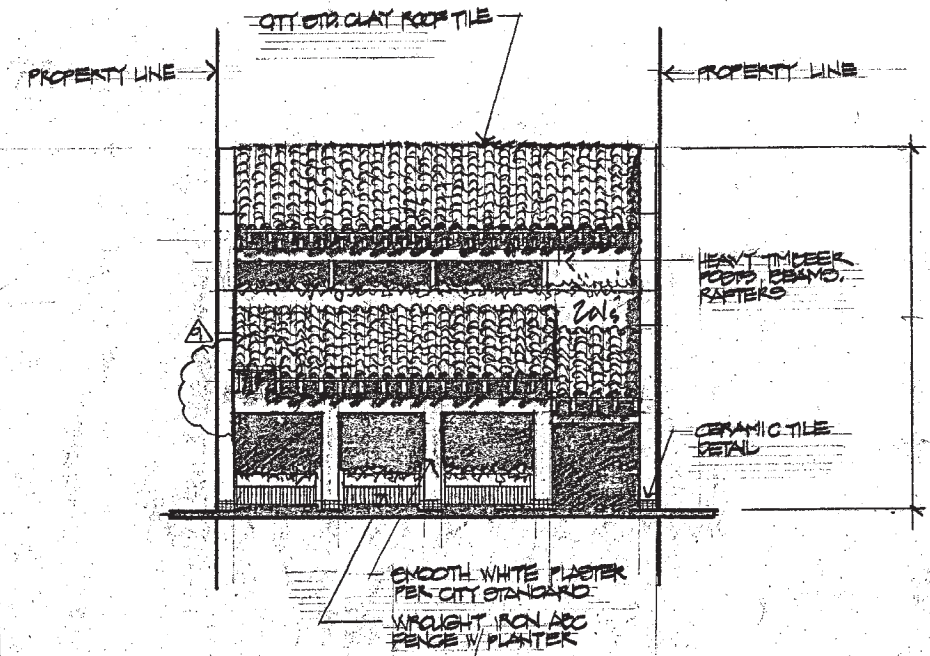
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DRAWING:
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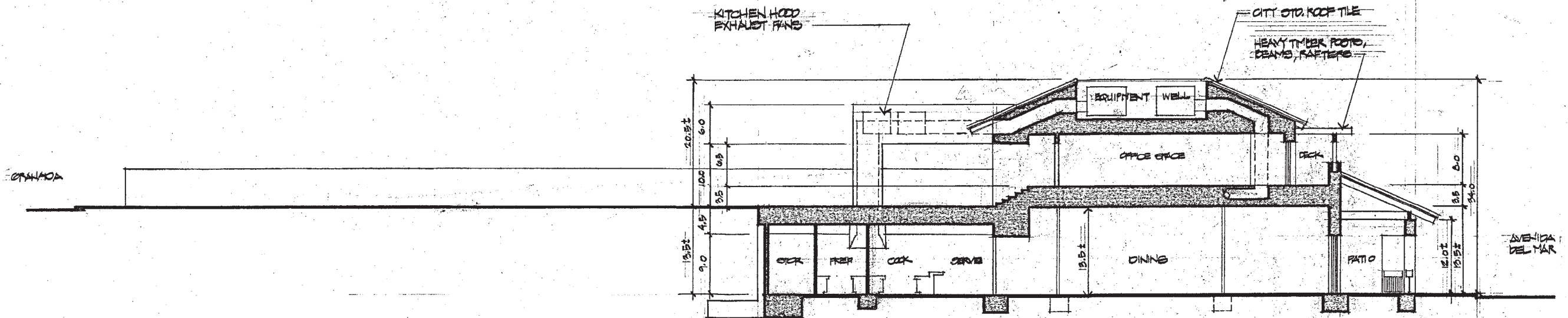
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SOUTH ELEVATION



WEST ELEVATION

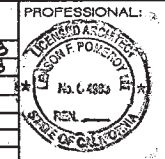


BUILDING CROSS SECTION

PROJECT:
ZOVs RESTAURANT

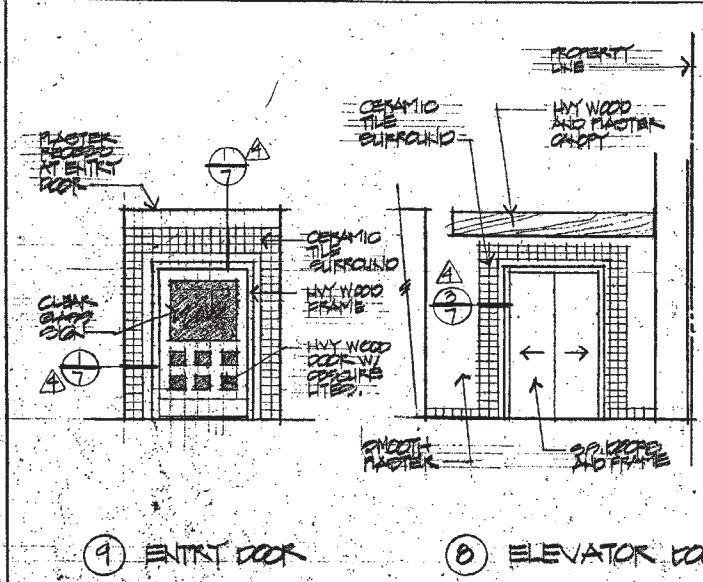
LP3 architecture
158 N. GLASSELL ST. STE. 201
ORANGE, CA 92666
TELEPHONE: 714.7718400
FACSIMILE: 714.7718494
EMAIL: LP3arch@aol.com

REVISION	DATE
1. BUILDING DEPT. CORRECTIONS	02.08.18
2. BUILDING / PLANNING DEPT.	02.19.18

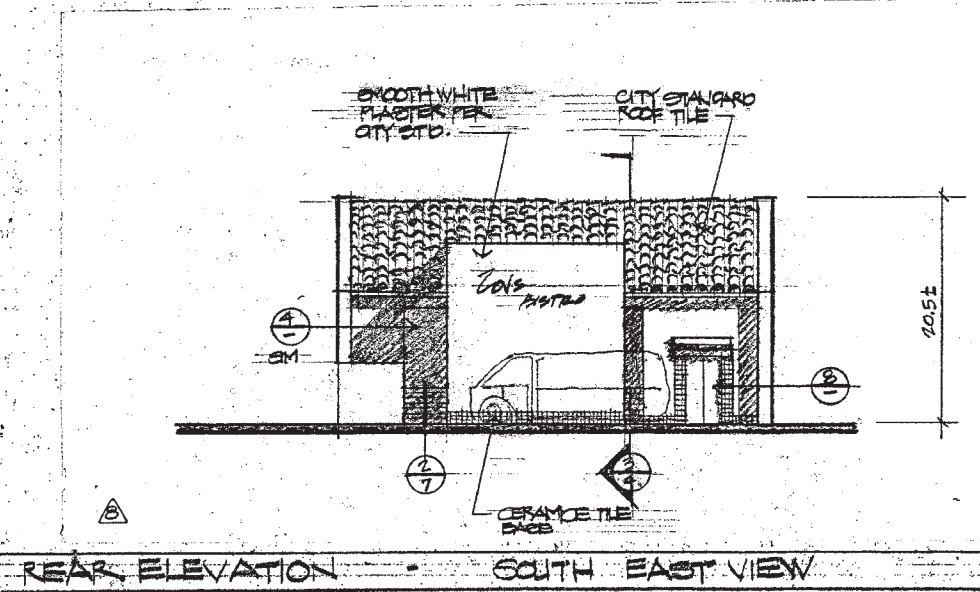
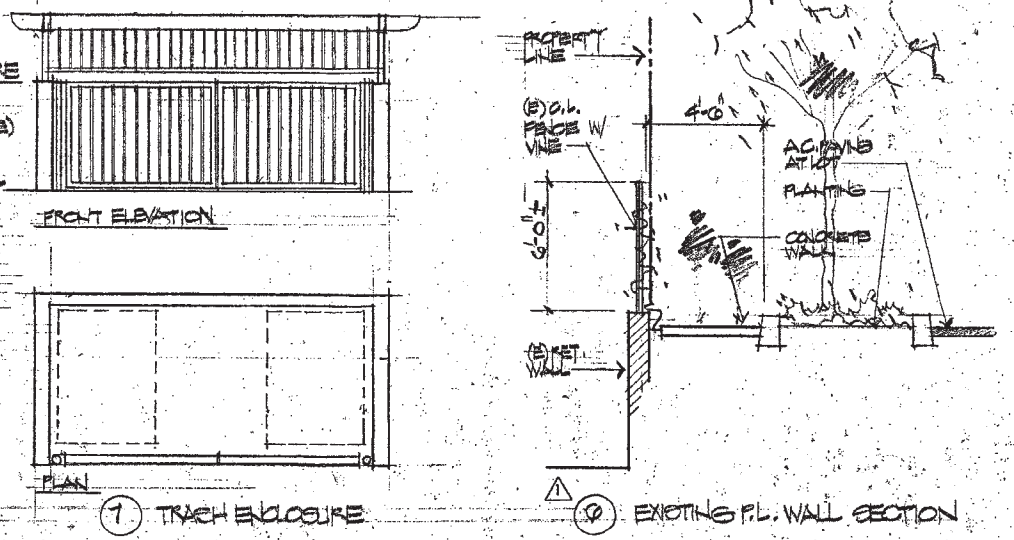


PROFESSIONAL:
DRAWING:
BUILDING CROSS SECTION
SOUTH ELEVATION
WEST ELEVATION

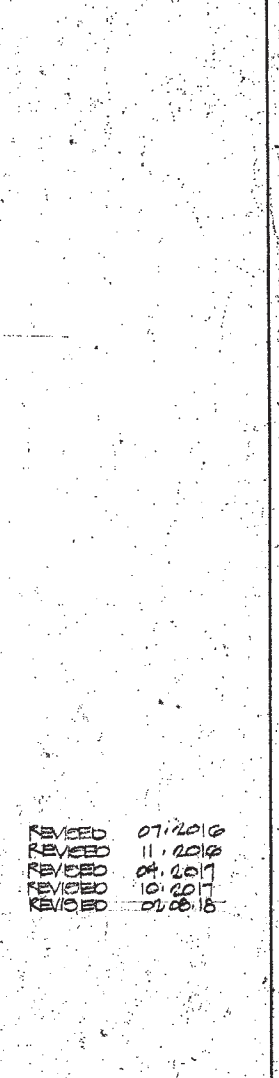
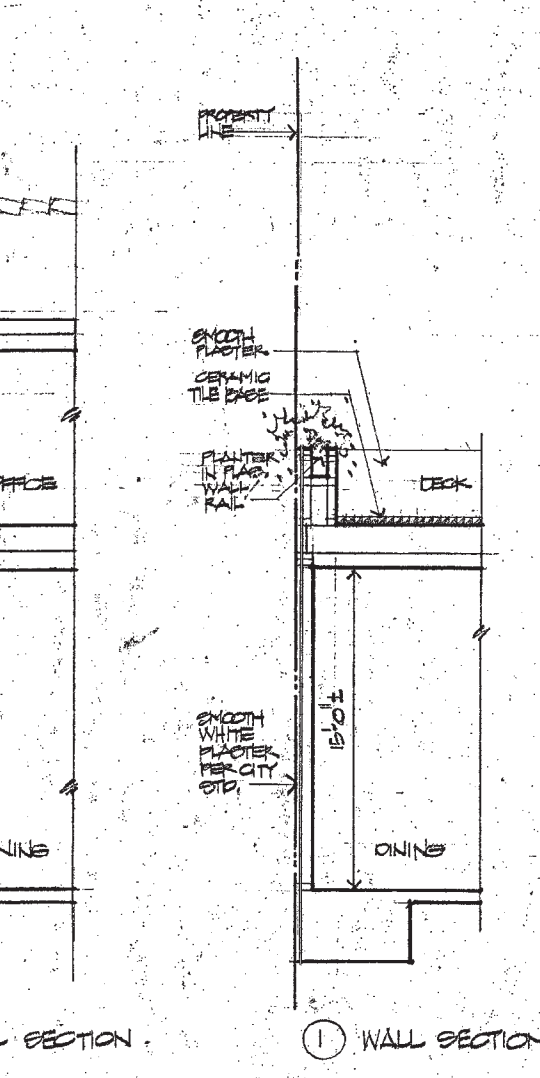
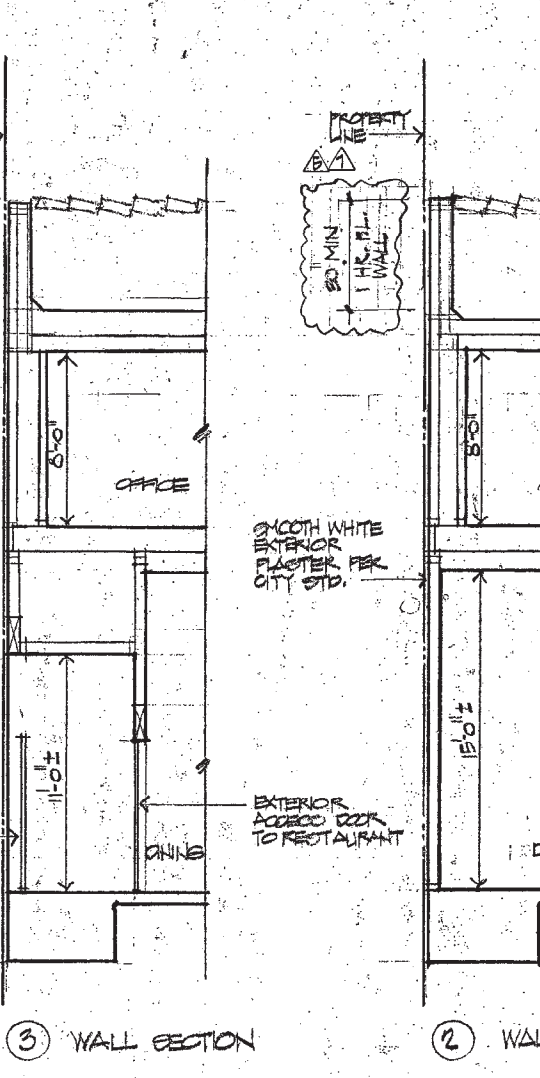
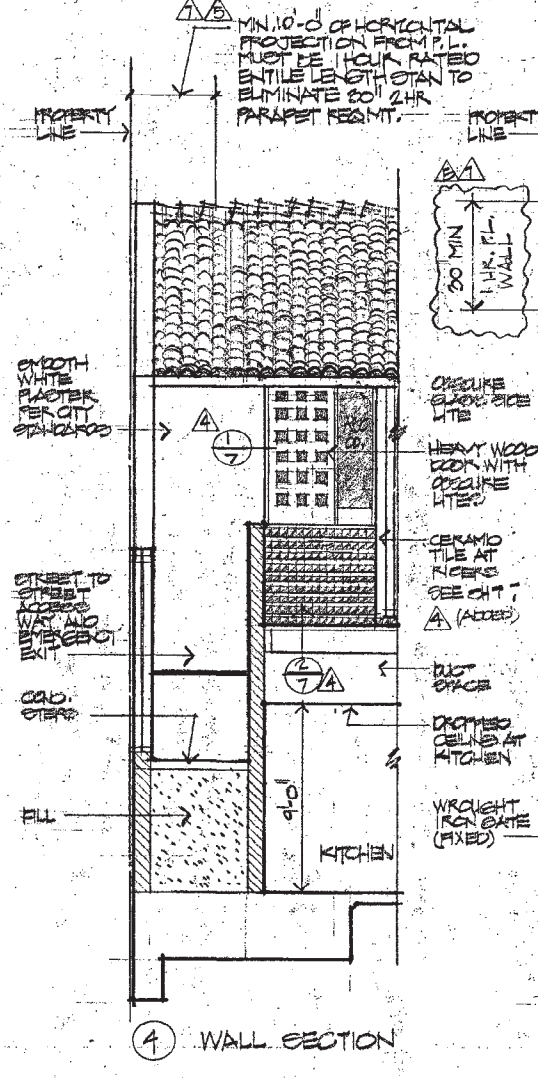
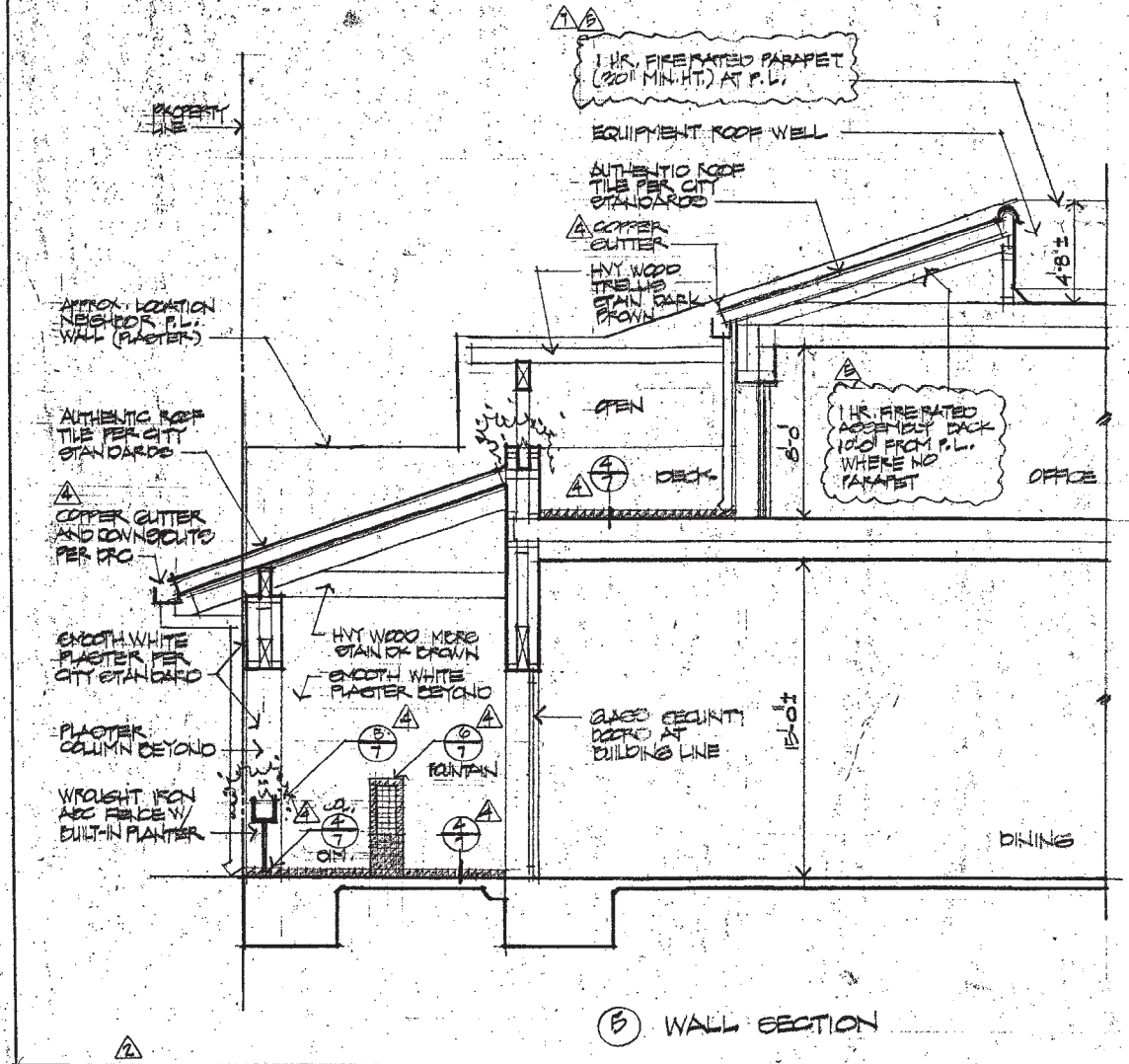
JOB NUMBER:	DRAWING NUMBER:
DATE: 02.08.18	4
DRAWN BY: LP III	OF 7
SCALE: 1/8"	



TRASH ENCLOSURE
 NOTES:
 1. DESIGN - COPY (B) LOCATED ON GRANADA PER D.R.G. REQUEST
 2. SIZE TO BE DETERMINED BY APPLICABLE ENCLOSE 2 FOUR TO SIX
 3. OWNER TO PROVIDE DETERMINED SIZE



DETAILS 1/4" REAR ELEVATION SOUTH EAST VIEW



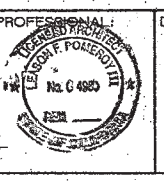
WALL SECTIONS

REVISED 07.2016
 REVISED 11.2016
 REVISED 04.2017
 REVISED 10.2017
 REVISED 02.08.18

PROJECT: **ZOVs RESTAURANT**

LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92666
 TELEPHONE: 714.771.8400
 FACSIMILE: 714.771.8494
 EMAIL: LP3arch@aol.com

REVISION	DATE
1. PLANNING COMMENTS	04.16.17
2. PLANNING COMMENTS - FULL ROOF	08.25.17
3. BLDG DEPT COMMENTS	09.17.17
4. PLANNING COMMENTS	10.17
5. BLDG DEPT COMMENTS	10.17
6. BLDG DEPT COMMENTS	11.14.17
7. BLDG DEPT COMMENTS	02.08.18

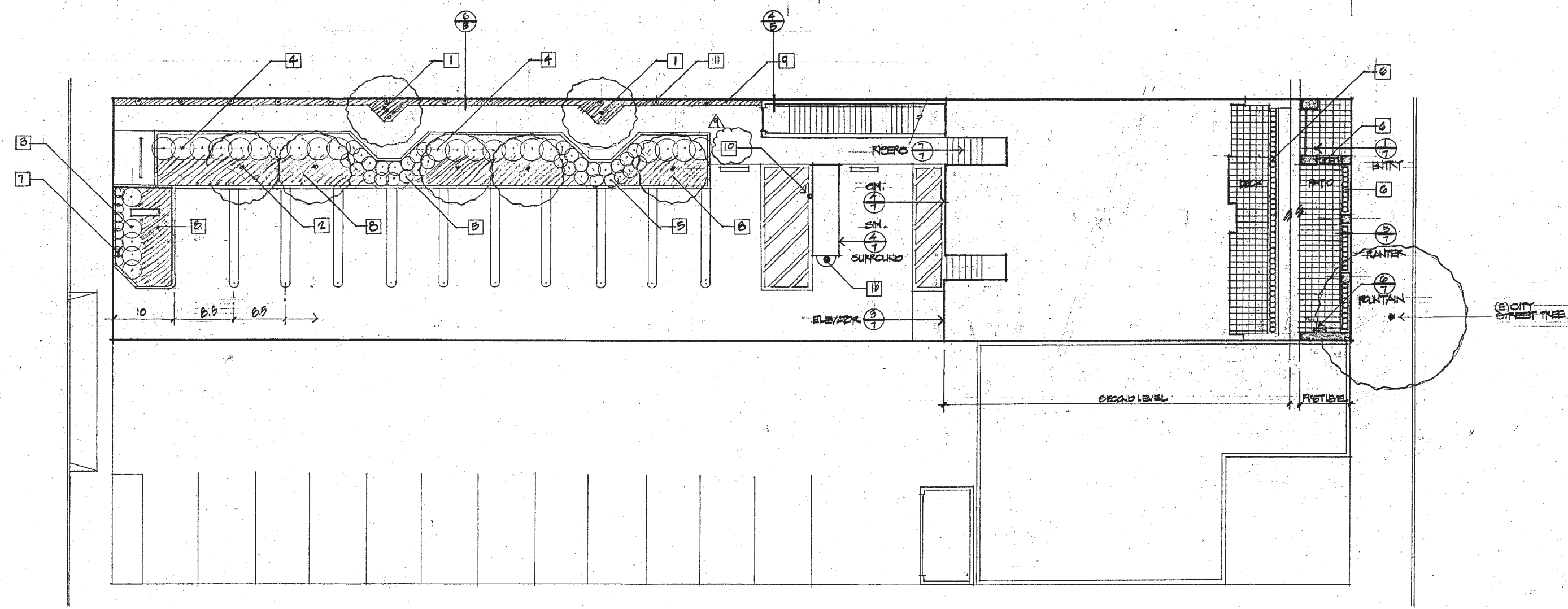


DRAWING: **EXTERIOR ELEVATION**

JOB NUMBER: _____
 DATE: 08.10.16
 DRAWN BY: LP3
 SCALE: 1/8" = 1'-0"
 DRAWING NUMBER: **5**
 OF 7

LANDSCAPE STATISTICS	
SITE AREA	8,000 SF
SITE FRONTAGE (SUB-STANDARD) - MUS.O = 60 FT	40 FT
SOFT SCAPE AREA (PLANTED SPACE) - 922 SF	11.5%
HARD SCAPE AREA (ENRICHED PAVING) - 624 SF	7.8%
TREES (NEW ON SITE - RED'D 1/3 SPACES) - 2 RED'D 7 PROVIDED	
STREET TREES (ONE EXISTING)	ONE

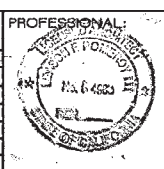
PLANT MATERIAL	
1	TREE 36" BOX - JACARANDA (MIMOSIFOLIA)
2	TREE 66" BOX - RED BUO (CERCIS OCCIDENTALIS)
3	SHRUB 5 GAL - CALIFORNIA PRIVET (LIGUSTRUM OVALIFOLIUM)
4	SHRUB 5 GAL - FITTOSPORUM (TOBIRA)
5	SHRUB 5 GAL - ROSEMARY (OFFICINALIS)
6	PLANT 1 GAL - GERANIUM (INGANUM)
7	PLANT 1 GAL - CHLOROPHYTUM (COMOLUM)
8	GROUND COVER - VINCA (APOCYNACEAE)
9	GROUND COVER - STIPA (GIGANTEA)
10	VINE 1 GAL - HEBEA (CANARIENSIS VARIEGATA)
11	VINE 5 GAL - HEBEA (CANARIENSIS)



PROJECT: **ZOVs RESTAURANT**

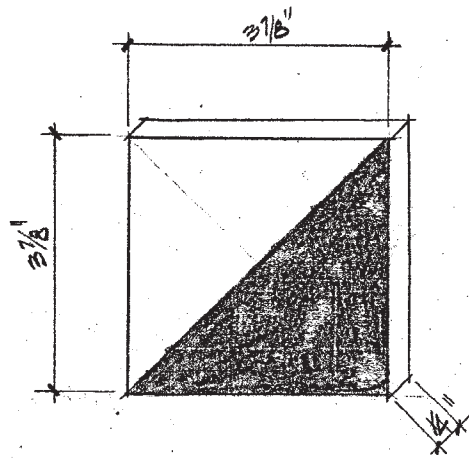
LP3 architecture
 158 N. GLASSSELL ST. STE. 201
 ORANGE, CA 92668
 TELEPHONE: 714.7718400
 FACSIMILE: 714.7718494
 EMAIL: LP3arch@aol.com

REVISION	DATE
BUILDING DEPT CORRECTIONS	02-08-18
BUILDING/PLANNING DEPT	02-19-18

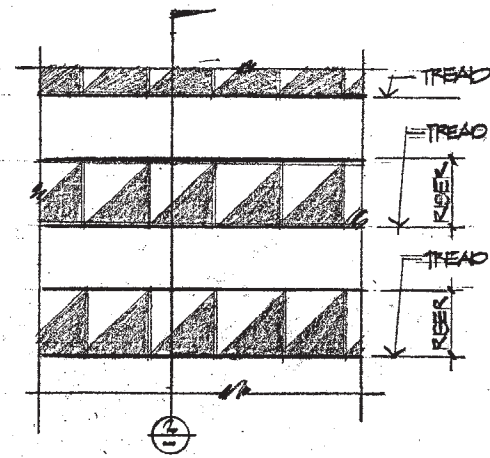


PROFESSIONAL: [Signature]
 DRAWING: **CONCEPTUAL LANDSCAPE PLAN**

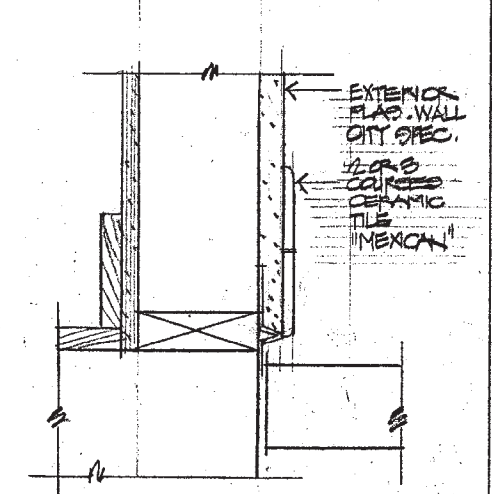
JOB NUMBER:	DRAWING NUMBER:
DATE: 02-08-18	6
DRAWN BY: LPP/11	OF 7
SCALE: 1/8"	



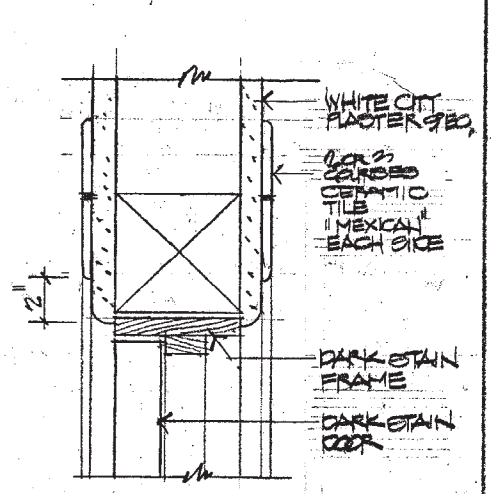
⑥ TYP. CERAMIC TILE "MEXICAN" FD



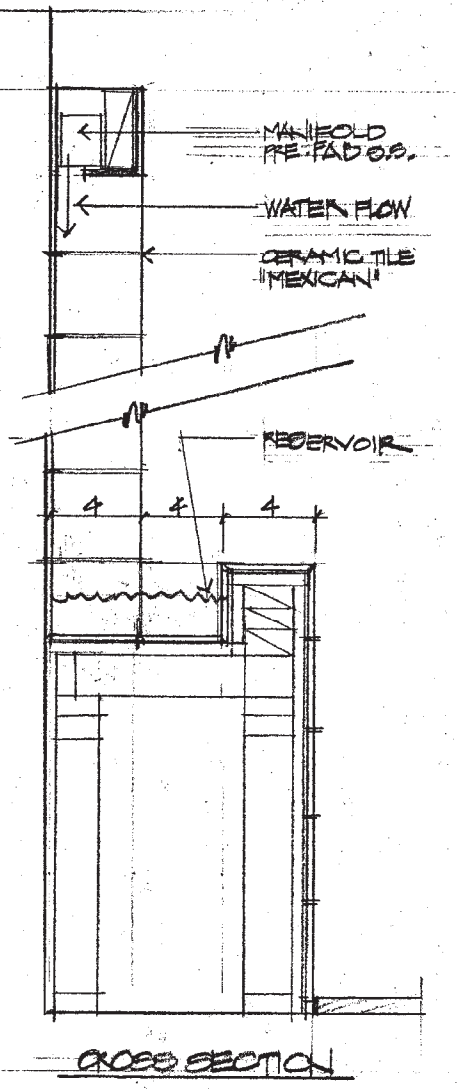
⑦ TYPICAL STAIR ELEVATION



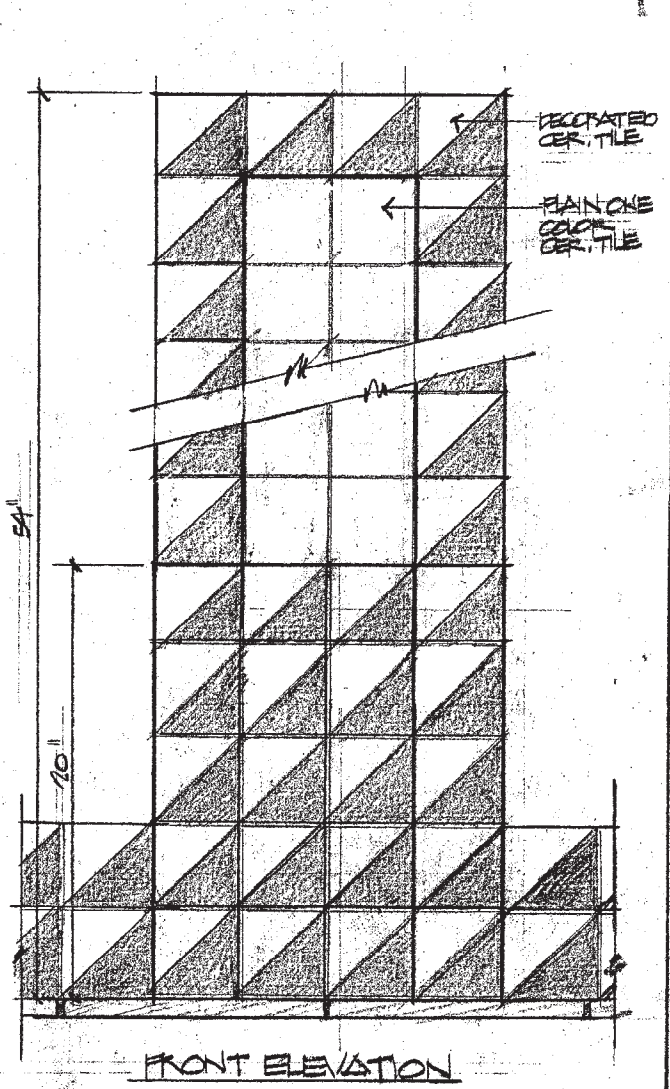
④ TYPICAL BASE FRONT AND BACK



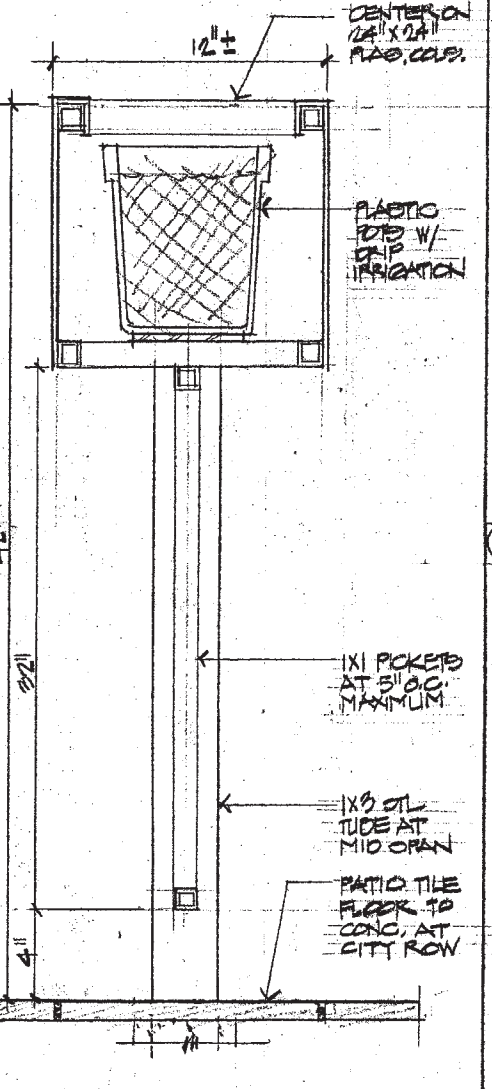
① ENTRY DOOR TILE SURROUND



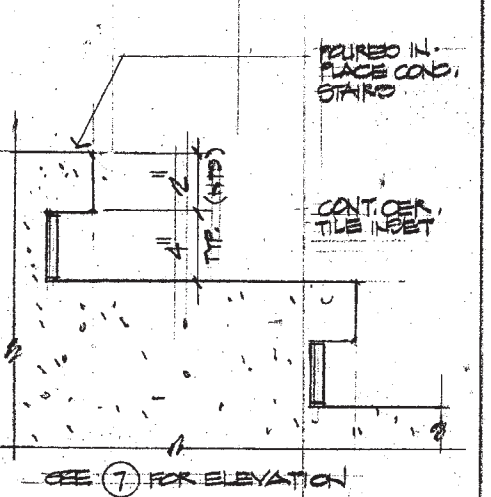
⑩ CONCEPTIONAL FOUNTAIN DESIGN AT PATIO



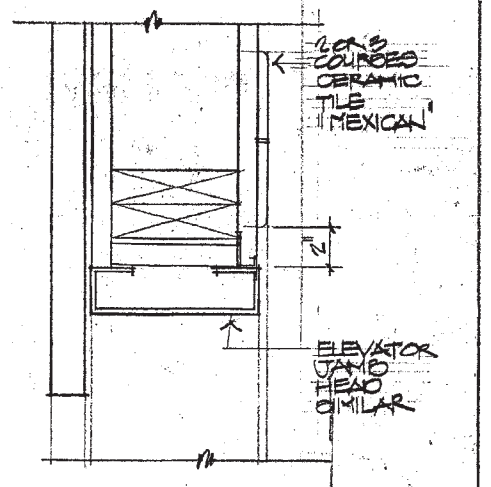
FRONT ELEVATION



⑤ FENCE WITH PLANTER



② TILE AT ALL RISERS

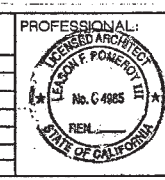


③ TILE AT ELEVATOR DOOR

PROJECT: **ZOVs RESTAURANT**

LP3 architecture
 158 N. GLASSSELL ST. STE. 201
 ORANGE, CA 92666
 TELEPHONE: 714.771.8400
 FACSIMILE: 714.771.8494
 EMAIL: LP3arch@aol.com

REVISION	DATE
1. PLANNING COMMENTS	10.17



DRAWING: **DETAILS**

JOB NUMBER:
 DATE: 10.23.17
 DRAWN BY: LP3
 SCALE: 3/4"
 DRAWING NUMBER: **7**
 96 of 7

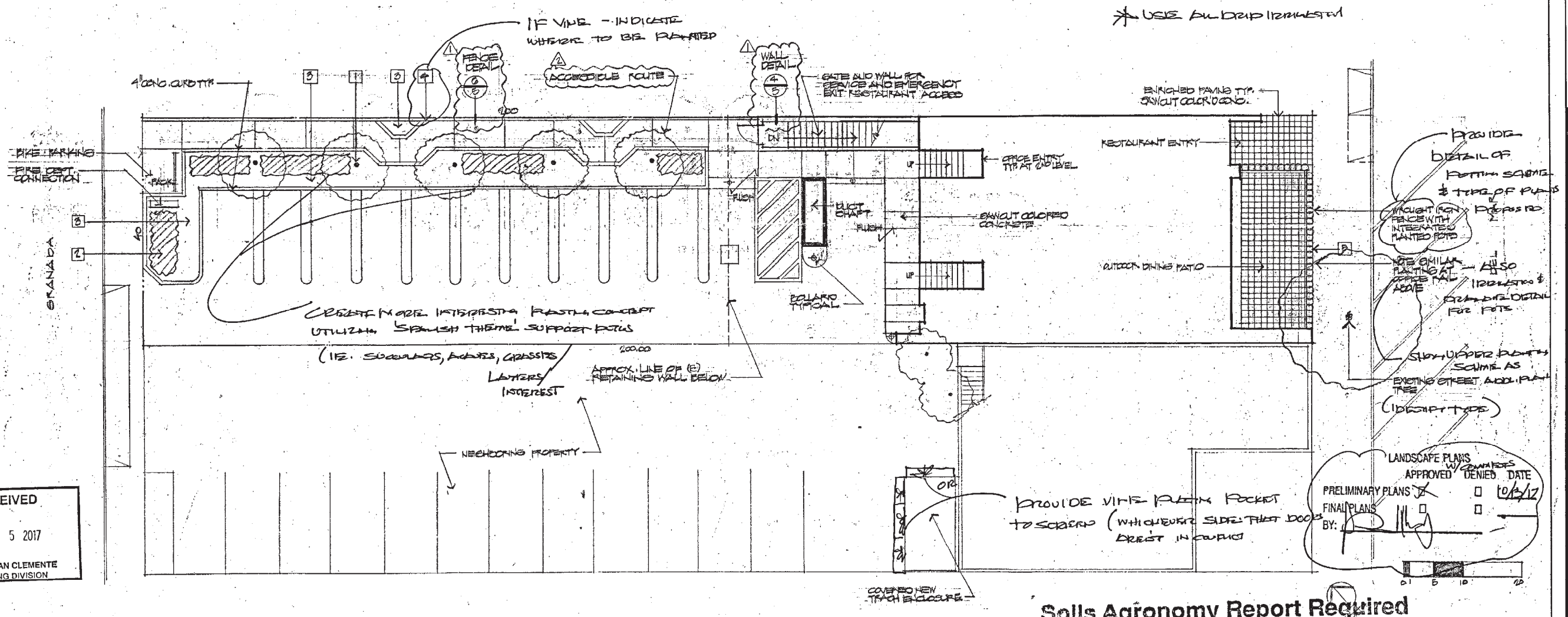
PLANTING (LANDSCAPE) CALCULATIONS

SITE AREA	8,000 S.F.
SITE FRONTAGE (SUBSTANDARD - MIN. 0 = 60 FT)	40 FEET
SOFT SCOPE AREA (PLANTED SPACE)	523 S.F. (6.5%)
HARD SCOPE AREA (ENRICHED AREA EXCLUDING BALCONY)	624 S.F. (7.8%)
TREES (NEW ON SITE) REQUIRED - 1/5 SPACES (TRIPLE PERMIT)	6 TREES 1/5 SPACES
STREET TREE	EXISTING

MATERIALS LIST

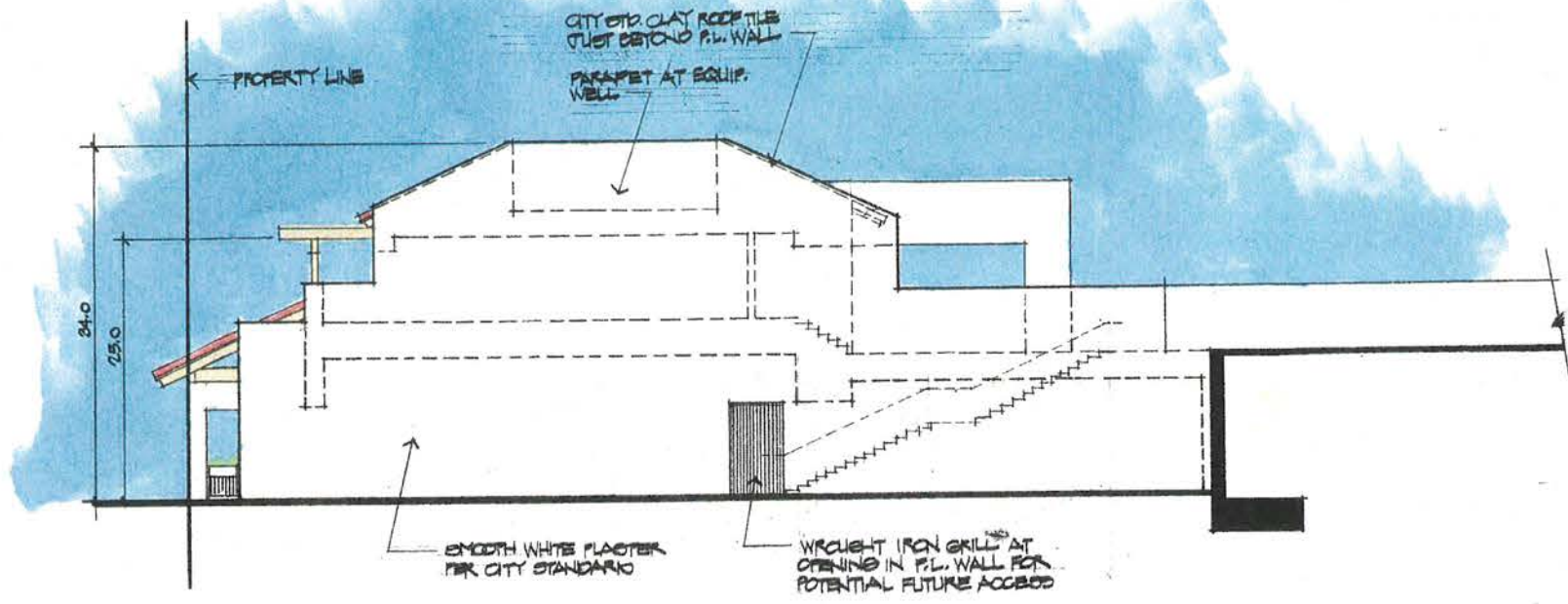
SYMBOL	TYPE	SIZE	NAME	NOTE
1	TREE	20" DIA	RED BUD (CERES OCCIDENTALIS)	
2	SHRUB	5 GAL	CAL. PRIVET (LIGUSTRUM OVALIFOLIUM)	
3	SHRUB	1 GAL	STAR JASMINE (TRICHOPLERIS)	
4	VINE	1 GAL	BLUSH NY (HEDERA HELIX)	
5	VINE	1 GAL	GERANIUM (GERANIUM INCANUM) POTE	

USE A COMBINATION OF 5 GAL (MIN) & 1 GAL. SHRUBS IN PLANTING SCHEME

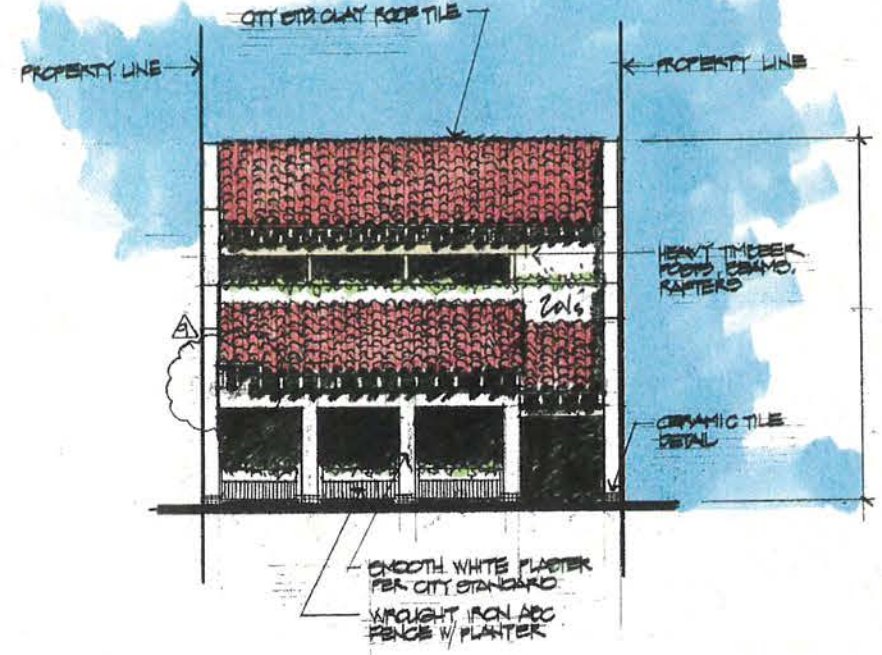


PROJECT:	ZOVs RESTAURANT	ARCHITECT:	LP3 architecture 158 N. GLASSSELL ST., STE. 201 ORANGE, CA 92666 TELEPHONE: 714.7718400 FACSIMILE: 714.7718494 EMAIL: LP3arch@aol.com	REVISION:	1/ PLANNING REVIEW 01/15/17 2/ PLANNING COMMENTS 02/28/17	PROFESSIONAL SEAL:	LANDSCAPE ARCHITECT STATE OF CALIFORNIA NO. 1288 PER [Signature]	DRAWING:	CONCEPTUAL LANDSCAPE PLAN	JOB NUMBER:	LAN 17-020	DATE:	09/27/17	DRAWN BY:	LP	SCALE:	1/8"
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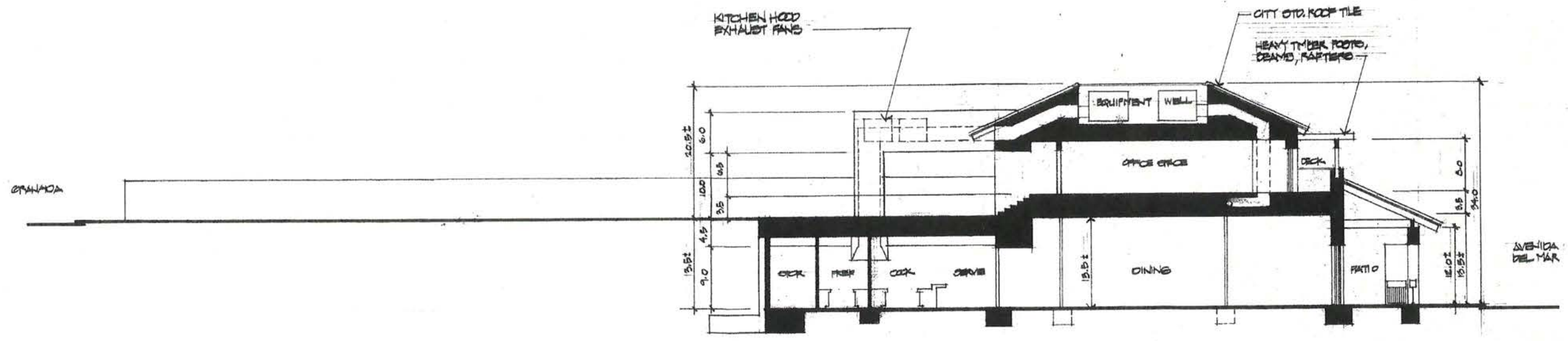
LAN 17-020



SOUTH ELEVATION



WEST ELEVATION

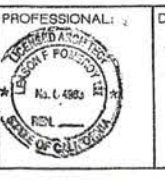


BUILDING CROSS SECTION

PROJECT:
ZOVs RESTAURANT

LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92668
 TELEPHONE: 714.771.8400
 FACSIMILE: 714.771.8494
 EMAIL: LP3arch@aol.com

REVISION	DATE
BUILDING DEPT. CORRECTIONS	07.08.15
BUILDING/PLANNING DEPT.	02.19.15

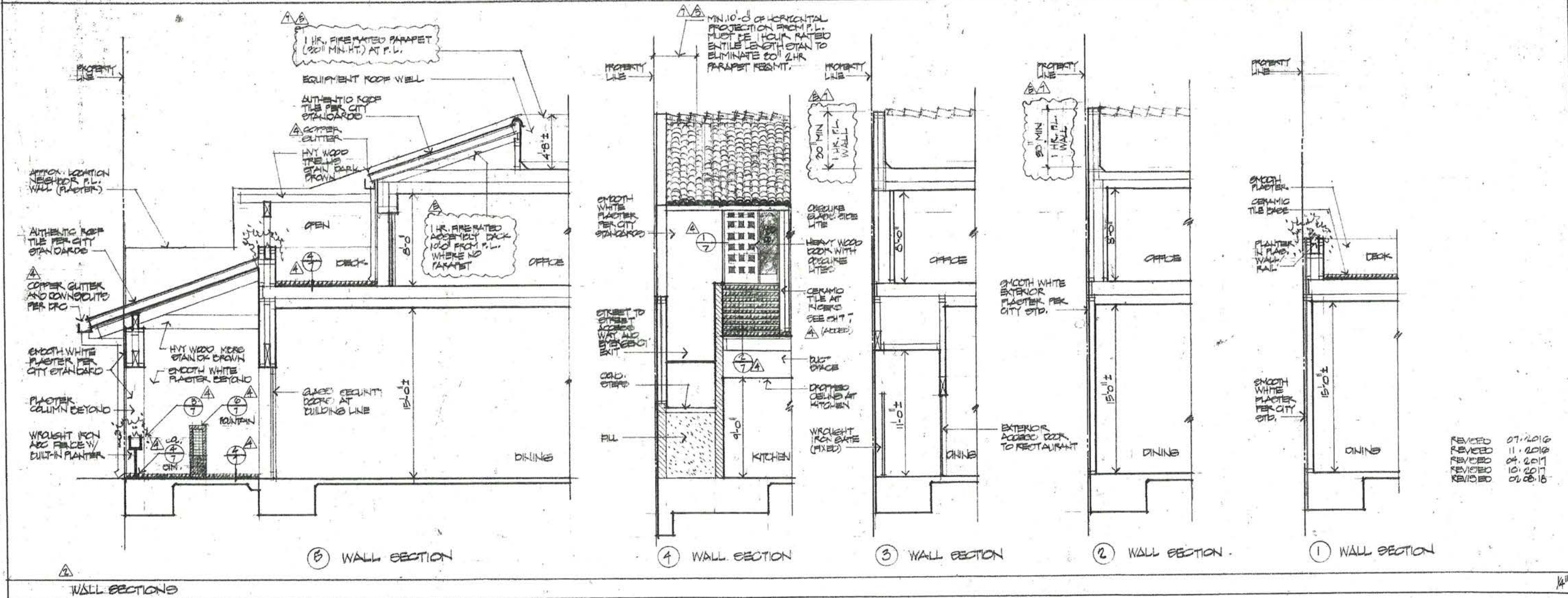
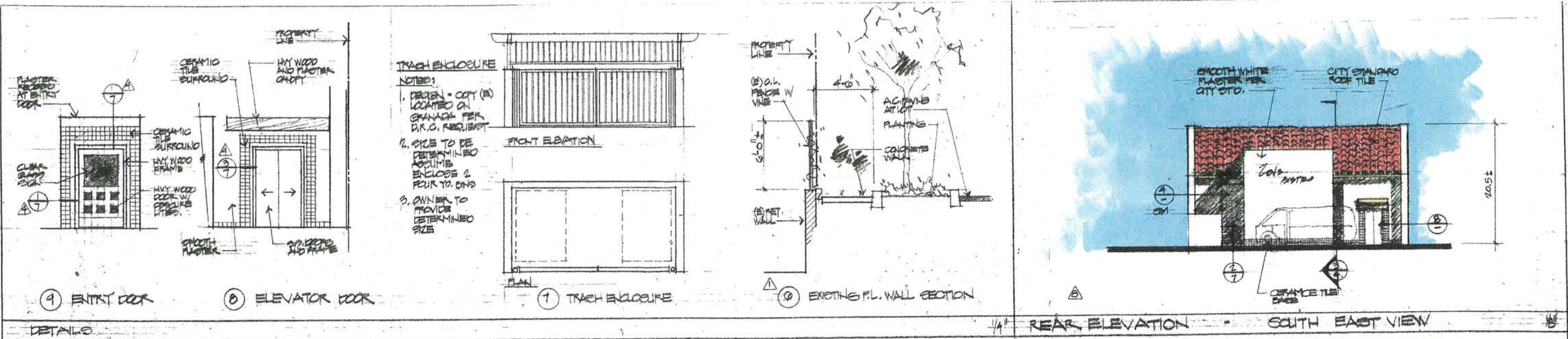


PROFESSIONAL:
 DRAWING:
**BUILDING CROSS SECTION
 SOUTH ELEVATION
 WEST ELEVATION**

JOB NUMBER:
 DATE: 02.08.15
 DRAWN BY: LP III
 SCALE: 1/8"

DRAWING NUMBER:

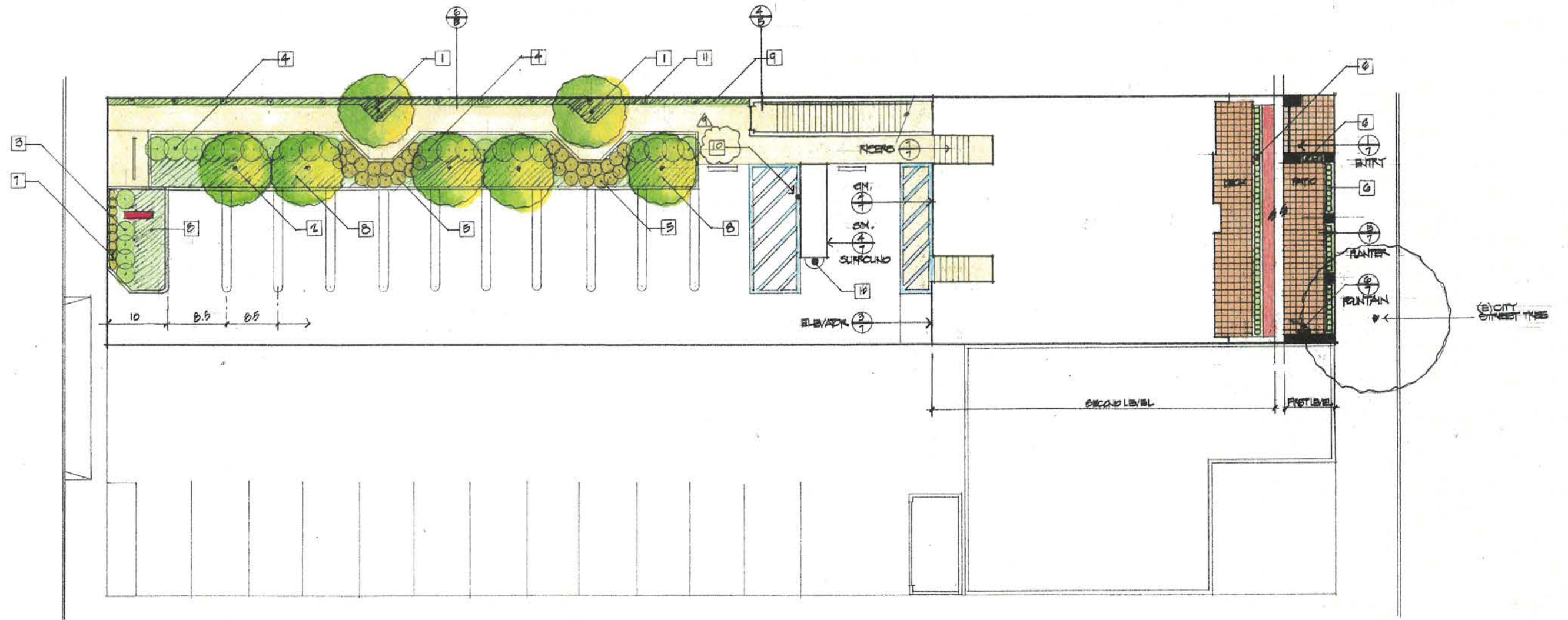
 OF 7
 98



PROJECT: 1	<h1>ZOVs RESTAURANT</h1>	LP3 architecture 158 N. GLASSELL ST. STE. 201 ORANGE, CA 92666 TELEPHONE: 714.771.8400 FACSIMILE: 714.771.8494 EMAIL: LP3arch@aol.com	REVISION A PLANNING COMMENTS 04.16.17 B PLANNING COMMENTS - FULL ROOF 08.28.17 C BLUE DEPT COMMENTS 09.17.17 D PLANNING COMMENTS 10.11 E BLUE DEPT COMMENTS 10.17 F BLUE DEPT COMMENTS 12.14.17 G BLUE DEPT COMMENTS 02.08.18	PROFESSIONAL: 	DRAWING: <h2>EXTERIOR ELEVATION</h2>	JOB NUMBER: DATE: 03.10.16 DRAWN BY: LP3 III SCALE: 1/8" = 1'-0"	DRAWING NUMBER: 5 OF 7
			REVISED 07.2016 REVISED 11.2016 REVISED 04.2017 REVISED 10.2017 REVISED 02.08.18				

LANDSCAPE STATISTICS	
SITE AREA	8,000 SF
SITE FRONTAGE (SUB-STANDARD - MUS.O = 60 FT)	40 FT
SOFT ESCAPE AREA (PLANTED SPACE) - 922 SF	11.5%
HARD ESCAPE AREA (ENRICHED PAVING) - 624 SF	7.8%
TREES (NEW ON SITE - REQ'D 1/3 SPACES) - 2 REQ'D PROVIDED	
STREET TREES (ONE EXISTING)	ONE

PLANT MATERIAL	
1	TREE 36" DIA - JACARANDA (MINOIFOLIA)
2	TREE 36" DIA - RED BUD (CERCIS OCCIDENTALIS)
3	SHRUB 5 GAL - CALIFORNIA PRIVET (LIGUSTRUM OVALIFOLIUM)
4	SHRUB 5 GAL - PITOSPORUM (TOBIRA)
5	SHRUB 5 GAL - ROSEMARY (OFFICINALIS)
6	PLANT 1 GAL - GERANIUM (INGANUM)
7	PLANT 1 GAL - CHLOROPHYTUM (COMOLUM)
8	GROUND COVER - VINCA (APCYNACEAE)
9	GROUND COVER - STIPA (GIGANTEA)
10	VINE 1 GAL - HEDERA (CANARIENSIS VARIETAS)
11	VINE 5 GAL - HEDERA (CANARIENSIS)



PROJECT: **ZOV's RESTAURANT**

LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92666
 TELEPHONE: 714.7718400
 FACSIMILE: 714.7718494
 EMAIL: LP3arch@aol.com

REVISION	DATE
BUILDING DEPT CORRECTIONS	02.09.16
BUILDING/PLANNING DEPTS	02.19.16



DRAWING: **CONCEPTUAL LANDSCAPE PLAN**

JOB NUMBER	DRAWING NUMBER
DATE: 02.09.16	6
DRAWN BY: LPP III	
SCALE: 1/8"	



SMOOTH PLASTER WALLS

CERAMIC TILE TRIM

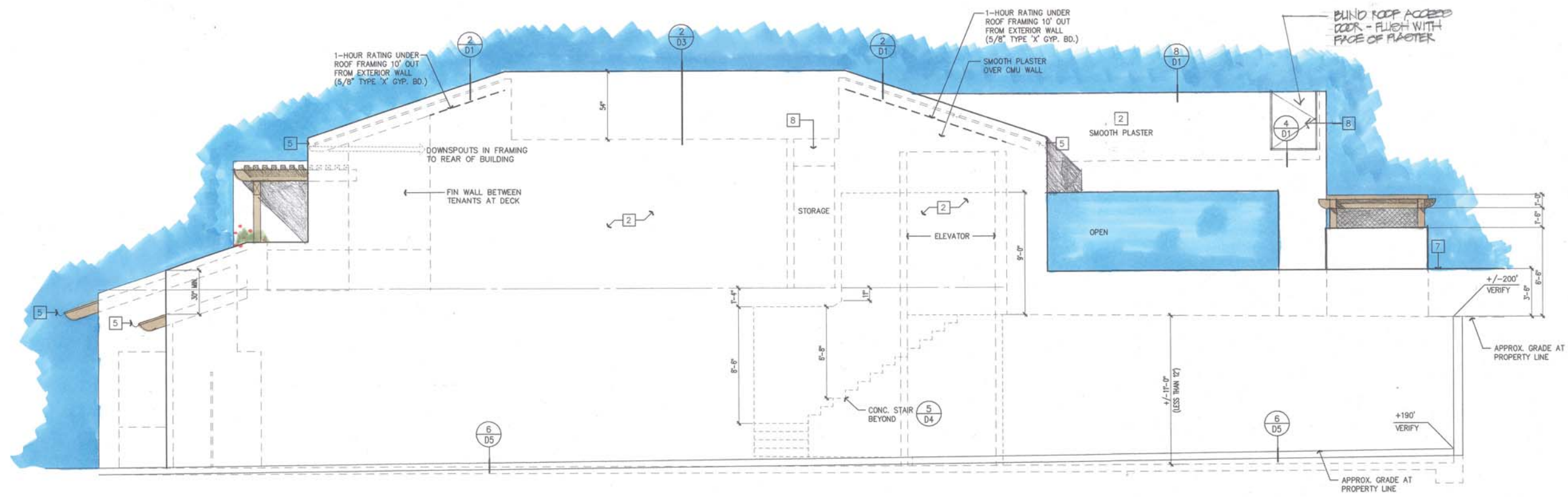


EXPOSED ROOF

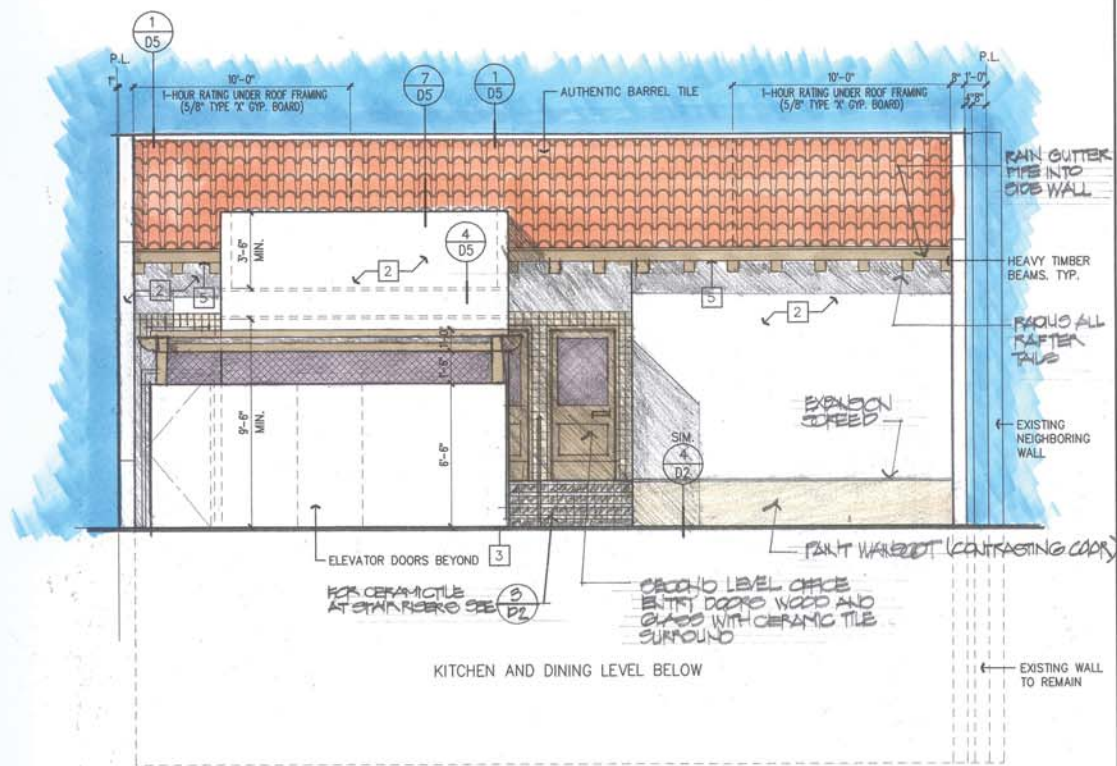


EXPOSED WOOD

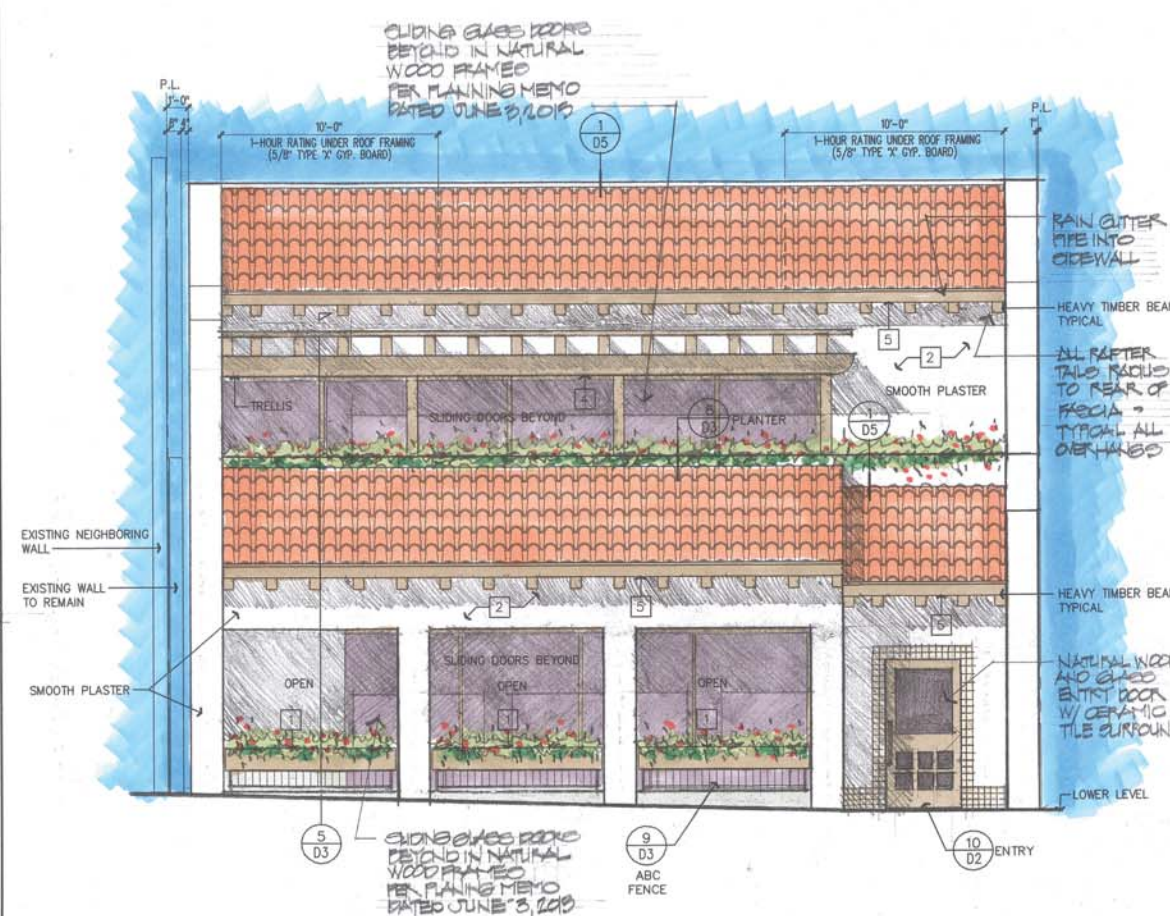
ZOV'S RESTAURANT
153 Avenida Del Mar
San Clemente



NORTH PROPERTY LINE WALL ELEVATION



WEST (REAR) ELEVATION



EAST (FRONT) ELEVATION

- 1 NEW "ABC" FENCE. SEE LANDSCAPE.
- 2 SMOOTH PLASTER FINISH
- 3 G.I. WATER TABLE (PLASTER SCREED)
- 4 HEAVY TIMBER TRELLIS
- 5 COPPER GUTTER
- 6 GATE. SEE DOOR SCHEDULE.
- 7 PROPERTY LINE WALL
- 8 ROOF ACCESS
- 9
- 10
- 11
- 12
- 13
- 14
- 15

ELEVATION KEY NOTES

LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

SCALE: 1/4" = 1'-0"

DRAWN: A.J.V.

DATE: 07.16.19

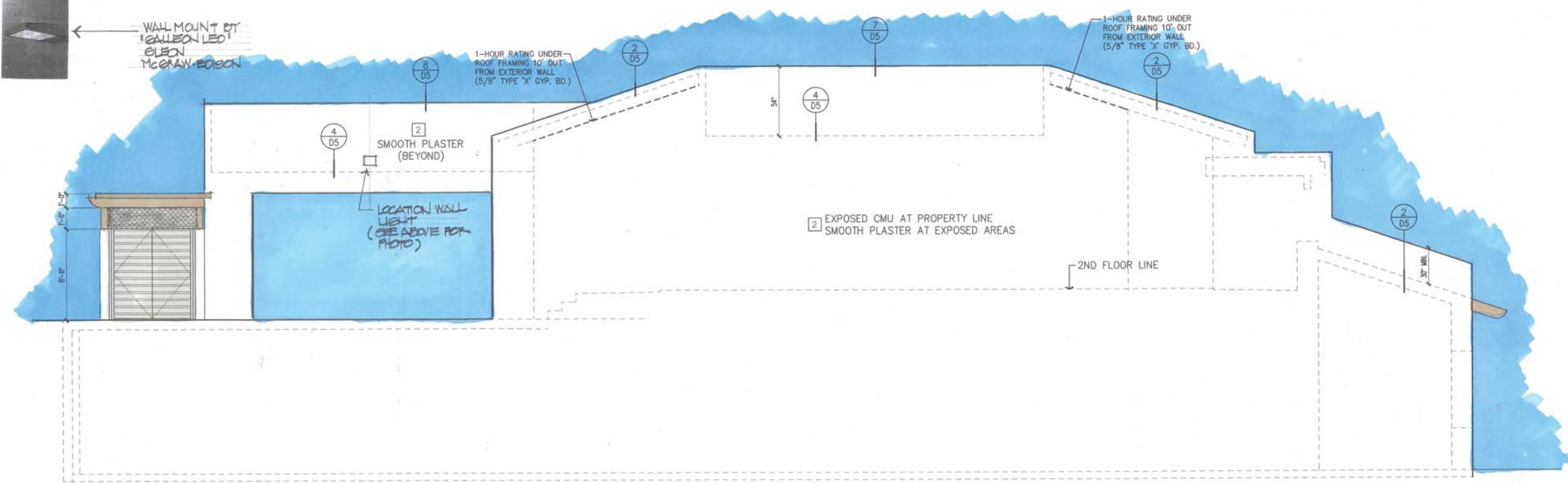
DWG: ELEVATIONS

SHEET NO. 102.1

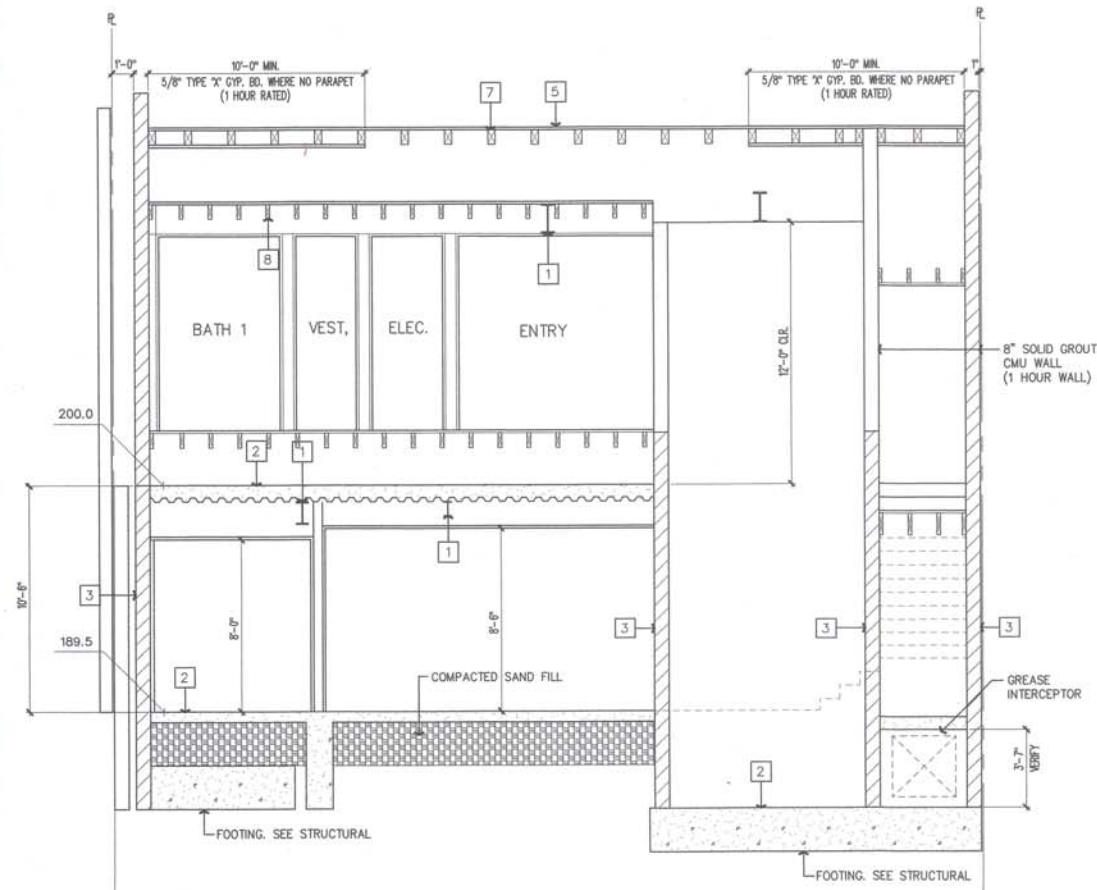
NO.	DATE
1	PLANNING 09.17.20
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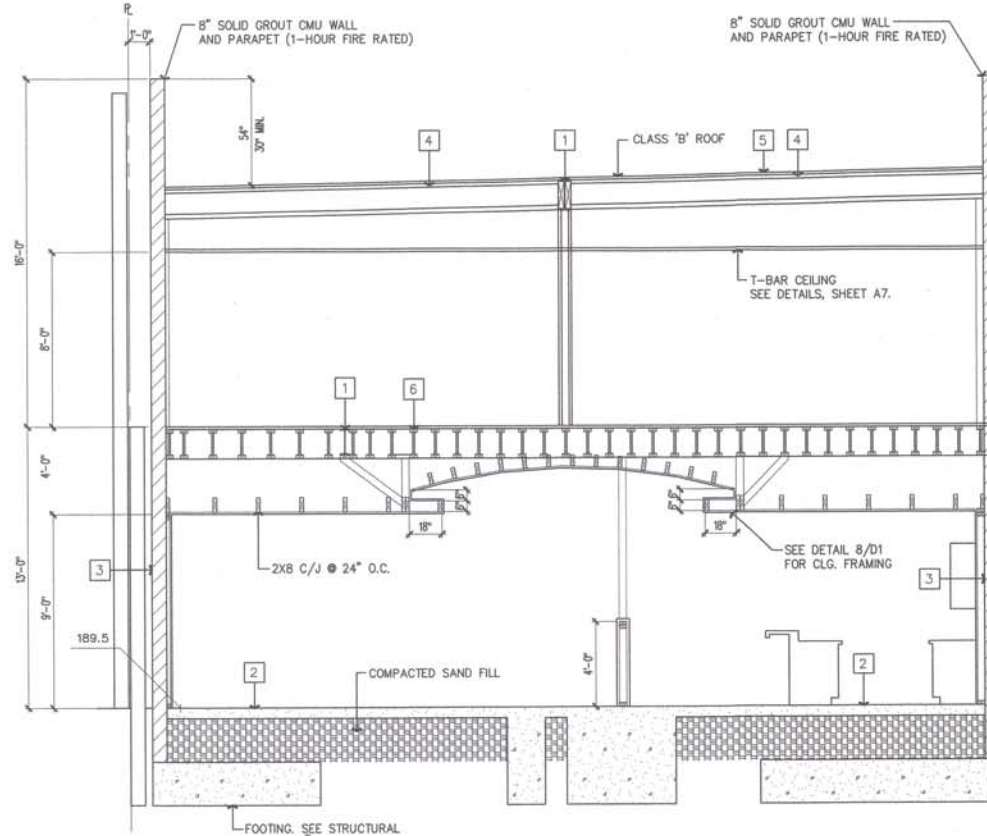
WALL MOUNT BY
"GALLEON LED"
ELEON
MCGRAW-HILL



SOUTH PROPERTY LINE WALL ELEVATION



SECTION D



SECTION C

- 1 NEW "ABC" FENCE. SEE LANDSCAPE.
- 2 SMOOTH PLASTER FINISH
- 3 G.I. WATER TABLE (PLASTER SCREED)
- 4 MEXICANUMBER TRELLIS
- 5 COPPER GUTTER
- 6 GATE. SEE DOOR SCHEDULE.
- 7 BRASS/SAPEL FINISHING
- 8 WIDE WOODS LIGHT FIXTURE
- 9
- 10
- 11
- 12
- 13
- 14
- 15

ELEVATION KEY NOTES

- 1 STEEL BEAM. SEE STRUCTURAL
- 2 CONCRETE SLAB/FOOTING
- 3 CMU WALL
- 4 T/I ROOF JOISTS. SEE STRUCTURAL
- 5 ROOFING MATERIAL. SEE ROOF PLAN.
- 6 FLOOR JOIST. SEE STRUCTURAL
- 7 HEAVY TIMBER ROOF JOISTS
- 8 CEILING JOISTS
- 9
- 10
- 11
- 12
- 13
- 14
- 15

SECTION KEY NOTES

REVISIONS	
NO.	DATE

LP3 architecture
158 N. GLASSELL ST. STE. 201
ORANGE, CA 92866
714-771-8400

ZOV'S RESTAURANT
155 AVENIDA DEL MAR
SAN CLEMENTE, CA

SCALE:
1/4" = 1'-0"
DRAWN:
A.J.V.
DATE:
07.16.19
DWG:
ELEVATIONS
SHEET NO.

A4.2

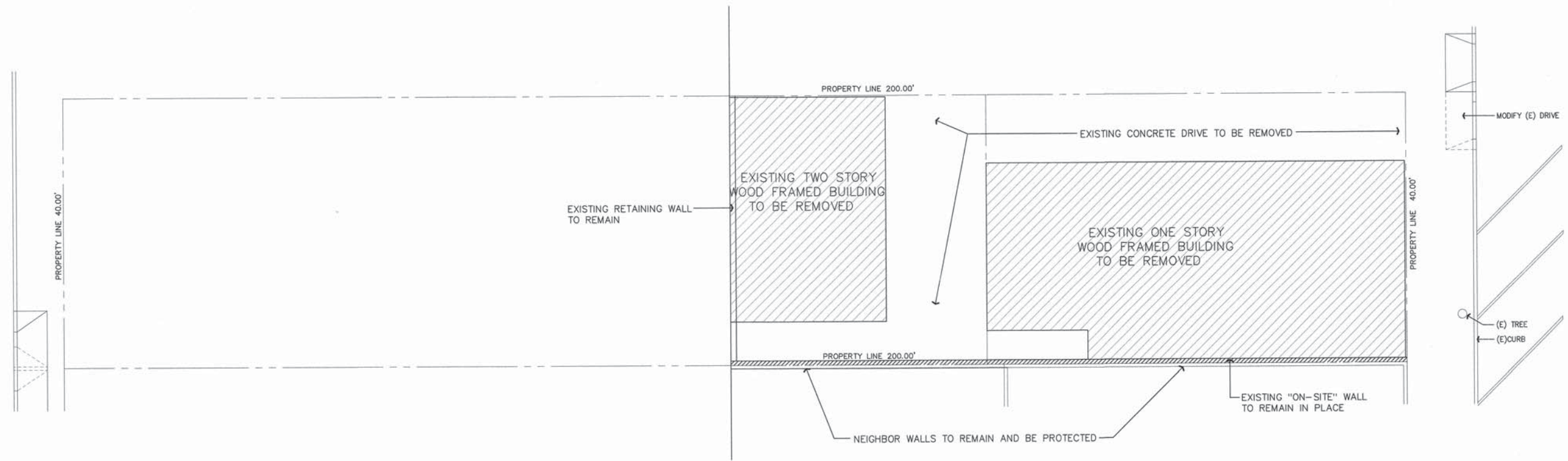
DEVELOPMENT REQUIREMENTS AND STANDARDS		
	CODE REQUIREMENT	PROPOSED
ZONING	MIXED USE 3.0	-
COASTAL OVERLAY	YES	-
CENTRAL BUSINESS OVERLAY	YES	-
ARCHITECTURAL OVERLAY	YES	-
MAXIMUM DISTURBED SITE AREA	5,000 SF	4927 SF
DENSITY - FAR	1.0	0.59
LOT COVERAGE	100 %	32 %
LOT WIDTH	60 FT	40 FT
HEIGHT	2 STORIES - 26 FT TOP OF ROOF - 33 FT	2 STORIES - 26 FT TOP OF ROOF - 29 FT
SETBACKS FRONT (NORTH)	0 FT	0 FT
SIDE (WEST)	0 FT	1 IN
SIDE (EAST)	0 FT	1 FT
REAR (GRANADA)	0 FT	100 FT
PARKING (ALLOWED/PROVIDED) (IF ALL OFFICE LEASED)	RESTAURANT (1 : 5 SEATS) OFFICE (1 : 350 SF)	12 + 6 WAIVERS = 18 70 SEATS = 14 SPACES 4 SPACES 18 SPACES
(IF PORTION REST. USE)	RESTAURANT (1 : 5 SEATS) OFFICE (1 : 350 SF)	80 SEATS = 16 SPACES 2 SPACES 18 SPACES
PARKING LOT LANDSCAPING	10.0 % 500 SF	22 % 880 SF
URBAN OPEN SPACE	20 % 1600 SF	58 % 4726 SF
URBAN OPEN SPACE LANDSCAPE	25 % 400 SF	50 % 880 SF

ZOV'S SAN CLEMENTE

155 AVENIDA DEL MAR, SAN CLEMENTE, CA

LP3 architecture, Inc.
LEASON F. POMEROY III, FAIA

REVISIONS	
NO.	DATE
△	
△	
△	



LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

ZOV's RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

DEMOLITION PLAN

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

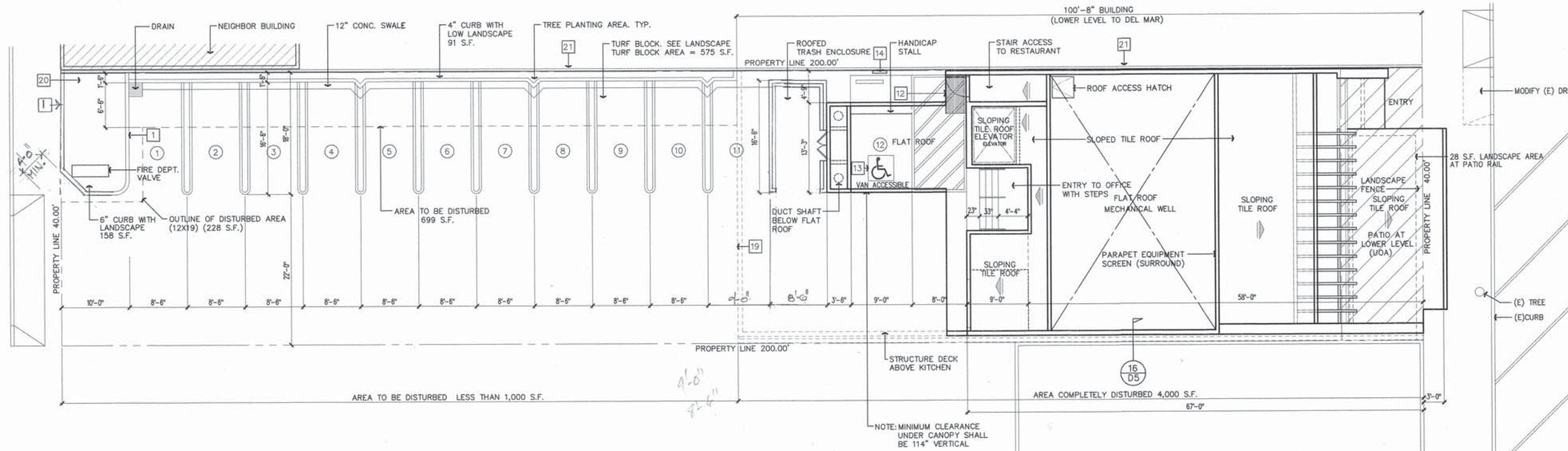
1. THIS PROJECT SHALL COMPLY WITH THE PROVISIONS OF CH 5 OF THE 2016 CGBC.
2. THIS PROJECT SHALL COMPLY WITH SECTION 5.106.1 OF THE CGBC. SEE EROSION CONTROL PLAN.
3. SURFACE DRAINAGE SHALL NOT ENTER BUILDINGS. SEE SITE PLAN AND GRADING PLAN FOR DRAINAGE.
4. CONTRACTOR SHALL REDUCE WASTE BY RECYCLING OR SALVAGING FOR RE-USE A MINIMUM OF 65% OF THE NONHAZARDOUS CONSTRUCTION AND DEMOLITION DEBRIS, OR MEET THE LOCAL CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, WHICHEVER IS MORE STRINGENT.
5. CONTRACTOR SHALL PROVIDE WASTE MANAGEMENT PLAN AND DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THE PLAN SHALL BE SUBMITTED THAT:
 - A. IDENTIFIES THE MATERIALS TO BE DIVERTED FROM DISPOSAL BY EFFICIENT USAGE, RECYCLING, REUSE ON THE PROJECT OR SALVAGE FOR FUTURE USE OR SALE.
 - B. DETERMINES IF MATERIALS WILL BE SORTED ON-SITE OR MIXED FOR TRANSPORTATION TO A DIVERSION FACILITY.
 - C. IDENTIFIES THE DIVERSION FACILITY WHERE THE MATERIAL COLLECTION WILL BE TAKEN.
 - D. SPECIFIES THAT THE AMOUNT OF MATERIALS DIVERTED SHALL BE CALCULATED BY WEIGHT OR VOLUME, BUT NOT BY BOTH. CGBC 5.408.2, 5.408.3.
6. 100% OF TREES, STUMPS, ROCKS, AND ASSOCIATED VEGETATION AND SOILS RESULTING PRIMARILY FROM LAND CLEARING SHALL BE REUSED OR RECYCLED. CGBC 5.408.3.
7. THE HVAC SYSTEM SHALL BE BALANCED IN ACCORDANCE WITH APPROVED NATIONAL STANDARDS. CGBC 5.416.4.3.1.
8. ALL DUCT OPENINGS AND OTHER AIR DISTRIBUTION COMPONENTS SHALL BE PROTECTED DURING STORAGE ON THE CONSTRUCTION SITE UNTIL FINAL START-UP WITH TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPT METHODS TO REDUCE THE AMOUNT OF DEBRIS WHICH MAY COLLECT IN THE SYSTEM. CGBC 5.504.3.
9. ADHESIVES, ADHESIVE BONDING PRIMERS, ADHESIVE PRIMERS, SEALANTS, SEALANT PRIMERS, AND CAULKS SHALL COMPLY WITH LOCAL OR REGIONAL AIR POLLUTION OR AIR QUALITY MANAGEMENT DISTRICT RULES WHERE APPLICABLE, OR SCAGMD RULE 1168 VOC LIMITS AND PROHIBITION ON THE USE OF CERTAIN TOXIC CHEMICALS, EXCEPT PER SUBSECTION 2, CGBC 5.504.4.1, SUBSECTION 1.
10. AEROSOL ADHESIVES, SMALLER UNIT SIZES OF ADHESIVES, AND SEALANT OR CAULKING COMPOUNDS (IN UNITS OF PRODUCT, LESS PACKING, WHICH DO NOT WEIGH MORE THAN 1 POUND AND DO NOT CONSIST OF MORE THAN 16 FLUID OUNCES) SHALL COMPLY WITH STATEWIDE VOC STANDARDS AND OTHER REQUIREMENTS, INCLUDING PROHIBITIONS ON THE USE OF CERTAIN TOXIC COMPOUNDS, OF CGR, TITLE 17, COMMENCING WITH SECTION 94507. CGBC 5.504.4.1, SUBSECTION 2.
11. VOC CONTENT LIMITS FOR ARCHITECTURAL COATINGS (ARCHITECTURAL PAINTS) SHALL COMPLY WITH CGBC TABLE 5.504.4.3, UNLESS MORE STRINGENT LOCAL LIMITS APPLY. CGBC 5.504.4.3.
12. AEROSOL PAINTS AND COATINGS SHALL MEET THE REQUIREMENTS OF SECTIONS 94522(c)(3), 94522(c)(2), AND (d) (2) OF CALIFORNIA CODE OF REGULATIONS, TITLE 17 COMMENCING WITH SECTION 94520. CGBC 5.504.4.3.1.
13. CARPETS SHALL MEET ONE OF THE FOLLOWING: 1. CARPET AND RUG INSTITUTE'S GREEN LABEL PLUS PROGRAM; 2. CALIFORNIA DEPARTMENT OF PUBLIC HEALTH STANDARD PRACTICE FOR THE TESTING OF VOC'S (SPECIFICATION 01350); 3. NSF/ANSI 140 AT THE GOLD LEVEL; 4. SCIENTIFIC CERTIFICATIONS SYSTEMS INDOOR ADVANTAGE TM GOLD. CGBC 5.504.4.4.
14. CARPET CUSHION SHALL MEET THE REQUIREMENTS OF THE CARPET AND RUG INSTITUTE GREEN LABEL PROGRAM. CARPET ADHESIVE SHALL MEET THE REQUIREMENTS OF TABLE 5.504.4.1. CGBC 5.504.4.4.1.
15. HARDWOOD PLYWOOD, PARTICLE BOARD AND MEDIUM DENSITY FIBERBOARD COMPOSITE WOOD PRODUCTS SHALL MEET THE REQUIREMENTS FOR FORMALDEHYDE LIMITS IN TABLE 5.504.4.5. CGBC 5.504.4.5.
16. FOR RESILIENT FLOORING, AT LEAST 50% OF THE FLOOR AREA SHALL COMPLY WITH VOC EMISSION LIMITS DEFINED IN THE 2009 COLLABORATIVE FOR HIGH PERFORMANCE SCHOOLS (CHPS) LOW-EMITTING MATERIALS LIST OR CERTIFIED UNDER THE RESILIENT FLOOR COVERING INSTITUTE (RFI) FLOORSORE PROGRAM. CGBC 5.504.4.6.
17. POLLUTANT CONTROL DOCUMENTATION SHALL BE PROVIDED TO INDICATE COMPLIANCE WITH SECTION 5.504 AND SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING: PRODUCT CERTIFICATIONS AND SPECS, CHAIN OF CUSTODY CERTIFICATIONS, OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY. CGBC 5.504.4.3.
18. PROVIDE FILTERS WITH A MINIMUM EFFICIENCY REPORTING VALUE (MERV) OF AT LEAST 8 FOR OUT-SIDE AND RETURN AIR IN REGULARLY OCCUPIED AREAS OF MECHANICALLY VENTILATED BUILDINGS.

1. BUILDER SHALL TAKE CARE TO PRESERVE AND PROTECT THE NEIGHBORING PROPERTY.
2. BUILDER SHALL ATTEMPT TO MINIMIZE DUST AND NOISE DURING DEMOLITION OPERATION.
3. BUILDER SHALL RECYCLE AS MUCH MATERIAL AS FEASIBLE.
4. BUILDER SHALL SHUT OFF OR CAP ALL GAS AND WATER LINES PRIOR TO STARTING DEMOLITION.
5. BUILDER SHALL CONTACT POWER COMPANY TO SHUT OFF ALL POWER TO BOTH BUILDINGS.
6. BUILDER SHALL REMOVE ALL CONCRETE FOUNDATIONS AND SLABS.
7. BUILDER SHALL REMOVE SENER LINES AND CAP AT PROPERTY LINE.

GREEN BUILDING REQUIREMENTS

DEMOLITION NOTES

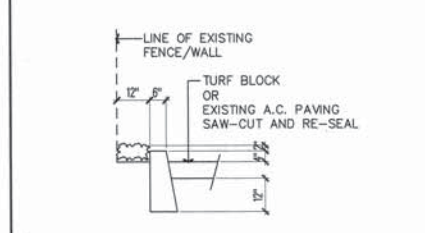
SCALE:	1/8"=1'-0"
DRAWN:	A.J.V.
DATE:	07.16.19
DWG:	DEMOLITION PLAN
SHEET NO.	105 C1



REVISIONS	
NO.	DATE
1	PLANNING 09/16/20
2	
3	
4	

LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

- PARKING AREA (TO RETAIN - RE-SURFACE)
 TOTAL SITE : 8,000 S.F.
 DISTURBED AREA : 4,927 S.F. < 5,000 S.F.
- URBAN OPEN AREA (20% OF LOT, 8,000 S.F.) = 1,600 S.F.
 PATIOS ETC. : 726 S.F.
 PARKING AREA : 4,000 S.F.
 URBAN OPEN AREA : 4,726 S.F. = 50% SITE > 20%
- LANDSCAPE (25% UOS REQ.) = 400 S.F.
 PLANTERS, ETC. : 880 S.F. = 50% > 25%



TABULATIONS

PARKING LOT :	4,000 S.F.
LANDSCAPE :	880 S.F.
PERCENTAGE :	22%

PARKING LOT LANDSCAPE

URBAN OPEN SPACE :	1,600 S.F.
LANDSCAPE :	880 S.F.
PERCENTAGE :	50%

URBAN OPEN SPACE LANDSCAPE

- PORTIONS OF THE PROJECT THAT ARE DEFERRED SHALL BE SUBJECT TO THE CODES, STANDARDS AND OTHER APPLICABLE REQUIREMENTS IN FORCE ON THE DATE THAT THE DEFERRED PLAN IS SUBMITTED TO OCFA.
- FOR CONDITIONS OF APPROVAL SEE SHEETS CA1 AND CA2.
- STRUCTURAL OBSERVATIONS REQUIRED PER 1705 #5 ON ALL BUILDINGS REQUIRING A LATERAL ANALYSIS.
- PRIOR TO REQUESTING A BUILDING DEPARTMENT FOUNDATION INSPECTION, THE SOILS ENGINEER SHALL INSPECT AND APPROVE FOUNDATION EXCAVATIONS.
- PROVIDE ILLUMINATED AND NON-COMBUSTIBLE ADDRESS NUMBERS FOR BUILDING.

(A) WHEEL STOP SCALE: 3/4" = 1'-0"

- 6" CONC. CURB
- WHEEL STOP
- ACCESSIBLE ROUTE, 4" CONC. WALK WITH 5% MAX RUNNING SLOPE AND 2% MAX CROSS SLOPE
- PLANTING. SEE LANDSCAPE PLAN
- CONCRETE PARKING LOT
- DARK GREEN PARKING STRIPES. (CITY STD.)
- LEVEL LANDING SURFACE. MAX SLOPE 1/8":1'-0"
- NEW 42" HIGH "ABC" PATIO DINING FENCE. SEE LANDSCAPE.
- BIKE RACK. SEE DETAIL 4/C5
- SWITCH GEAR
- PARKING LOT LIGHT
- TRUNCATED DOME. SEE DETAIL 19, SHEET D1.
- UNIVERSAL ACCESSIBILITY SYMBOL PAINTED ON SURFACE SEE DET. 1, SHEET CS. CBC 11B-502.6.
- ACCESSIBLE PARKING SPACE SIGN. SEE DET. 2, SHEET CS.
-
- BORDER OF ACCESS AISLE PAINTED BLUE. CBC 11B-502.6.
- LINE OF FLOOR BELOW
- CONCRETE CHANNEL, SEE CIVIL
- EXISTING CMU WALL ON NEIGHBORING PROPERTY PROVIDE ACCESSIBLE ROUTE TO TRASH ENCLOSURE 5% MAX RUNNING SLOPE WITH 2% MAX CROSS SLOPE
- 3' HIGH EXIT GATE W/PANIC HARDWARE

ARCHITECT/DEVELOPER
 NAME: LP3 ARCHITECTURE
 ADDRESS: 158 N. GLASSELL STREET, SUITE 201
 ORANGE, CALIFORNIA 92866
 PHONE NO.: 714-771-8400
 CONTACT: LEASON POMEROY III

STRUCTURAL ENGINEER:
 NAME: RM VOLPE & ASSOCIATES, INC.
 ADDRESS: 20321 LAKE FOREST DRIVE, SUITE D6
 LAKE FOREST, CALIFORNIA 92630
 PHONE NO.: 949-305-4700
 CONTACT: ROBERT VOLPE

ELECTRICAL/MECHANICAL/PLUMBING ENGINEER:
 NAME: SONEX ENGINEERING
 ADDRESS: 2082 MICHELSON DRIVE, SUITE 304
 IRVINE, CALIFORNIA 92612
 PHONE NO.: 949-903-2432
 CONTACT: MOSES MORTAZAVI

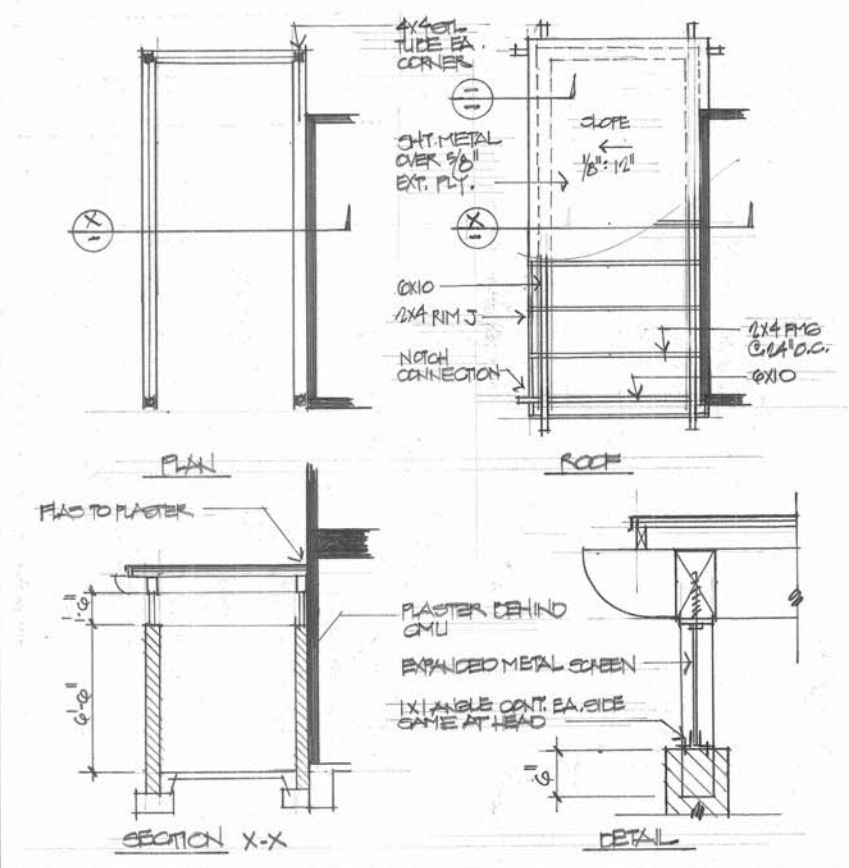
CIVIL ENGINEER:
 NAME: GILBERT ENGINEERING
 ADDRESS: 3 MERRILLWEATHER
 LADERA RANCHO, CALIFORNIA 92694
 PHONE NO.: 949-218-8075
 CONTACT: BILL GILBERT

LANDSCAPE ARCHITECT
 NAME: TERRAIN INTEGRATION
 ADDRESS: 191 S. ORANGE STREET
 ORANGE, CALIFORNIA 92866
 PHONE NO.: 714-724-9814
 CONTACT: STEPHANIE SHERMOEN

CONSULTANTS



SITE PLAN SCALE: 1/8" = 1'-0"



- SPRINKLER SYSTEM
- UNDERGROUND SYSTEM SERVING SPRINKLERS
- SPRINKLER MONITORING SYSTEM
- HOOD AND DUCT EXHAUST SYSTEM
- ELEVATOR
- SIGNAGE

DEFERRED SUBMITTALS

PROJECT INFORMATION

OWNER: AZ SAN CLEMENTE PARTNERS LLC
 SITE: 155 AVENIDA DEL MAR SAN CLEMENTE, CA
 APN: 058-082-05 NO. OF STORIES: 2
 058-082-36 OCCUPANCY: A-2/B NON-SEPARATED
 ZONING: MU3.0
 CONSTRUCTION TYPE: V-A, FULLY-SPRINKLERED

LEGAL DESCRIPTION

APN: 058-082-05, 058-082-36
 TRACT: 779
 LOT: 19

PROJECT DESCRIPTION

DEMO EXISTING 2-STORY RETAIL AND BUILD NEW 2 STORY, MIXED USE (OFFICE/RESTAURANT) BUILDING. TRASH ENCLOSURE AND FENCES INCLUDED. (SPRINKLERS UNDER SEPARATE PERMIT) (SIGNAGE UNDER SEPARATE PERMIT)

APPLICABLE CODES

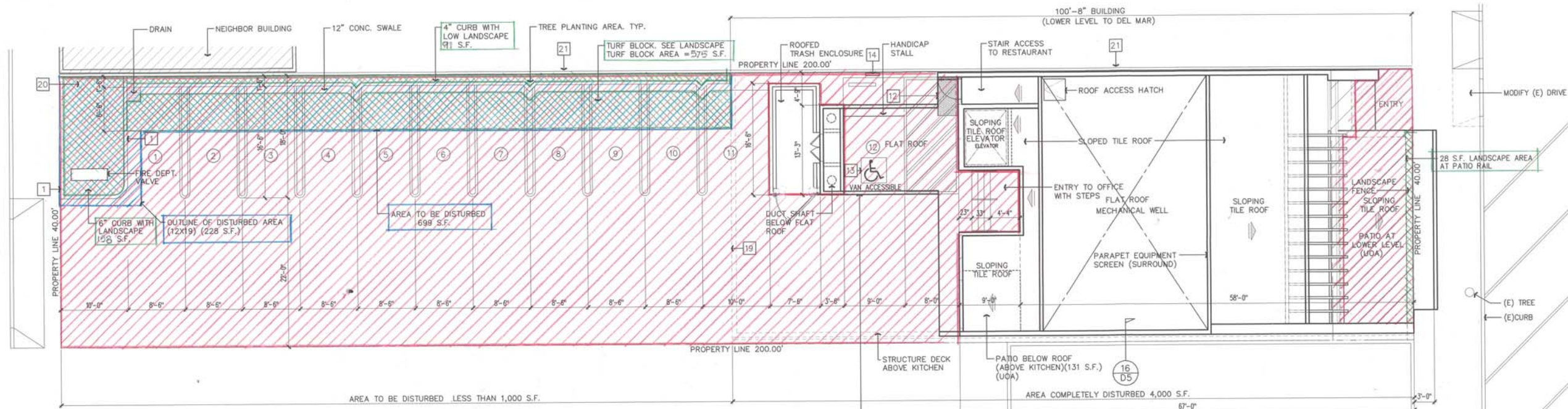
2016 C.B.C. 2016 C.F.C. 2016 CAL GREEN BLDG. STD.
 2016 C.P.C. 2016 C.E.C. CITY OF SAN CLEMENTE MUNI. CODE
 2016 C.M.C. 2016 ENERGY

AREA CALCULATIONS

SITE AREA :	8,000 S.F.
FLOOR AREA :	
FIRST FLOOR :	3,465 S.F. (KITCHEN/RESTAURANT)
SECOND FLOOR :	1,315 S.F.
TOTAL :	4,780 S.F.
FIRST FLOOR PATIO :	270 S.F.
SECOND FLOOR DECK :	447 S.F.
LANDSCAPE AREA :	880 S.F. (INCL 2ND FLR)
DINING AREA W/BAR :	139 SEATS ALLOWED BY CODE
DINING AREA W/OUT BAR :	75 SEATS APPROVED
PATIO AREA :	16 SEATS ALLOWED BY CODE
PATIO AREA :	16 SEATS APPROVED
PARKING :	12 SPACES PROVIDED
OCCUPANCY	
OCCUPANCY: MULTIPLE (A-2/F-1/B)	
FIRE SPRINKLERS: YES (PER 903.3.1.1/NFPA 13)	
CONSTRUCTION TYPE: VB	

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

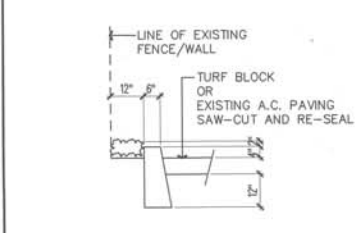
JOB NO: 2014-08
 SCALE: AS NOTED
 DRAWN: A.J.V.
 DATE: 07.16.19
 DWG: SITE PLAN PROJECT INFO
 SHEET NO: 106/162



REVISIONS	
NO.	DATE

LP3 architecture
 158 N. GLASSSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

- PARKING AREA (TO RETAIN - RE-SURFACE)
 TOTAL SITE : 8,000 S.F.
 DISTURBED AREA : 4,927 S.F. < 5,000 S.F.
- URBAN OPEN AREA (20% OF LOT, 8,000 S.F.) = 1,600 S.F.
 PATIOS ETC. : 726 S.F.
 PARKING AREA : 4,000 S.F.
 URBAN OPEN AREA : 4,726 S.F. = 59% SITE > 20%
- LANDSCAPE (25% UOS REQ.) = 400 S.F.
 PLANTERS, ETC. : 800 S.F. = 50% > 25%



	URBAN OPEN SPACE (> 1,600 OF REQUIRED)	4,726 SF
	LANDSCAPE AREA (> 400 OF UOS REQ) (12.0% PARKING LOT)	800 SF
	DISTURBED AREA (< 5,000 S.F. ALLOWED)	4,927 SF

TABULATIONS

PARKING LOT :	4,000 S.F.
LANDSCAPE :	800 S.F.
PERCENTAGE :	12.2 %

PARKING LOT LANDSCAPE

URBAN OPEN SPACE :	1,600 S.F.
LANDSCAPE :	800 S.F.
PERCENTAGE :	50%

URBAN OPEN SPACE LANDSCAPE

- PORTIONS OF THE PROJECT THAT ARE DEFERRED SHALL BE SUBJECT TO THE CODES, STANDARDS AND OTHER APPLICABLE REQUIREMENTS IN FORCE ON THE DATE THAT THE DEFERRED PLAN IS SUBMITTED TO OCA.
- FOR CONDITIONS OF APPROVAL SEE SHEETS CA1 AND CA2.
- STRUCTURAL OBSERVATIONS REQUIRED PER 1705 #5 ON ALL BUILDINGS REQUIRING A LATERAL ANALYSIS.
- PRIOR TO REQUESTING A BUILDING DEPARTMENT FOUNDATION INSPECTION, THE SOILS ENGINEER SHALL INSPECT AND APPROVE FOUNDATION EXCAVATIONS.
- PROVIDE ILLUMINATED AND NON-COMBUSTIBLE ADDRESS NUMBERS FOR BUILDING.

WHEEL STOP SCALE: 3/4" = 1'-0"

- 6" CONC. CURB
- WHEEL STOP
- ACCESSIBLE ROUTE, 4" CONC. WALK WITH 5% MAX RUNNING SLOPE AND 2% MAX CROSS SLOPE
- PLANTING. SEE LANDSCAPE PLAN
- CONCRETE PARKING LOT
- DARK GREEN PARKING STRIPES. (CITY STD.)
- LEVEL LANDING SURFACE. MAX SLOPE 1/8":1'-0"
- NEW 42" HIGH "ABC" PATIO DINING FENCE. SEE LANDSCAPE.
- BIKE RACK. SEE DETAIL 4/C5
- SWITCH GEAR
- PARKING LOT LIGHT
- TRUNCATED DOME. SEE DETAIL 19, SHEET D1.
- UNIVERSAL ACCESSIBILITY SYMBOL PAINTED ON SURFACE SEE DET. 1, SHEET C5, CBC 11B-502.6.
- ACCESSIBLE PARKING SPACE SIGN. SEE DET. 2, SHEET C5.
- BORDER OF ACCESS AISLE PAINTED BLUE. CBC 11B-502.6.
- LINE OF FLOOR BELOW
- CONCRETE CHANNEL. SEE CIVIL.
- EXISTING CMU WALL ON NEIGHBORING PROPERTY
- PROVIDE ACCESSIBLE ROUTE TO TRASH ENCLOSURE 5% MAX RUNNING SLOPE WITH 2% MAX CROSS SLOPE
- 3' HIGH EXT GATE W/PANIC HARDWARE

SITE PLAN SCALE: 1/8" = 1'-0"

ARCHITECT/DEVELOPER
 NAME: LP3 ARCHITECTURE
 ADDRESS: 158 N. GLASSSELL STREET, SUITE 201 ORANGE, CALIFORNIA 92866
 PHONE NO: 714-771-8400
 CONTACT: LEASON POMEROY III

STRUCTURAL ENGINEER
 NAME: RW VOLPE & ASSOCIATES, INC.
 ADDRESS: 20321 LAKE FOREST DRIVE, SUITE D6 LAKE FOREST, CALIFORNIA 92630
 PHONE NO: 949-305-4700
 CONTACT: ROBERT VOLPE

ELECTRICAL/MECHANICAL/PLUMBING ENGINEER
 NAME: SOREX ENGINEERING
 ADDRESS: 2082 MICHELSON DRIVE, SUITE 304 IRVINE, CALIFORNIA 92612
 PHONE NO: 949-903-2432
 CONTACT: MOSES MORTAZAM

CIVIL ENGINEER
 NAME: GILBERT ENGINEERING
 ADDRESS: 3 MERRIMETHUR LADERA RANCH, CALIFORNIA 92694
 PHONE NO: 949-218-8075
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 ADDRESS: 191 S. ORANGE STREET ORANGE, CALIFORNIA 92866
 PHONE NO: 714-724-9814
 CONTACT: STEPHANIE SHERMOEN

CONSULTANTS

1. SPRINKLER SYSTEM	2. UNDERGROUND SYSTEM SERVING SPRINKLERS	3. SPRINKLER MONITORING SYSTEM	4. HOOD AND DUCT EXHAUST SYSTEM	5. ELEVATOR SIGNAGE	6. ELEVATOR SIGNAGE
DEFERRED SUBMITTALS					
PROJECT INFORMATION					
OWNER: AZ SAN CLEMENTE PARTNERS LLC					
SITE: 155 AVENIDA DEL MAR SAN CLEMENTE, CA					
APN: 058-082-05		NO. OF STORIES: 2		OCCUPANCY: A-2/B NON-SEPARATED	
058-082-36		M.U.S.O.		CONSTRUCTION TYPE: V-A, FULLY-SPRINKLERED	
LEGAL DESCRIPTION					
APN: 058-082-05, 058-082-36					
TRACT: 779					
LOT: 19					
PROJECT DESCRIPTION					
DEMO EXISTING 2-STORY RETAIL AND BUILD NEW 2 STORY, MIXED USE (OFFICE/RESTAURANT) BUILDING, TRASH ENCLOSURE AND FENCES INCLUDED. (SPRINKLERS UNDER SEPERATE PERMIT) (SIGNAGE UNDER SEPERATE PERMIT)					
APPLICABLE CODES					
2016 C.B.C.	2016 C.F.C.	2016 CAL. GREEN BLDG. STD.			
2016 C.P.C.	2016 C.E.C.	CITY OF SAN CLEMENTE MUNI. CODE			
2016 C.M.C.	2016 ENERGY				
AREA CALCULATIONS					
SITE AREA: 8,000 S.F.					
FLOOR AREA :					
FIRST FLOOR	: 3,465 S.F.	(KITCHEN/RESTAURANT)			
SECOND FLOOR	: 1,315 S.F.				
TOTAL	: 4,780 S.F.				
FIRST FLOOR PATIO	: 270 S.F.				
SECOND FLOOR DECK	: 447 S.F.				
LANDSCAPE AREA	: 842 S.F.	(INCL. 2ND FLR)			
DINING AREA W/BAR	: 139 SEATS	ALLOWED BY CODE			
DINING AREA W/BAR	: 75 SEATS	APPROVED			
PATIO AREA	: 16 SEATS	ALLOWED BY CODE			
PATIO AREA	: 16 SEATS	APPROVED			
PARKING	: 12 SPACES	PROVIDED			
OCCUPANCY					
OCCUPANCY: MULTIPLE (A-2/F-1/B)					
FIRE SPRINKLERS: YES (PER 903.3.1.1/NFPA 13)					
CONSTRUCTION TYPE: VB					

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

JOB NO: 2014-08
 SCALE: AS NOTED
 DRAWN: A.J.V.
 DATE: 07.16.19
 DWG: SITE PLAN PROJECT INFO
 SHEET NO: 107

GENERAL NOTES

SITE PLAN KEY NOTES

VICINITY MAP

SHEET INDEX

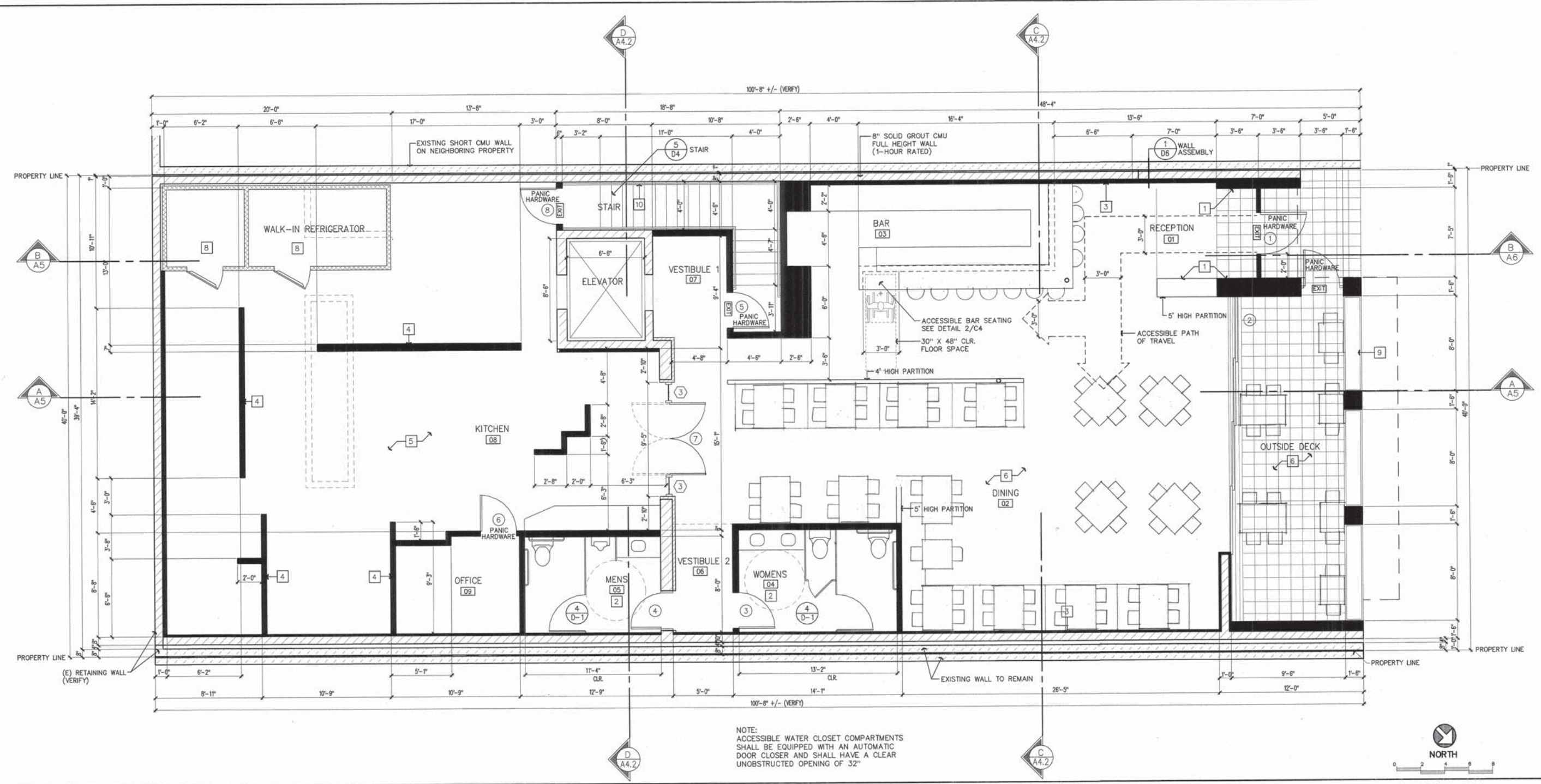
PROJECT INFORMATION

REVISIONS	
NO.	DATE

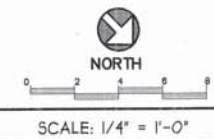
LP3 architecture
 158 N. GLASSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

SCALE:	AS NOTED
DRAWN:	A.J.V.
DATE:	07.16.19
DWG:	FLOOR PLAN
SHEET NO.	108 A1



NOTE:
 ACCESSIBLE WATER CLOSET COMPARTMENTS SHALL BE EQUIPPED WITH AN AUTOMATIC DOOR CLOSER AND SHALL HAVE A CLEAR UNOBSTRUCTED OPENING OF 32"



FLOOR PLAN

PER CPC TABLE 422.1 AND TABLE A
 GROUP A OCCUPANCY - LOAD FACTOR = 30 SF/OCCUPANT
 TOTAL DINING AREA = 2,376 SF @ 30 SF/OCCUPANT = 79 OCCUPANTS
 THEREFORE 39.5 MALE AND 39.5 FEMALE

FIXTURE TYPE	MALE	FEMALE
WATERCLOSETS	1 (1-50)	2 (26-50)
URINALS	1 (1-200)	-
LAVATORIES	1 (1-150)	1 (1-150)

DINING AREAS
 INDOOR - 2,076 S.F.
 PATIO - 300 S.F.
 TOTAL - 2,376 S.F. @ 30 S.F./OCCUPANT = 79 OCCUPANTS

THEFORE FIXTURES PROVIDED:

TYPE	MEN	WOMEN
WATERCLOSETS	1	2
URINALS	1	-
LAVATORIES	1	2

(U.O.N.) = UNLESS OTHERWISE NOTED
 THE CONTRACTOR &/OR SUBCONTRACTOR SHALL CAREFULLY STUDY & COMPARE ALL DRAWINGS, DATA, DIMENSIONS, SPECS. & CONDITIONS, BEFORE PROCEEDING W/ ANY WORK, & REPORT AT ONCE TO THE PREPARER OF THESE DOCUMENTS ANY ERROR, INCONSISTENCY OR OMISSION HE MAY DISCOVER. SEE "GENERAL NOTES" SHT. (SP) FOR ADDITIONAL INFO.
 ALL DIMENSIONS ARE TAKEN TO THE FACE OR CENTER OF NOMINAL STUD. IN CASE OF CONFLICT, NOTED DIMENSIONS TAKE PRECEDENT OVER SCALE OF DRAWINGS.
 ALL EXT. DRS. OR EXT. GRD. 1-3/4" THICK. SEE EXTERIOR ELEVATIONS. THICK. SEE EXTERIOR ELEVATIONS.
 ALL INT. DRS. TO BE INT. PAINT GRD. SOLID CORE 1-3/4" THK. (U.O.N.).
 ALL WALLS AT PERIMETER OF CONDITIONED SPACE SHALL BE 2X6. U.O.N. VERIFY WITH STRUCTURAL PLANS.
 CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH MFR SPECIFICATIONS PRIOR ROUGH FRAMING.
 THE FLOW RATES FOR ALL NEW PLUMBING FIXTURES SHALL COMPLY WITH THE MAXIMUM FLOW RATES IN TABLE 9.303.2.

1. WALL AND CEILING MATERIALS SHALL NOT EXCEED THE FLAME SPREAD CLASSIFICATIONS IN CBC 803.9
 2. DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. CBC 1008.1.9.

- 1 NEW FRAME AND PLASTER WALL (SEE STRUCTURAL)
- 2 NEW RESTROOM (SEE ENLARGED PLAN SHEET --)
- 3 WOOD FRAME WALLS W. 5/8" GYP. BD. INSIDE CMU WALL.
- 4 METAL STUDS W/ STAINLESS STEEL FINISH EACH SIDE.
- 5 EQUIPMENT BY OTHERS. SEE KITCHEN EQUIPMENT PLANS.
- 6 SEATING (NOT IN GENERAL CONTRACT) SEE SHEET A1.2
- 7 LINE OF SOFFIT OR CEILING ABOVE.
- 8 WALK-IN REFRIGERATOR TO BE INSTALLED IN FINISHED SPACE. (NOT A PART OF GENERAL CONSTRUCTION CONTRACT)
- 9 "ABC" COMPLIANT PATIO DINING FENCE.
- 10 STAIR HANDRAIL BOTH SIDES
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

WALL LEGEND

- EXISTING STUD WALL TO REMAIN
- EXISTING WALL TO BE REMOVED
- NEW STUD WALL
- INSULATED WALK-IN REFRIGERATOR WALL
- NEW MASONRY WALL
- EXISTING PROPERTY LINE WALL TO REMAIN

SYMBOL LEGEND

- DOOR NUMBER. SEE DOOR SCHEDULE
- WINDOW NUMBER. SEE WINDOW SCHEDULE
- KEYNOTE NUMBER. SEE KEYNOTES
- SECTION CUT. X DENOTES NUMBER, XX DENOTES SHEET
- INTERIOR ELEVATIONS, X= NUMBER.

PLUMBING FIXTURE COUNT ANALYSIS

FLOOR PLAN GENERAL NOTES

FLOOR PLAN KEY NOTES

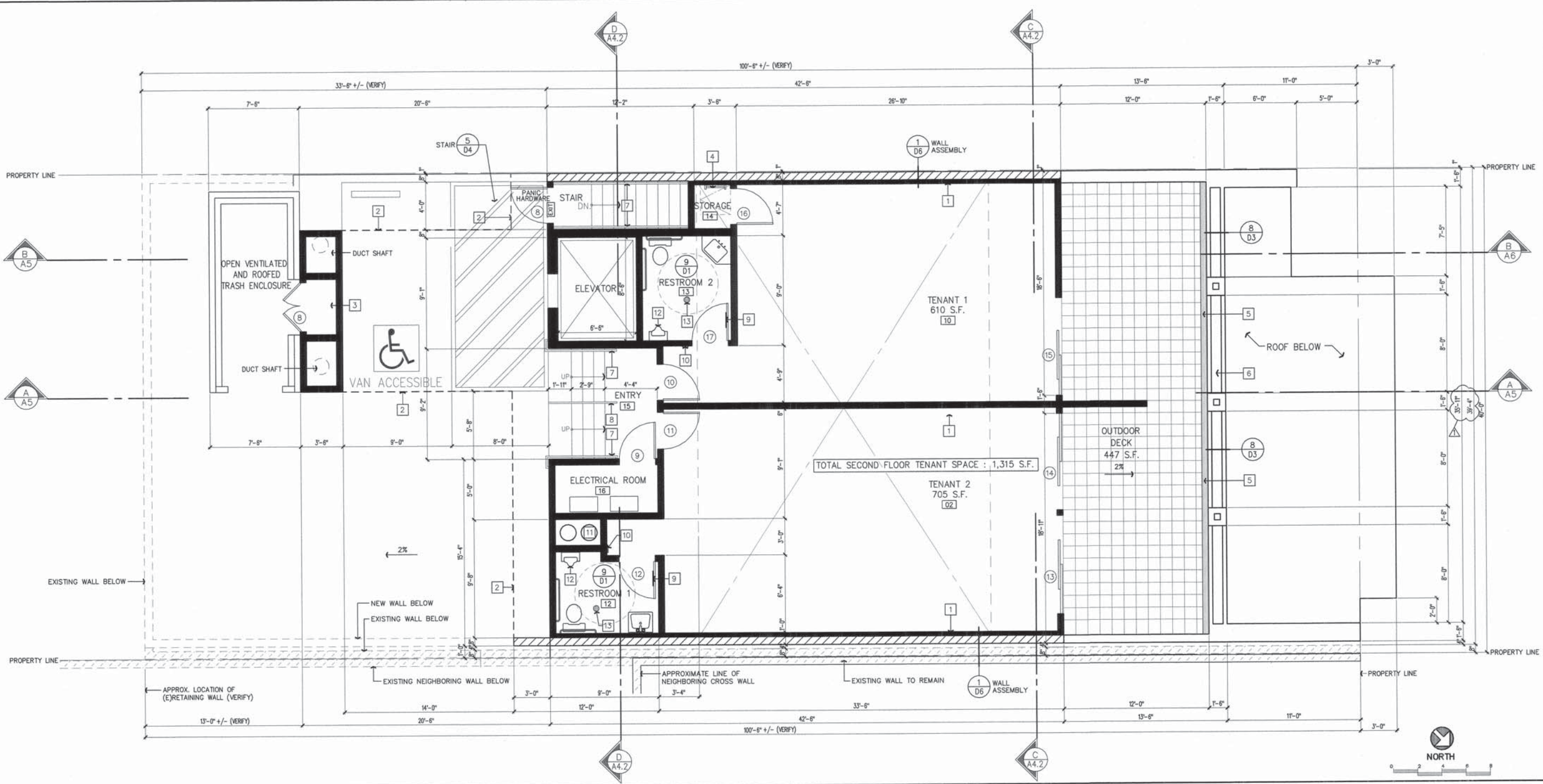
LEGEND

REVISIONS	
NO.	DATE

LP3 architecture
 158 N. GLASSSELL ST. STE. 201
 ORANGE, CA 92866
 714-771-8400

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

SCALE:	AS NOTED
DRAWN:	A.J.V.
DATE:	07.16.19
DWG:	SECOND FLOOR PLAN
SHEET NO.:	A2



SECOND FLOOR PLAN (UPPER LEVEL)

SCALE: 1/4" = 1'-0"

(U.O.N.) = UNLESS OTHERWISE NOTED
 THE CONTRACTOR &/OR SUBCONTRACTOR SHALL CAREFULLY STUDY & COMPARE ALL DRAWINGS, DATA, DIMENSIONS, SPECS. & CONDITIONS, BEFORE PROCEEDING W/ ANY WORK, & REPORT AT ONCE TO THE PREPARER OF THESE DOCUMENTS ANY ERROR, INCONSISTENCY OR OMISSION HE MAY DISCOVER. SEE "GENERAL NOTES" SHT. (SP) FOR ADDITIONAL INFO.
 ALL DIMENSIONS ARE TAKEN TO THE FACE OR CENTER OF NOMINAL STUD. IN CASE OF CONFLICT, NOTED DIMENSIONS TAKE PRECEDENT OVER SCALE OF DRAWINGS.
 ALL EXT. DRS. TO BE EXT. GRD. 1-3/4" THICK. SEE EXTERIOR ELEVATIONS. THICK. SEE EXTERIOR ELEVATIONS.
 ALL INT. DRS. TO BE INT. PAINT GRD. SOLID CORE 1-3/4" THK. (U.O.N.).
 ALL WALLS AT PERIMETER OF CONDITIONED SPACE SHALL BE 2X6. U.O.N. VERIFY WITH STRUCTURAL PLANS.
 CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH MFR SPECIFICATIONS PRIOR TO FRAMING.
 THE FLOW RATES FOR ALL NEW PLUMBING FIXTURES SHALL COMPLY WITH THE MAXIMUM FLOW RATES IN TABLE 9.303.2.

1. WALL AND CEILING MATERIALS SHALL NOT EXCEED THE FLAME SPREAD CLASSIFICATIONS IN CBC 803.9
 2. DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. CBC 1008.1.9.

FLOOR PLAN GENERAL NOTES

- 1 WOOD FRAME WALLS W. 5/8" GYP. BD. EACH SIDE.
- 2 LINE OF SOFFIT OR CEILING ABOVE.
- 3 SWITCH GEAR. SEE ELECTRICAL.
- 4 ROOF ACCESS LADDER. SEE (1)
- 5 LINEAR DRAIN
- 6 RAISED PLANTER. SEE LANDSCAPE PLAN FOR PLANTING
- 7 WALL-MOUNTED HANDRAIL. 24-28" ABOVE NOSING EA. SIDE OF STAIR
- 8 HANDRAIL 24-28" ABOVE NOSING.
- 9 GENDER-NEUTRAL ADA RESTROOM SIGNAGE. SEE (2)
- 10 TACTILE AND BRAILLE ROOM ID SIGNAGE. SEE (2)
- 11 DUCT SHAFT. THE ANNULAR SPACE AROUND DUCTS SHALL BE PROTECTED WITH AN APPROVED NON-COMBUSTIBLE MATERIAL THAT RESISTS FREE PASSAGE OF FLAME AND THE PRODUCTS OF COMBUSTION.
- 12 URINAL. SEE PLUMBING PLANS
- 13 FLOOR DRAIN. SEE PLUMBING PLANS
- 14
- 15
- 16
- 17
- 18
- 19

FLOOR PLAN KEY NOTES

- WALL LEGEND**
- EXISTING STUD WALL TO REMAIN
 - EXISTING WALL TO BE REMOVED
 - NEW STUD WALL
 - INSULATED WALK-IN REFRIGERATOR WALL
 - NEW MASONRY WALL
 - EXISTING PROPERTY LINE WALL TO REMAIN

- SYMBOL LEGEND**
- (7) DOOR NUMBER. SEE DOOR SCHEDULE
 - (8) WINDOW NUMBER. SEE WINDOW SCHEDULE
 - (1) KEYNOTE NUMBER. SEE KEYNOTES
 - X/XX SECTION CUT. X DENOTES NUMBER, XX DENOTES SHEET
 - X/E INTERIOR ELEVATIONS, X= NUMBER.

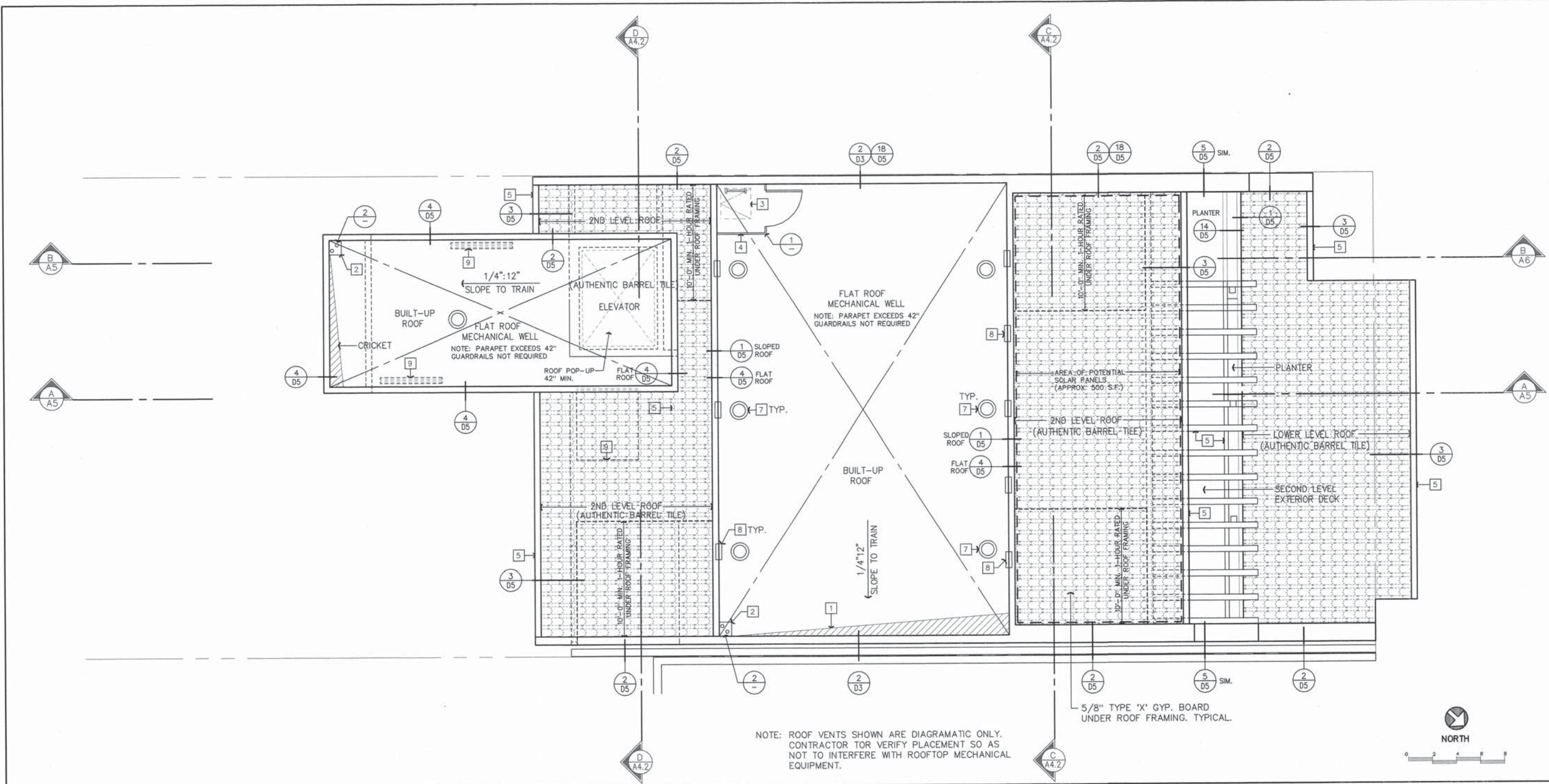
LEGEND

REVISIONS	
NO.	DATE

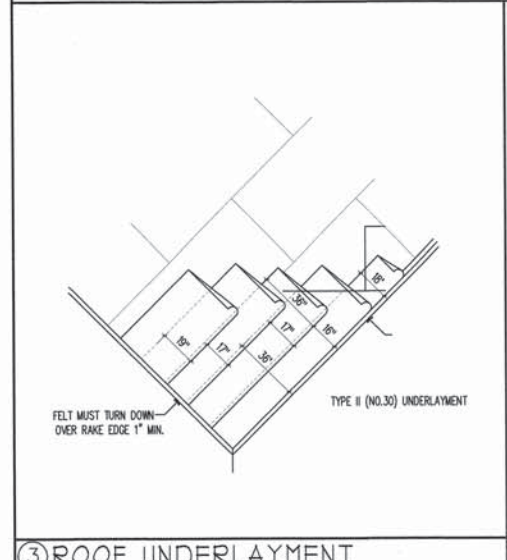
LP3 architecture
 158 N. GLASSELL ST. STE. 201
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ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

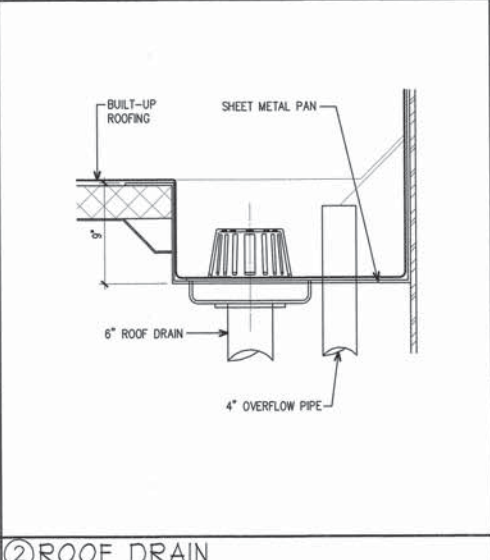
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DRAWN:	A.J.V.
DATE:	07.16.19
DWG:	ROOF PLAN
SHEET NO.	11A3



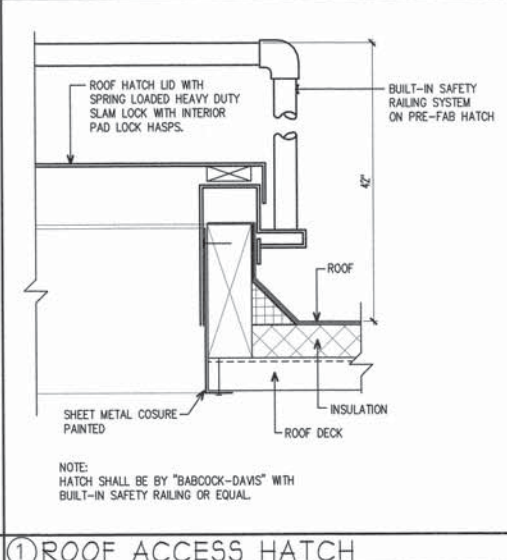
ROOF PLAN



③ ROOF UNDERLAYMENT



② ROOF DRAIN



① ROOF ACCESS HATCH

FRONT SLOPED ROOF AREA = 413 S.F.
 1/150 HIGH ONLY = 413 S.F. X 144/150 = 396 SQ. IN.
 (5 - 14" X 8" VENTS MIN 96 SQ. IN. FREE VENT AREA)

MIDDLE FLAT ROOF AREA = 908 S.F.
 1/150 HIGH ONLY = 908 S.F. X 144/150 = 872 SQ. IN.
 (6 - FLAT ROOF DOME VENTS MIN. 144 SQ. IN. VENT AREA)

REAR SLOPED ROOF AREA = 288 S.F.
 1/150 HIGH ONLY = 288 S.F. X 144/150 = 278 SQ. IN.
 (3 - 14" X 8" VENTS MIN. 96 SQ. IN. FREE VENT AREA)

REAR FLAT ROOF AREA = 404 S.F.
 1/300 HIGH & LOW = 404 S.F. X 144/300 = 194 SQ. IN.
 (97 SQ. IN. HIGH, 97 SQ. IN. LOW, 1 LINEAR VENT, 1 DOME VENT)

ATTIC VENTILATION CALCS

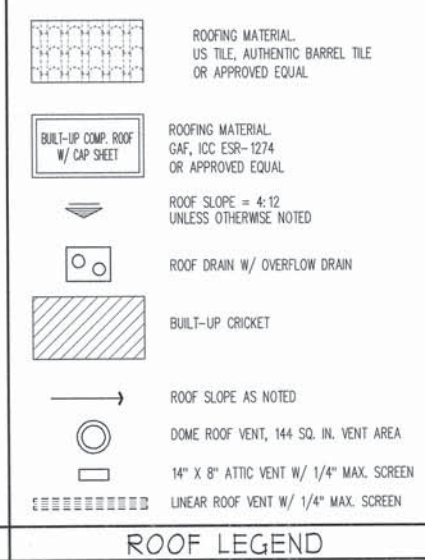
- REFER TO FRAMING PLAN FOR RAFTER JOISTS AND/OR TRUSSES.
- ALL VENT PIPES, FLASHING, ETC. THAT PROJECT THROUGH THE ROOF SHALL BE PAINTED TO MATCH ADJACENT ROOF COLOR.
- ALL RIDGE HEIGHTS ARE TO TOP OF FINISH MATERIAL. E.G. ROOFING MATERIAL.
- INSTALL ROOFING MATERIAL PER MANUFACTURERS SPECIFICATIONS.

GENERAL ROOF NOTES

- PLYWOOD CRICKET
- 3" ROOF DRAIN W/ 3" OVERFLOW. SEE DETAIL 2/-.
- ROOF ACCESS HATCH. SEE DETAIL 1/-.
- 42" HIGH GUARDRAIL AND GATE.
- COPPER RAIN GUTTER
- TRELLIS. SEE STRUCTURAL
- DOME ROOF VENT
- 14" X 8" ATTIC ROOF VENT IN WALL
- LINEAR ROOF VENT BELOW

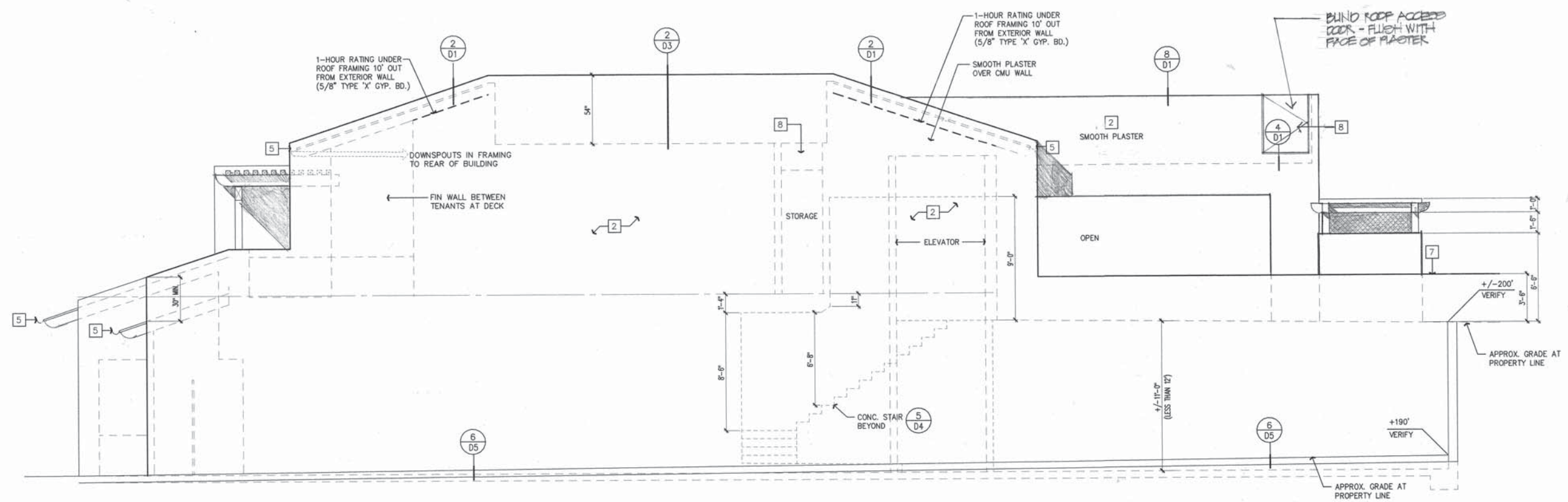
- ROOFING MATERIAL. US TILE, AUTHENTIC BARREL TILE OR APPROVED EQUAL
- BUILT-UP COMP. ROOF W/ CAP SHEET
- ROOF SLOPE = 4:12 UNLESS OTHERWISE NOTED
- ROOF DRAIN W/ OVERFLOW DRAIN
- BUILT-UP CRICKET
- ROOF SLOPE AS NOTED
- DOME ROOF VENT, 144 SQ. IN. VENT AREA
- 14" X 8" ATTIC ROOF VENT W/ 1/4" MAX. SCREEN
- LINEAR ROOF VENT W/ 1/4" MAX. SCREEN

ROOF KEY NOTES



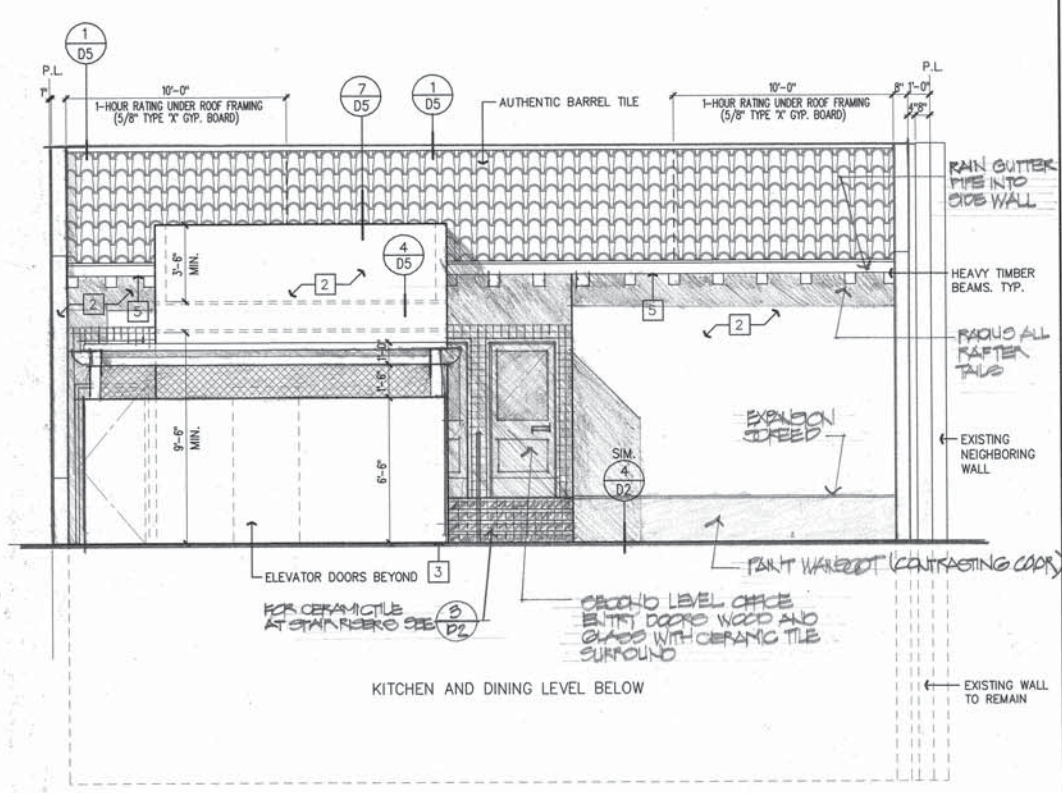
ROOF LEGEND

REVISIONS	
NO.	DATE
1	PLANNING 09.17.20
2	
3	
4	

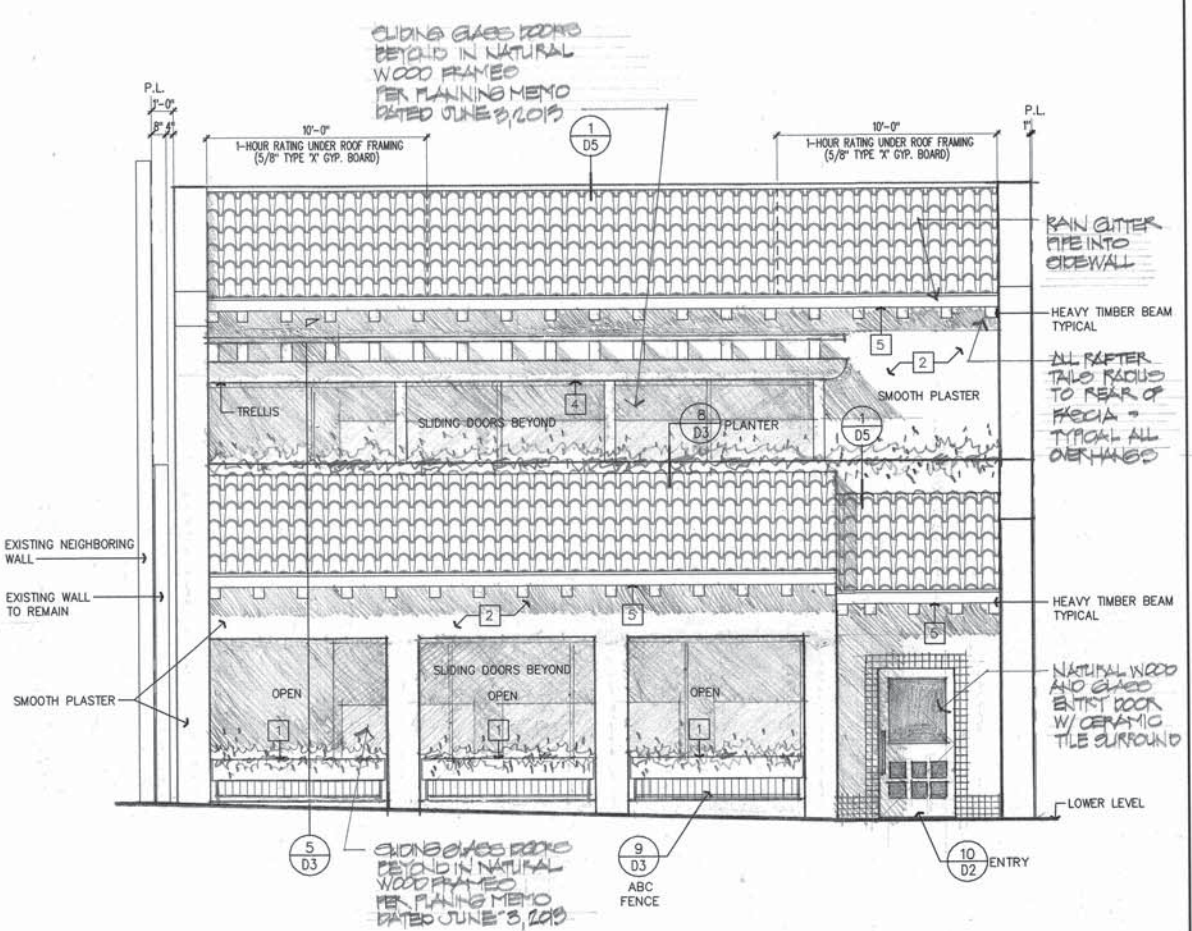


NORTH PROPERTY LINE WALL ELEVATION

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WEST (REAR) ELEVATION



EAST (FRONT) ELEVATION

- | NO. | DATE |
|-----|------------------------------------|
| 1 | NEW "ABC" FENCE. SEE LANDSCAPE. |
| 2 | SMOOTH PLASTER FINISH |
| 3 | G.L. WATER TABLE. (PLASTER SCREED) |
| 4 | HEAVY TIMBER TRELLIS |
| 5 | COPPER GUTTER |
| 6 | GATE. SEE DOOR SCHEDULE. |
| 7 | PROPERTY LINE WALL |
| 8 | ROOF ACCESS |
| 9 | |
| 10 | |
| 11 | |
| 12 | |
| 13 | |
| 14 | |
| 15 | |

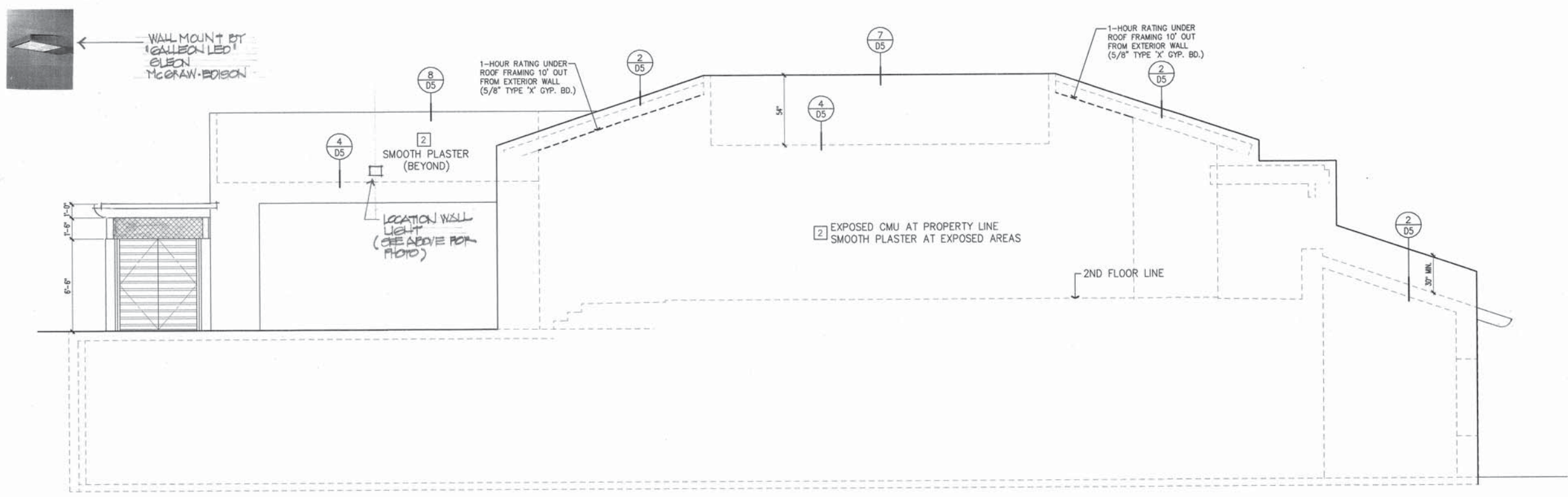
ELEVATION KEY NOTES

ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

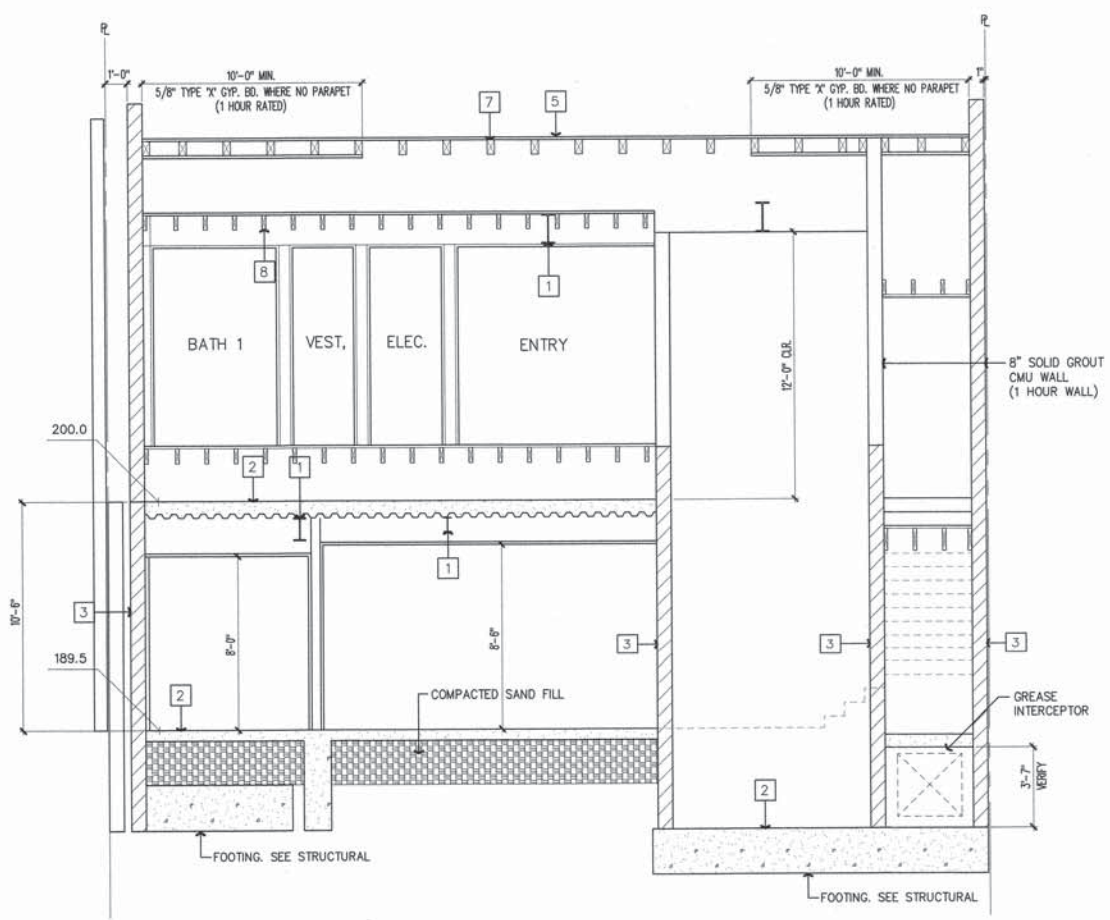
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 DRAWN: A.J.V.
 DATE: 07.16.19
 DWG: ELEVATIONS

SHEET NO. 1A4.1

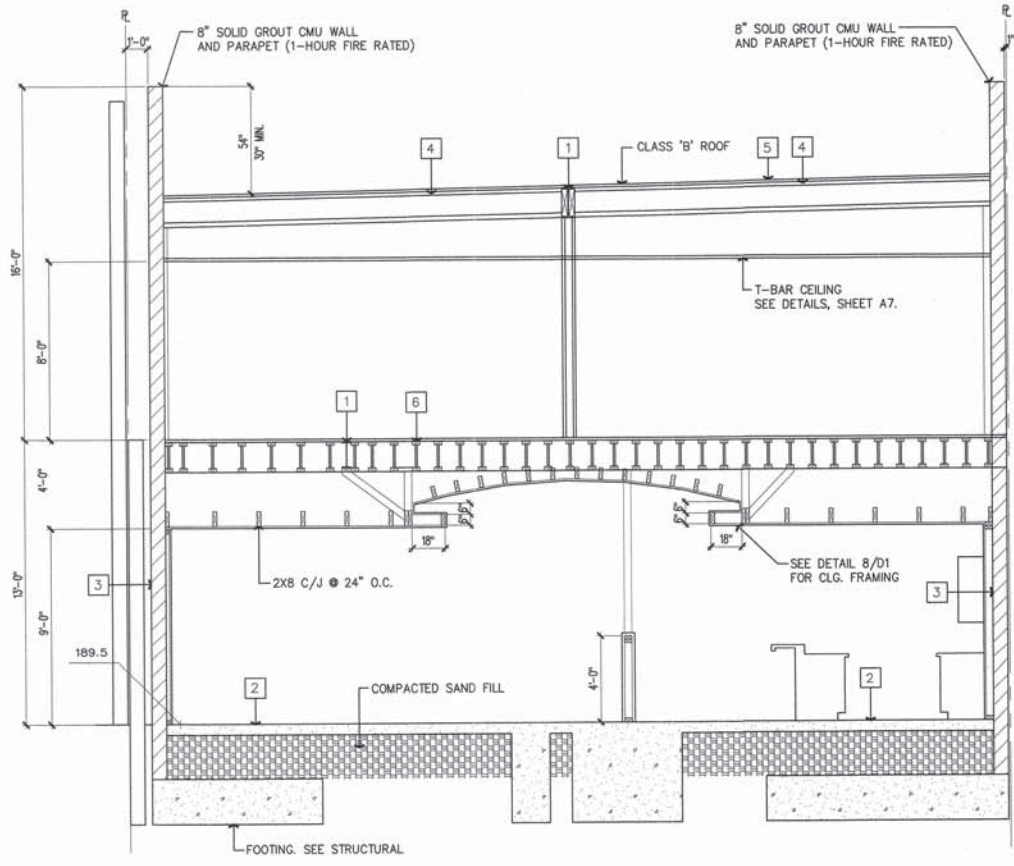
REVISIONS	
NO.	DATE



SOUTH PROPERTY LINE WALL ELEVATION



SECTION D



SECTION C

- 1 NEW "ABC" FENCE. SEE LANDSCAPE.
- 2 SMOOTH PLASTER FINISH
- 3 G.I. WATER TABLE. (PLASTER SCALED)
- 4 MEMBRANE TRELLIS
- 5 COPPER GUTTER
- 6 GATE. SEE DOOR SCHEDULE.
- 7 EMBROIDERED SIGNAGE
- 8 WIDE MODERN LIGHT FIXTURE
- 9
- 10
- 11
- 12
- 13
- 14
- 15

ELEVATION KEY NOTES

- 1 STEEL BEAM. SEE STRUCTURAL
- 2 CONCRETE SLAB/FOOTING
- 3 CMU WALL
- 4 T&B ROOF JOISTS. SEE STRUCTURAL
- 5 ROOFING MATERIAL. SEE ROOF PLAN.
- 6 FLOOR JOIST. SEE STRUCTURAL
- 7 HEAVY TIMBER ROOF JOISTS
- 8 CEILING JOISTS
- 9
- 10
- 11
- 12
- 13
- 14
- 15

SECTION KEY NOTES

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ZOV'S RESTAURANT
 155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

SCALE:	1/4" = 1'-0"
DRAWN:	A.J.V.
DATE:	07.16.19
DWG:	ELEVATIONS
SHEET NO.:	A4.2

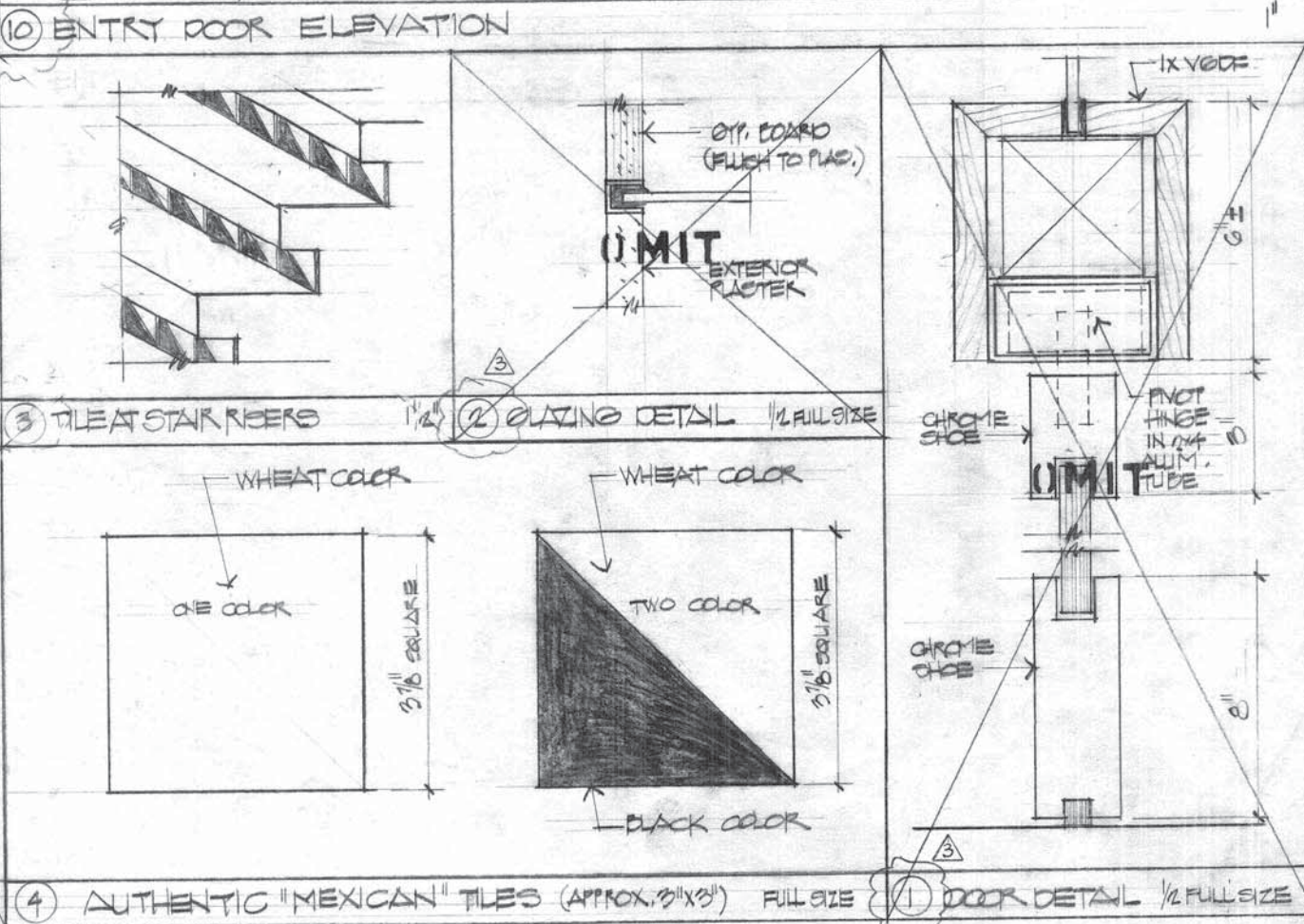
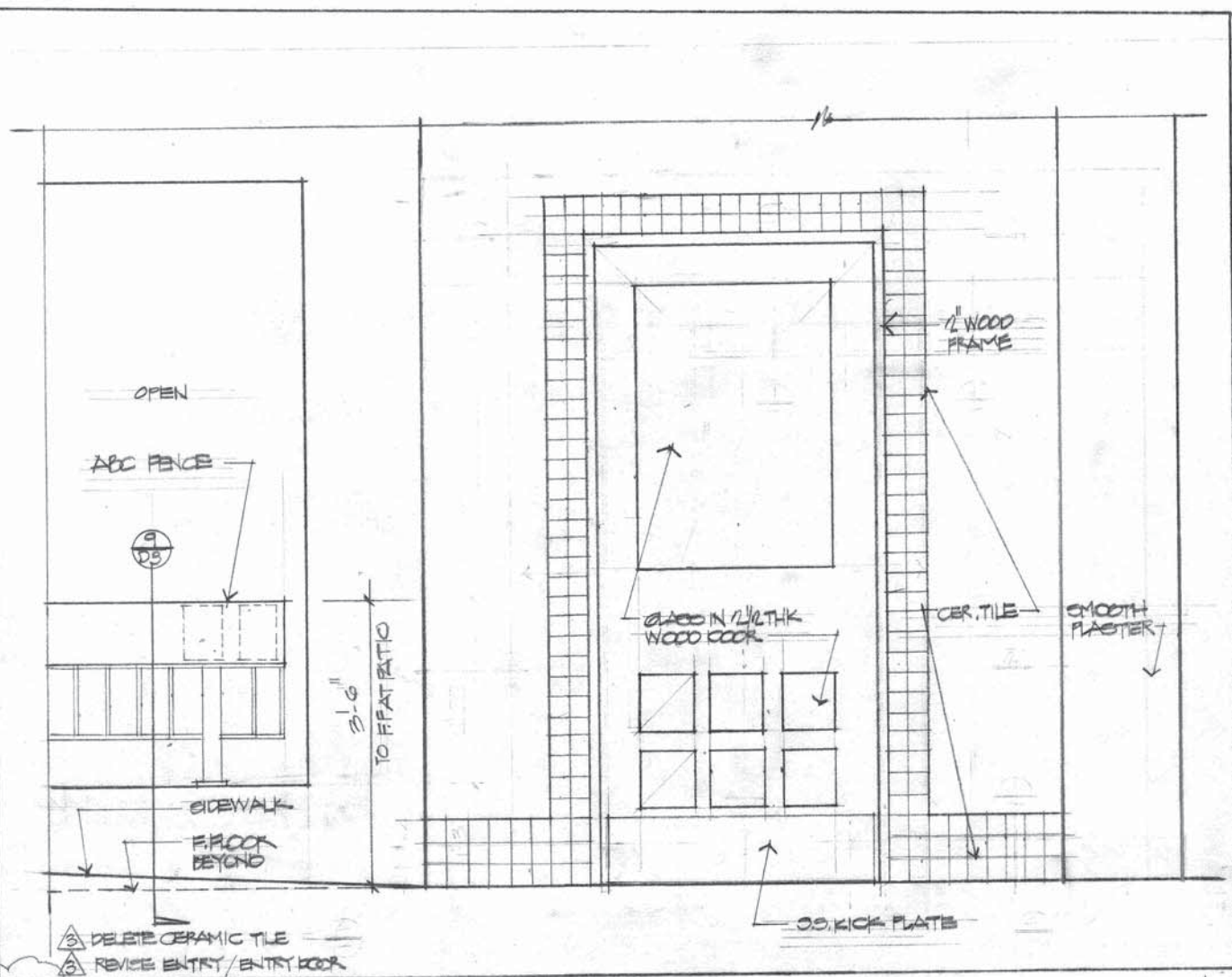
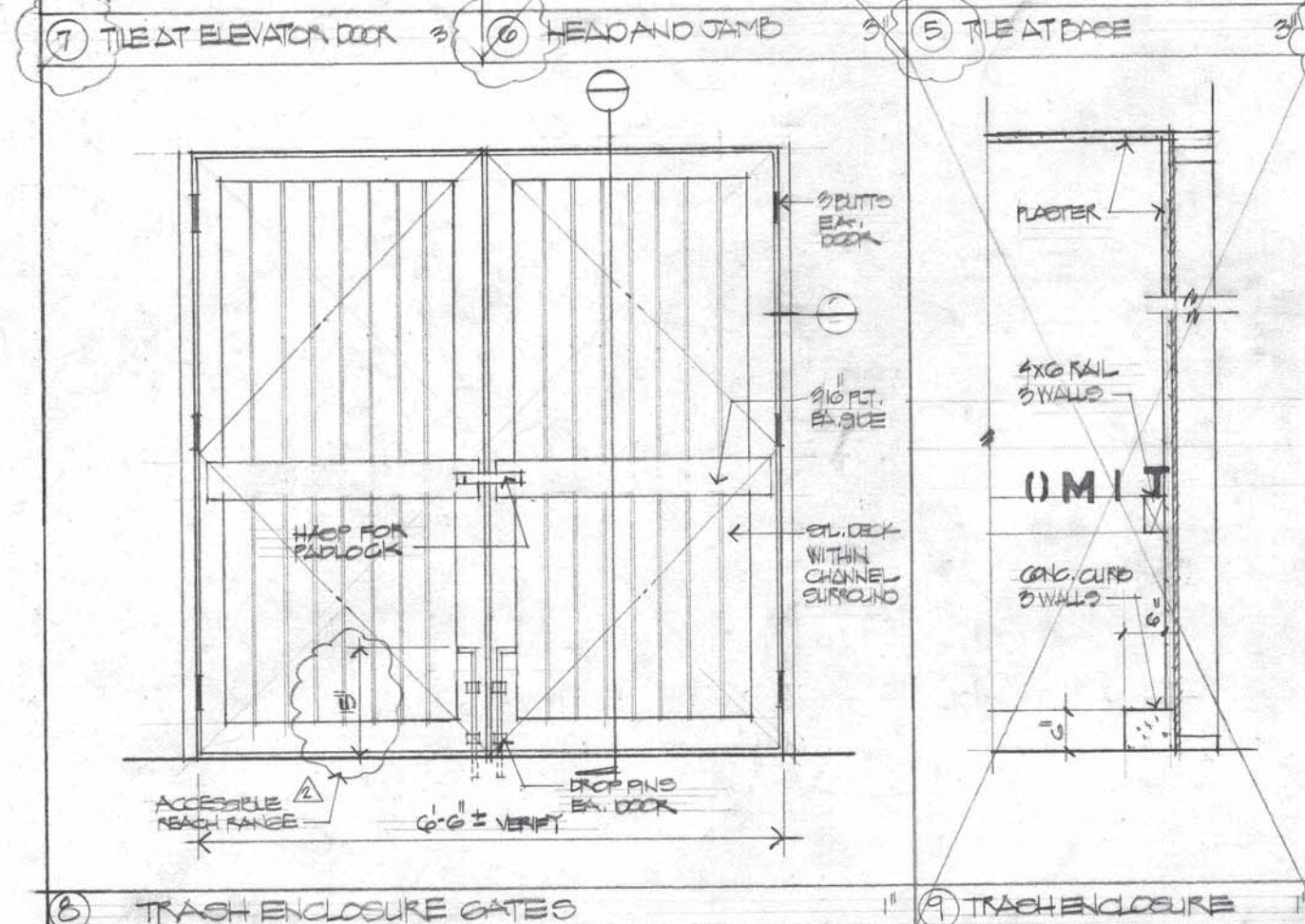
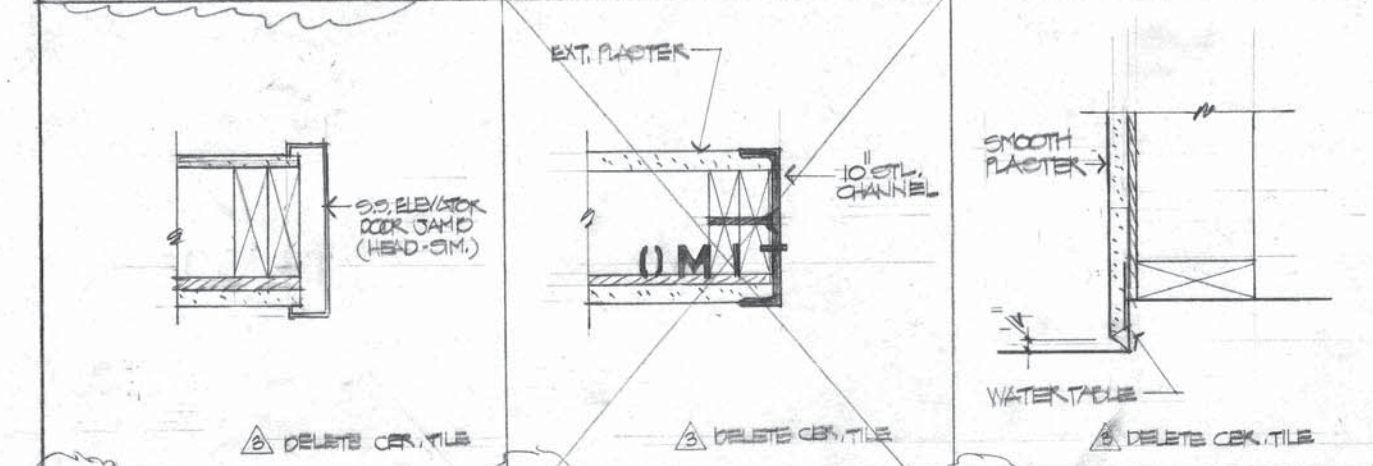
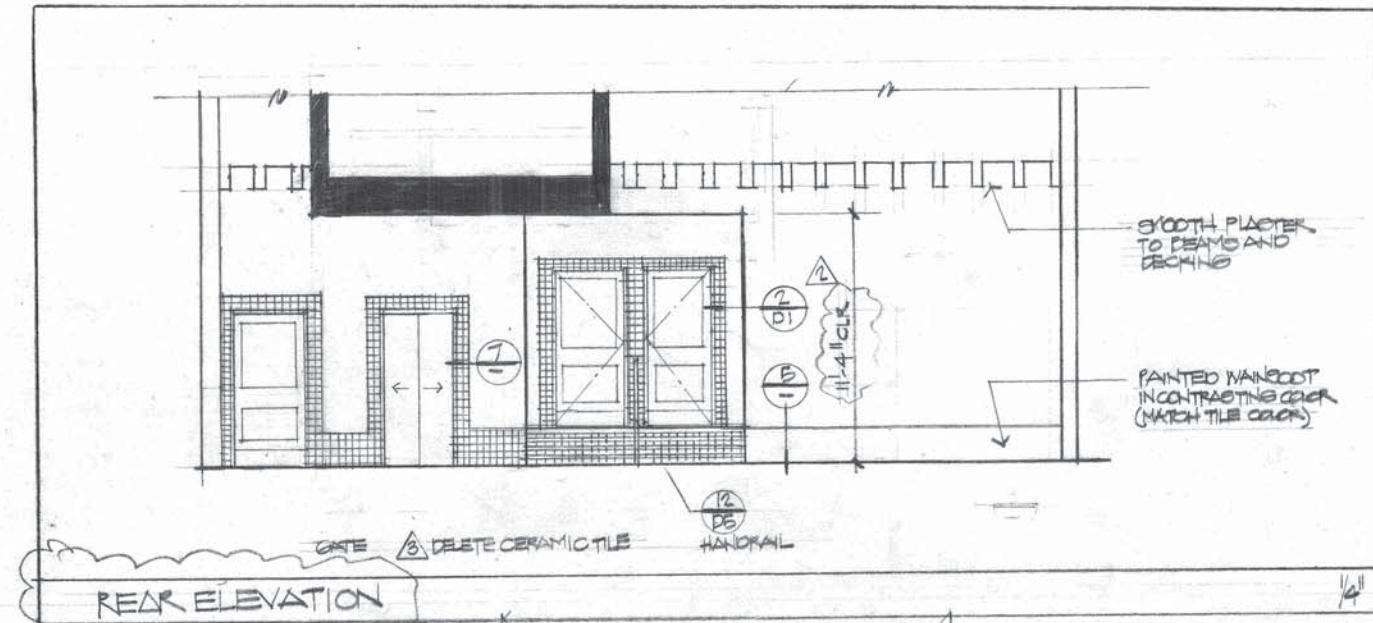
REVISIONS	
NO.	DATE
1	CLARIFICATION 07/12/19
2	BUILDING 07/12/19
3	PLANNING 07/12/19



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ZOV'S RESTAURANT
 153 AVENIDA DEL MAR
 SAN CLEMENTE, CA

SCALE	AS NOTED
DRAWN	LFP
DATE	REVISED 07/12/19
DWG.	DETAILS
SHEET NO.	D32



D32

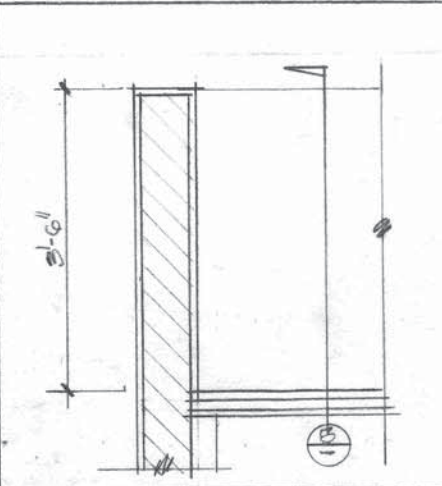
REVISIONS	
NO.	DATE
1	07.18.19
2	07.18.19
3	07.18.19



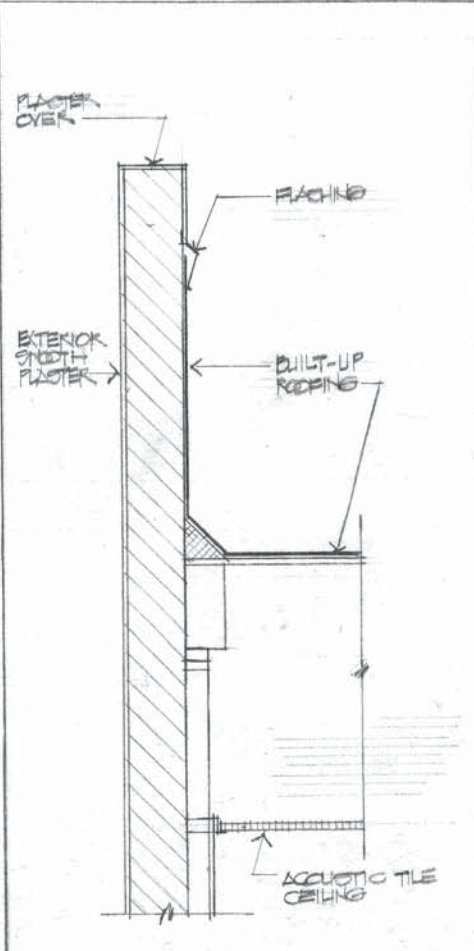
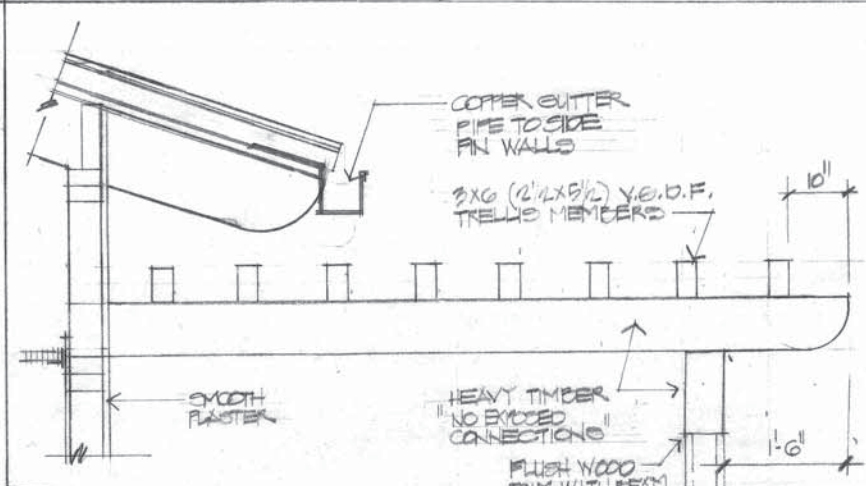
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ZOV'S RESTAURANT
 153 AVENIDA DEL MAR
 SAN CLEMENTE, CA

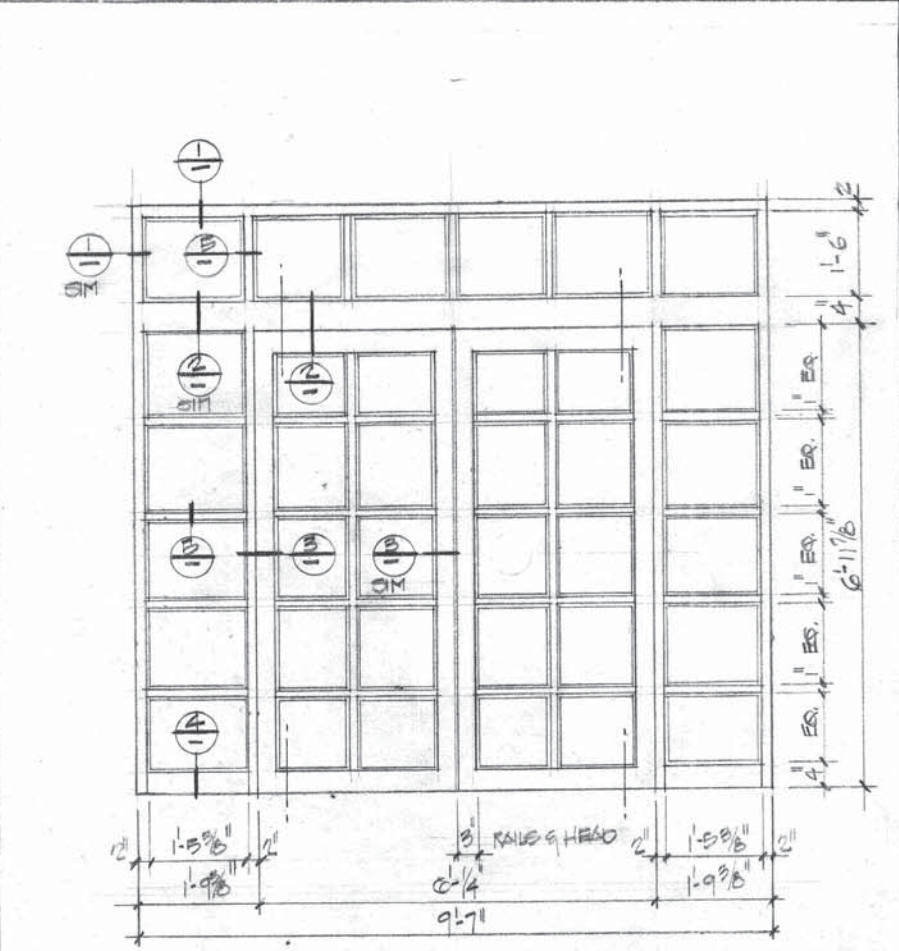
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DATE:	REVISED 07.18.19
DWG:	DETAILS
SHEET NO.	D3



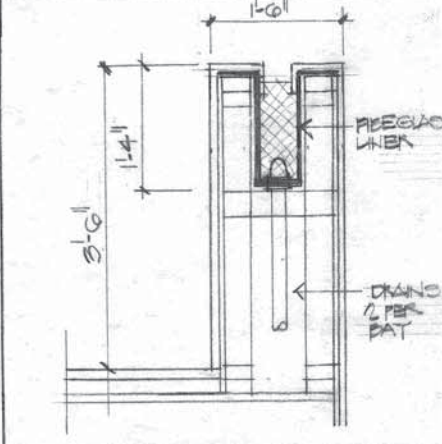
7 GUARDRAIL



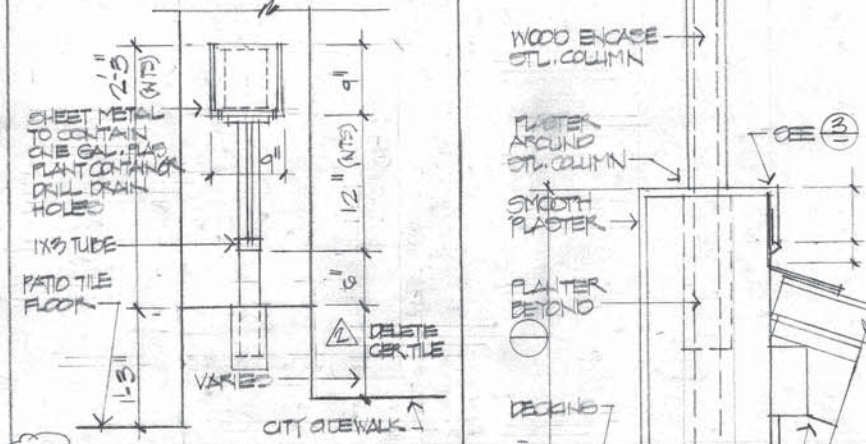
2 PARAPET



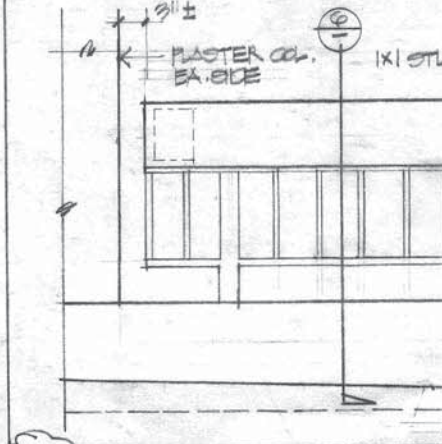
A KITCHEN WINDOW ELEVATION



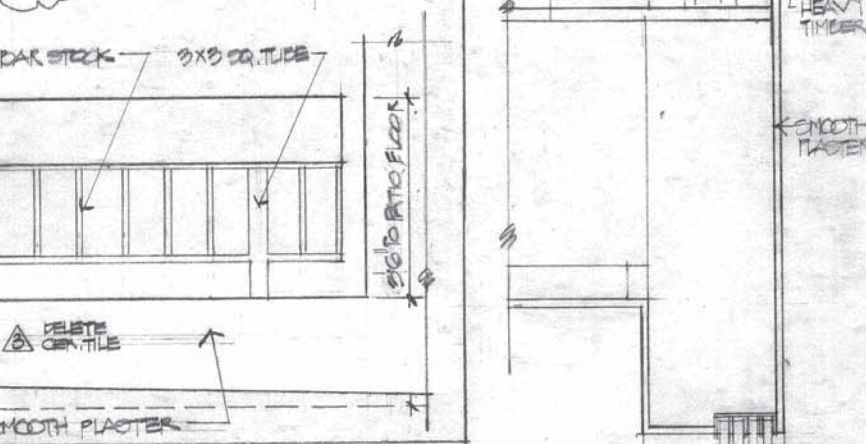
B PLANTER/GUARDRAIL



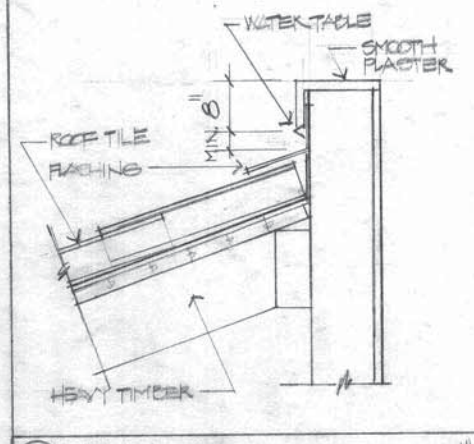
C ABC PATIO FENCE



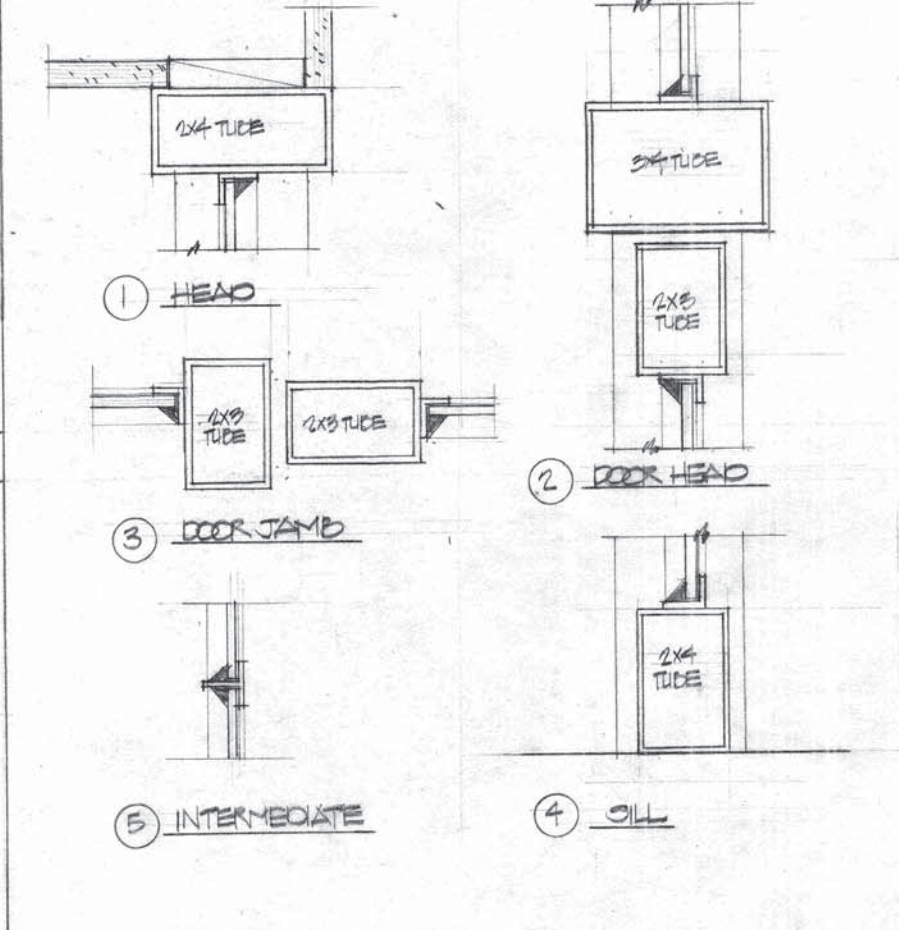
D ABC PATIO FENCE (TOP ELEVATION)



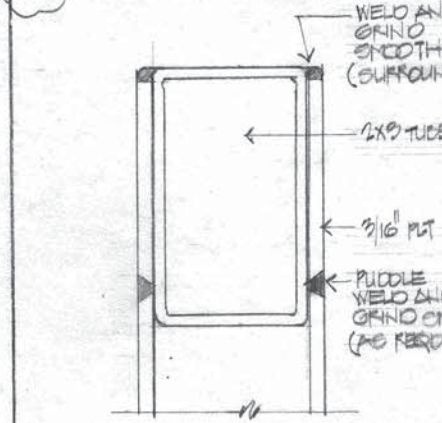
E WALL SECTION



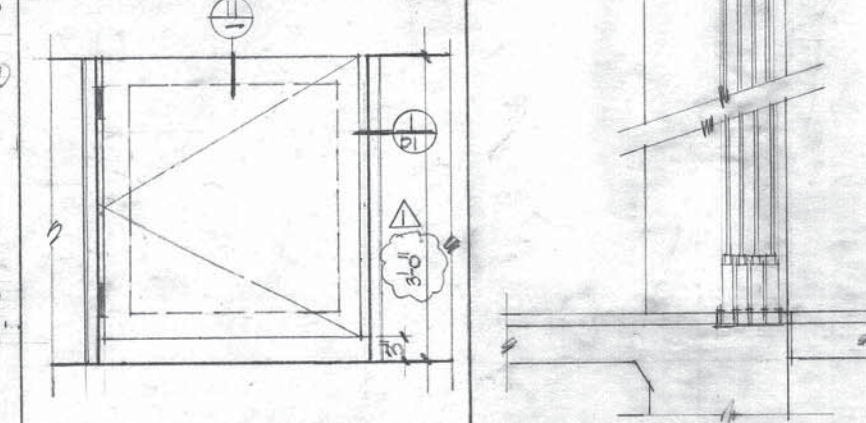
3 PARAPET



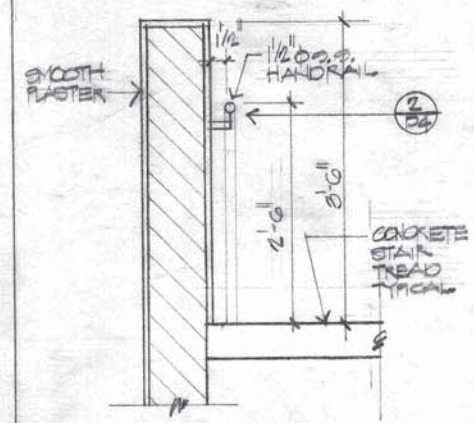
B KITCHEN WINDOW DETAILS 1/2 FULL SIZE



11 GATE DETAIL FULL SCALE



10 GATE

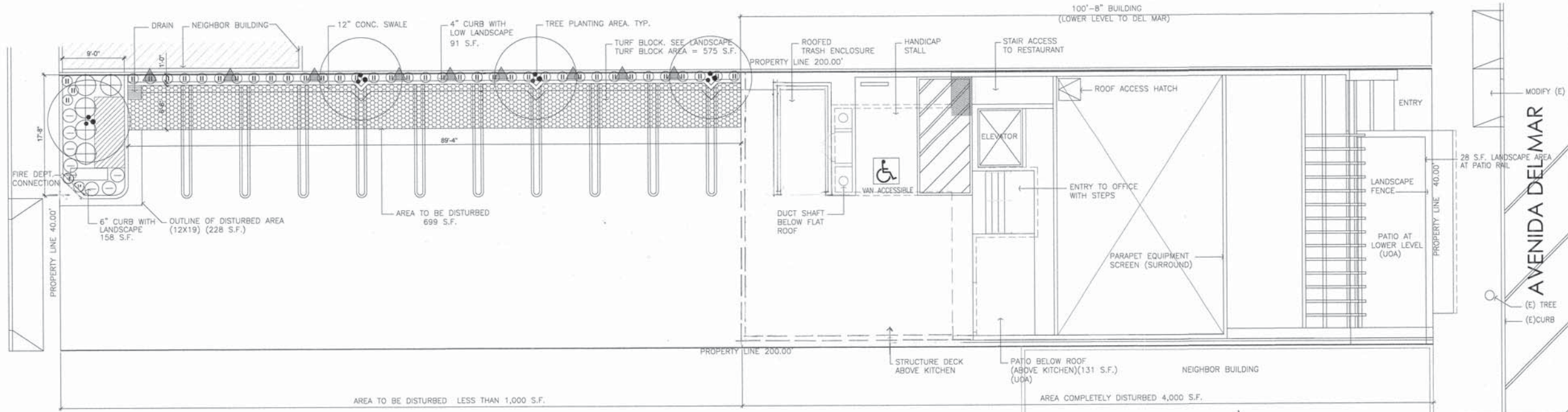


4 HANDRAIL

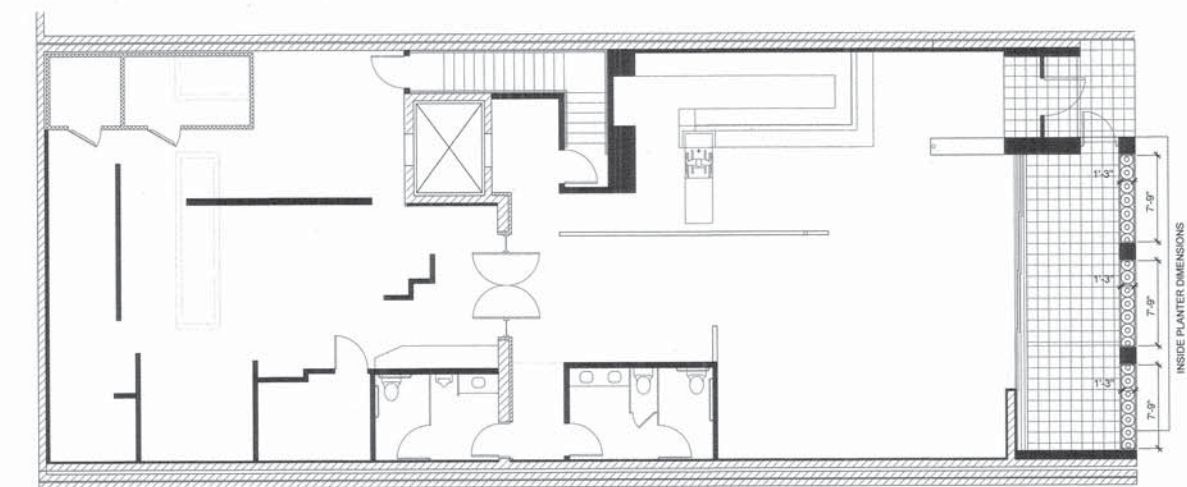
D3

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES. DIMENSIONS IN PARENTHESES ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ORIGINAL OR BETTER CONDITION AFTER COMPLETION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ORIGINAL OR BETTER CONDITION AFTER COMPLETION OF THE PROJECT.

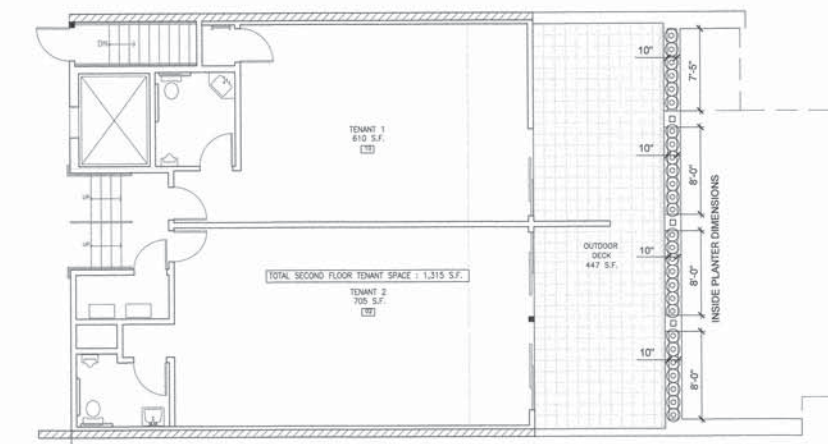
AVENIDA GRANADA



GROUND LEVEL



1ST FLOOR PLANTER BOXES



2ND FLOOR PLANTER BOXES

LANDSCAPE AREA

LANDSCAPE ZONE	LANDSCAPE AREA (S.F.)	% OF TOTAL LANDSCAPE AREA
1ST FLOOR PLANTER BOXES	28	3%
2ND FLOOR PLANTER BOXES	28	3%
AVE GRANADA PLANTER	158	18%
SW PROPERTY LINE PLANTER	91	10%
TURF BLOCK	575	66%
TOTAL S.F.	880	100%

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	REMARKS	WUCOLS
TREES						
⊙	OLEA 'WILSONII'	FRUITLESS OLIVE	15 GAL	4	STANDARD INSTALL W/ ROOTBARRIER	LOW
SHRUBS						
⊕	MIMULUS 'JELLY BEAN YELLOW'	YELLOW JELLY BEAN MONKEY FLOWER	1 GAL	44		LOW
⊕	DENDROMECON HARFORDII	ISLAND BUSH POPPY PRUNED HEDGE	5 GAL	5		LOW
⊕	ARTEMISIA 'DAVID'S CHOICE'	DAVID'S CHOICE COASTAL SAGEWORT	5 GAL	7		LOW
⊕	PLANTER BOXES = MIXTURE OF: DICHONDRA 'SILVER FALLS' SANSEVIERIA MASONIANA ECHEVERIA 'RED GLOW'	SILVER FALLS DICHONDRA SHORT SNAKE PLANT RED GLOW ECHEVERIA	1 GAL	16		LOW
GROUND COVER						
▨	CEANOETHUS 'CENTENNIAL'	CENTENNIAL CEANOETHUS	5 GAL	45 S.F.	2'-0" O.C.	LOW
▨	TURF BLOCK BANDERA BERMUDA	TURFSTONE BY WEST COAST TURF	24x16x3 1/8 SOD	575 S.F.	MODIFIED RUNNING BOND	
NO SYMBOL	ROCK MULCH	SMOOTH PEBBLE	3/8" SIZE		CORAL SEA COLOR 2" LAYER MINIMUM UNDER SHRUBS INSTALL W/ WEED BARRIER BELOW	
VINE						
▽	FICUS PUMILA	CREEEPING FIG	5 GAL	9	REMOVE FROM STAKE ATTACH TO WALL	LOW

NOTES

CONTRACTOR TO VERIFY EXISTING AND PROPOSED SITE CONDITIONS PRIOR TO PLANTING TREES.

IF DISCREPANCIES OCCUR, LANDSCAPE ARCHITECT IS TO BE NOTIFIED AND TREE PLACEMENTS SHALL BE ADJUSTED ACCORDINGLY.

FAILURE TO DO SO THAT RESULT IN CHANGES TO THE PLAN, THERE SHALL BE NO COST TO OWNER OR LANDSCAPE ARCHITECT.

ROOTBARRIERS SHALL BE PLACED AT TREES THAT ARE WITHIN 5'-0" OF ANY HARDSCAPE SURFACE, BUILDING, OR UTILITY, ETC. - INSTALL LINEALLY, DO NOT WRAP ROOT BALL

DIG ALERT
 AT LEAST TWO DAYS BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT
 OF SOUTHERN CALIFORNIA
 DIAL TOLL FREE 1-800-227-2600

I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.

[Signature]
 LANDSCAPE ARCHITECT SIGNATURE
 3/20/19
 DATE

SCALE: 1/8" = 1'-0" NORTH

terrain
INTEGRATION

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OWNER / PROJECT:
ZOV'S RESTAURANT

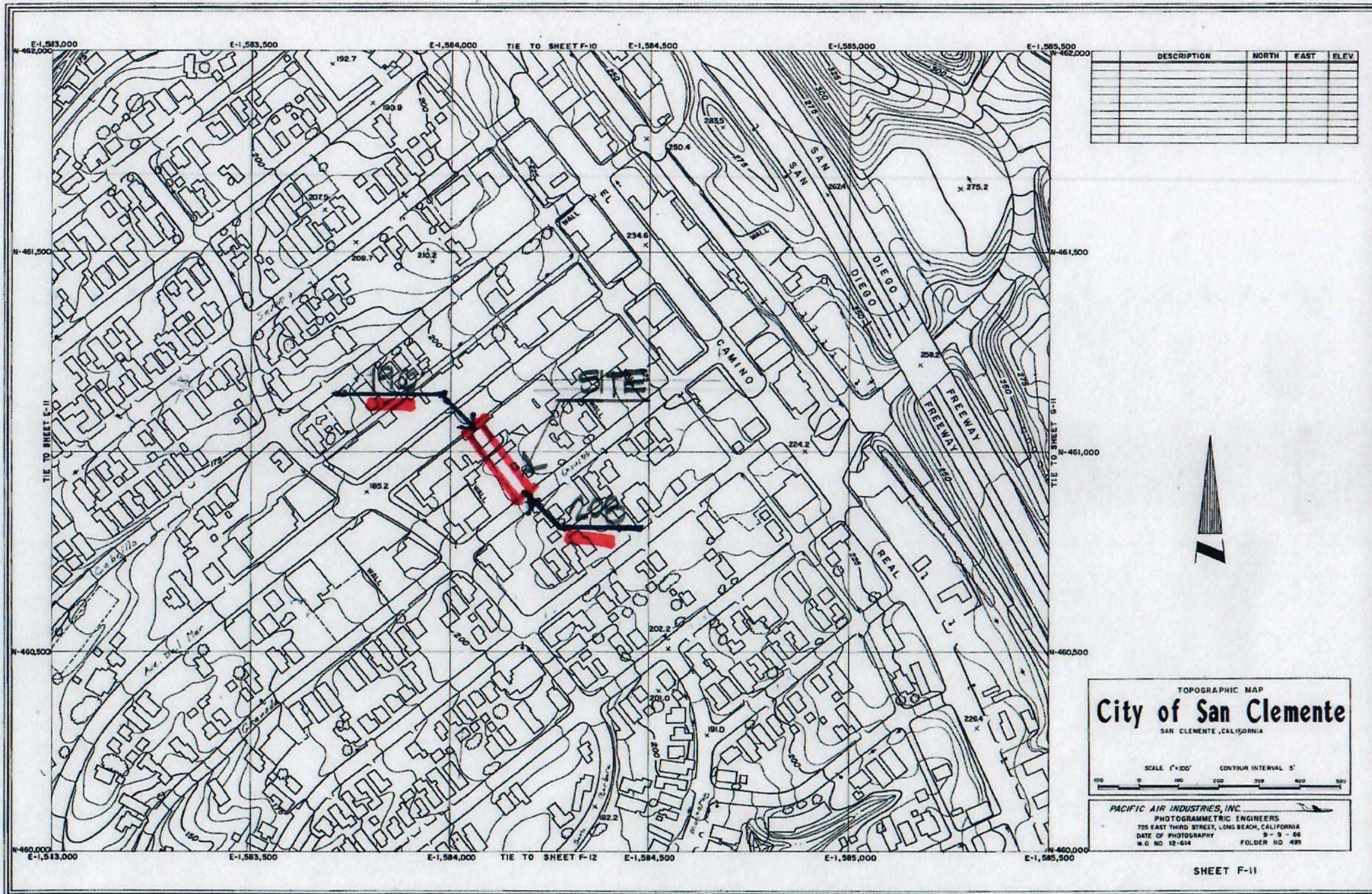
155 AVENIDA DEL MAR
 SAN CLEMENTE, CA

Scale:
 Date: 04/30/20
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 Drawn By: SS
 Checked By: SS

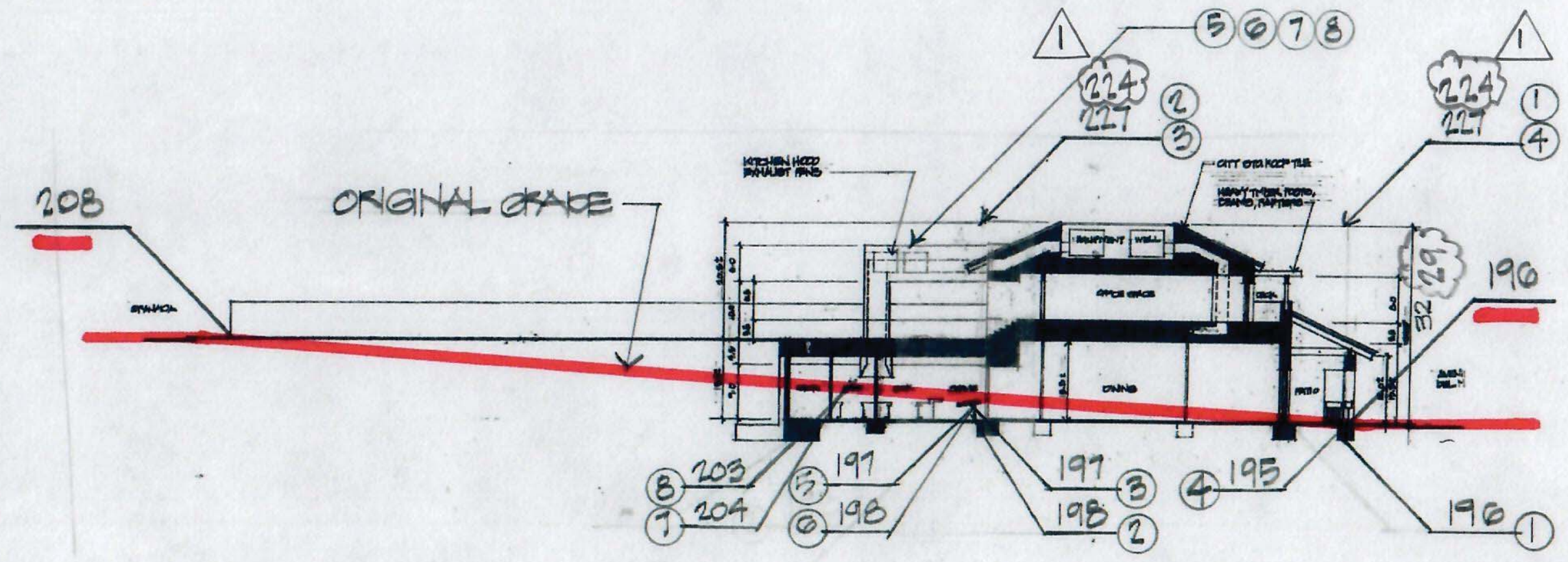
Revisions:
 0 06/12/20 CITY SUBMITTAL
 4 07/27/20 PLANNING

Sheet Title:
PLANTING PLAN

Sheet Number:
LA-2.0



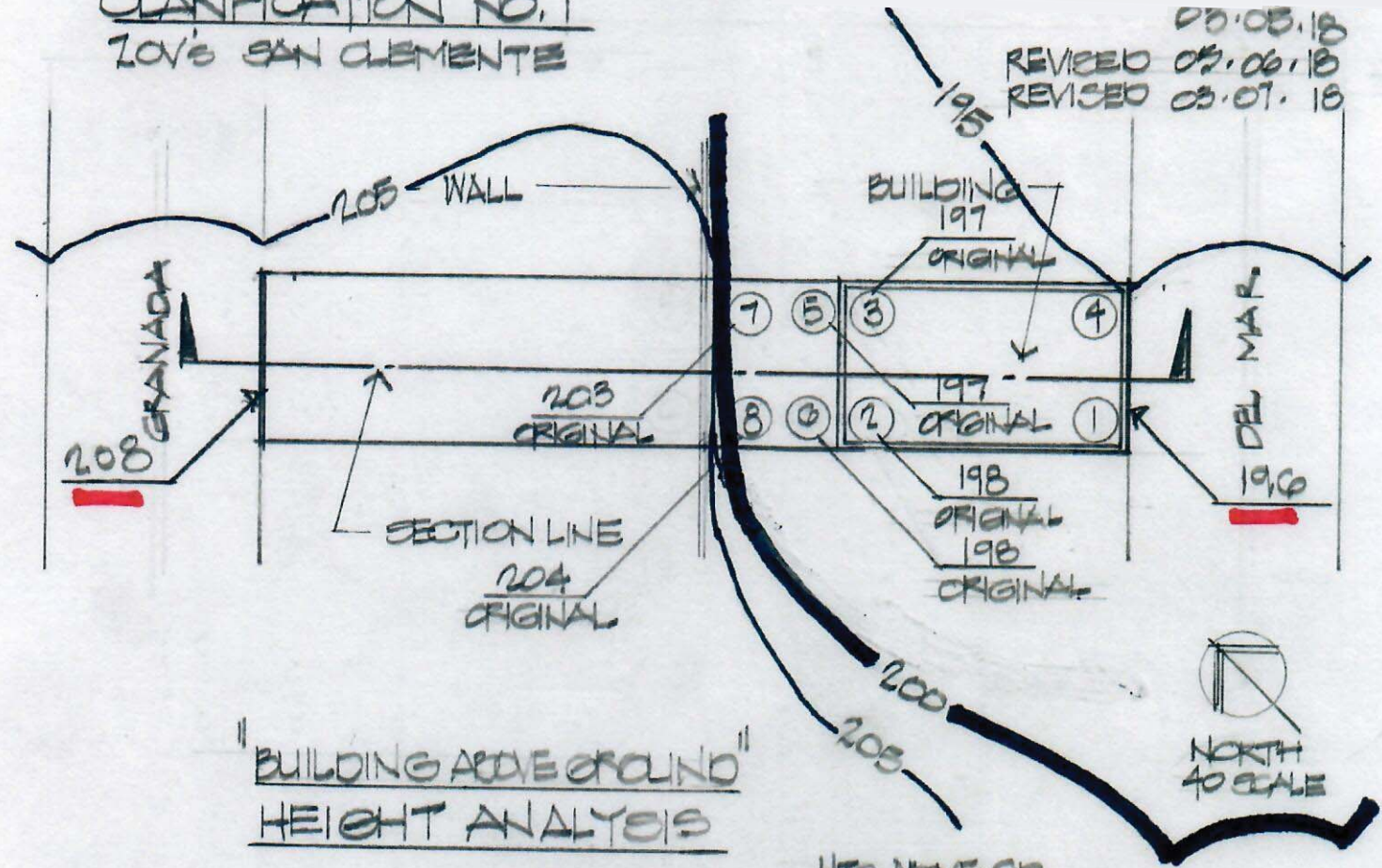
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1 REVISION 09.30.20

CLARIFICATION NO. 1
 ZONE SAN CLEMENTE

08.03.18
 REVISED 08.06.18
 REVISED 08.07.18



"BUILDING ABOVE GROUND"
 HEIGHT ANALYSIS

			HTS. ABOVE GD.	
① ORIGINAL ED.	196.0			
	MAX. TOP ROOF	227.0	31.0 FT.	29.0 FT.
	MAX. FLT. HT.	220.5	24.5 FT.	24.5 FT.
② ORIGINAL ED.	198.0			
	MAX. TOP ROOF	227.0	29.0 FT.	27.0 FT.
	MAX. FLT. HT.	220.5	22.5 FT.	22.5 FT.
③ ORIGINAL ED.	197.0			
	MAX. TOP ROOF	227.0	30.0 FT.	28.0 FT.
	MAX. FLT. HT.	220.5	23.5 FT.	23.5 FT.
④ ORIGINAL ED.	195.0			
	MAX. TOP ROOF	227.0	32.0 FT.	30.0 FT.
	MAX. FLT. HT.	220.5	25.5 FT.	26.5 FT.

△ REVISED 09.30.20

"BUILDING UNDER GROUND"
HEIGHT ANALYSIS

			<u>HTS. ABOVE GD.</u>
⑤	ORIGINAL GD.	197.0	
	COVERED PKG. HT.	223.0	26.0 FT.
	MAX. FLT. HT.	218.0	21.0 FT.
⑥	ORIGINAL GD.	198.0	
	COVERED PKG. HT.	223.0	25.0 FT.
	MAX. FLT. HT.	218.0	20.0 FT.
⑦	ORIGINAL GD.	203.0	
	COVERED PKG. HT.	223.0	20.0 FT.
	MAX. FLT. HT.	218.0	15.0 FT.
⑧	ORIGINAL GD.	204.0	
	COVERED PKG. HT.	223.0	19.0 FT.
	MAX. FLT. HT.	218.0	14.0 FT.