

## STAFF REPORT SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: April 22, 2021

David Carrillo, Assistant Planner PLANNER:

**SUBJECT**: Minor Architectural Permit 20-220 and Minor Conditional Use

> Permit 21-004, SC Ranch Market Remodel and Outdoor Display Area, a request to consider an outdoor display area, a storage addition, and exterior improvements to an existing 5,300 square-foot commercial building located in the NC1.2 (AH-CZ)

Zone.

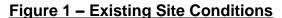
LOCATION: 101 West El Portal

ZONING/GENERAL Neighborhood Commercial 1.2 Zoning district and Affordable PLAN:

Housing and Coastal Zone Overlay districts (NC1.2-AH-CZ)

### **PROJECT SUMMARY:**

The project site is a 27,072 square foot lot located on the eastern edge of a residential neighborhood, within a minor gateway. The site is developed with a two-story commercial building, a trash enclosure, overhead utility lines, and parking lot with 43 parking spaces. The building is currently occupied by a market on the first level, and an office and tattoo shop on the second level. Surrounding land uses include commercial to the north, residential to the east and south, residential and commercial to the west. Figure 1 below is an aerial image of the site.





- Since the project site is in the Coastal Exclusion Order Area, review by the California Coastal Commission is not required.
- The applicant proposes exterior improvements consisting of the following:
  - 1) Façade remodel
  - 2) 510 square foot storage addition
  - 3) 310 square foot patio cover
  - 4) New shopping cart corral
  - 5) New block wall and gate
  - 6) Trash enclosure remodel
- The exterior improvements use modern architectural style consisting of new materials and paint such as corrugated metal, white and grey horizontal wood siding, white stucco, brown metal railing, dark grey wood trim, and black gooseneck lighting fixtures. See Attachment 7 for colored elevation drawings. Additionally, the applicant proposes to operate an outdoor display area within a planter area at the northeast corner of the lot for the sale of plants and flowers currently sold at the market. Non-fixed, moveable wooden display stands that match the primary building's dark grey accent color would display plants and flowers on an existing concrete slab within the planter area (Attachment 4).
- The storage addition will accommodate the market's growth and need for more storage of products and equipment. The new patio cover is proposed to provide shelter from the elements for customers occupying the walkway below the patio cover. Currently, the market does not provide any shopping carts. However, the new cart corral will allow the market to provide shopping carts and a designated area for the storage of carts during hours of operation. The new block wall and gate adjacent to the storage addition, see plans on Attachment 7 for reference, is proposed to improve security on site and to discourage the use of the subject area by non-employees when the market is closed. The trash enclosure will be remodeled to match the new materials proposed on the primary building, in response to staff and Design Review Subcommittee recommendations.
- Zoning Ordinance Section 17.16.100 requires Zoning Administrator approval of a Minor Architectural Permit (MAP) to allow additions of less than 2,000 square feet, new accessory structures, and minor exterior alterations.
- Zoning Ordinance Section 17.28.210 requires approval of a Minor Conditional Use Permit (MCUP) to allow an accessory outdoor display area for grocery stores, which would allow the proposed outdoor display of plants and flowers.
- Spanish Colonial Revival architecture is not required given that the property is not within the Architectural Overlay District, not a historic resource, nor does the subject building currently have Spanish Colonial Revival architecture.
- On February 10, 2021 the Design Review Subcommittee (DRSC) reviewed the project and supports it as proposed. Although the DRSC supports the project as proposed, it recommended that additional landscaping be provided around the primary building, and that a landscape plan and lighting plan be provided to further improve the site. At the meeting, the applicant agreed with the recommendations, but explained that the recommendations will be addressed on a second-phase site improvement plan that is forthcoming. The DRSC received the applicant's response and believed findings can still be made to support the project. For details, refer to Attachment 5 for the DRSC meeting minutes and staff report.

- To allow an outdoor display area, minimum standards outlined in Zoning Ordinance Section 17.28.210 must be met. The proposed outdoor display area meets all standards as shown in Attachment 6.
- The City's Traffic Engineer supported staff's recommendation to add speed bumps and a painted crosswalk across the drive aisle in between the primary building and the outdoor display area to improve pedestrian safety. Staff anticipates that the crosswalk and speed bumps will encourage vehicles to enter and exit the parking lot at a slower speed when driving near the crosswalk for a safer pedestrian zone.
- The project meets required findings for approval because:
  - The project does not change the scale, mass, and form of the existing two-story building, which is consistent with two-story commercial and residential buildings within the neighborhood.
  - The project improves the building's façade by providing more articulate modern architecture with new durable materials such as wood and metal. The arrangement of proposed materials and colors provide contrast throughout the building and help define wall planes and openings.
  - The project is limited to minor exterior improvements and maintains the use of the site as a market with an office and tattoo shop on the second floor supported my ample on-site parking.
  - The outdoor display area is proposed within an existing planter area and does not negatively affect vehicle circulation, and compliance with other development standards related to landscaping, lot coverage, and parking.
  - Ample parking is provided to support the additional parking space required for the outdoor display area.
- The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and 15303 (Class 3: New Construction or Conversion of Small Structures) because the project involves an attached patio cover, a façade remodel, and an addition less than 50 percent of the primary building's floor area.
- Public comments have been received for this item in support of the project.

### RECOMMENDATION

Staff recommends that the Zoning Administrator:

- Determine the project is Categorically Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and 15303 (Class 3: New Construction or Conversion of Small Structures); and
- 2. Adopt Resolution ZA 21-010, approving Minor Architectural Permit (MAP) 20-220 and Minor Conditional Use Permit (MCUP) 21-004, SC Ranch Market Remodel and Outdoor Display Area, subject to attached conditions of approval.

#### Attachments:

- Resolution ZA 21-010
   Exhibit A Conditions of Approval
- 2. Location Map

- 3. Photos
- 4. Example of Outdoor Plant and Flower Display Stands
- 5. DRSC Minutes and Staff Report dated February 10, 2021
- 6. Outdoor Display Area Standards
- 7. Plans

### **RESOLUTION NO. ZA 21-010**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MINOR ARCHITECTURAL PERMIT 20-220 AND MINOR CONDITIONAL USE PERMIT 21-004, SC RANCH MARKET REMODEL AND OUTDOOR DISPLAY AREA, TO CONSIDER AN OUTDOOR DISPLAY AREA, A STORAGE ADDITION, AND EXTERIOR IMPROVEMENTS TO AN EXISTING 5,300 SQUARE-FOOT COMMERCIAL BUILDING, LOCATED AT 101 WEST EL PORTAL

WHEREAS, on July 14 2020, an application was submitted by Tom O' Donnell, 207 Calle Salida, San Clemente, CA 92672, for Minor Architectural Permit (MAP) 20-220 and Minor Conditional Use Permit (MCUP) 21-004, and deemed complete on March 29, 2021; a request to consider an outdoor display area, a storage addition, and exterior improvements to an existing 5,300 square-foot commercial building located in the Neighborhood Commercial 1.2 Zoning district and Affordable Housing and Coastal Zone Overlay districts (NC1.2-AH-CZ. The site's legal description is N TR 793 BLK 11 LOT 5 and N TR 793 BLK 11 LOT 3 TR 793 BLK 11 LOTS 3, 4, 22, 23 & 24, and Assessor's Parcel Numbers 692-394-20 and 692-394-21; 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 the Zoning Administrator determine the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and 15303 (Class 3: New Construction or Conversion of Small Structures). This is recommended because the project involves an attached patio cover, a façade remodel, and an addition less than 50 percent of the primary building's floor area; and

WHEREAS, on July 16, 2020, January 14, 2021, and March 25, 2021 the City's Development Management Team (DMT) reviewed the proposed project and determined it complies with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on February 10, 2021, the City's Design Review Subcommittee (DRSC) considered the project and supports is as proposed; and

WHEREAS, on April 22, 2021, 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 15301 (Class 1: Existing Facilities) and 15303 (Class 3: New Construction or Conversion of Small Structures).

The Class 1 exemption specifically exempts from further CEQA review the operation, repair, maintenance, and minor repair of existing public or private structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This exemption covers, but is not limited to, interior or exterior alterations, additions to existing structures that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less. Additionally, 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. Here, the proposed project involves an attached patio cover, a façade remodel, and a 510 square-foot storage addition, and will not increase the floor area of the structure by more than 50 percent of the existing floor area, or more than 2,500 square feet. The project does not increase or otherwise change the existing use of the site. Thus, the project qualifies for the Class 1 and Class 3 exemption.

Furthermore, none of the exceptions to the use of the Class 1 and Class 3 categorical exemptions identified in State CEQA Guidelines section 15300.2 apply. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. Lot coverage, landscaping, and parking standards, which essentially limit the amount of building area, prevent projects of the same type to be repeated multiple times on the site. There are no unusual circumstances surrounding the project that result in a reasonably possibility of a significant effect on the environment. The site and subject neighborhood are developed with commercial and residential uses without especially sensitive resources on the project site or in the vicinity. The project will not damage scenic resources, including trees, 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. Thus, the Class 1 exemption applies, and no further environmental review is required.

### Section 3. Minor Architectural Permit Findings

With respect to Minor Architectural Permit (MAP) 20-220, the Zoning Administrator finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan, in that:
  - 1. The project does not change the scale, mass, and form of the existing two-story building, which is consistent with two-story commercial and residential buildings within the neighborhood. The second floor portion will remain within the first floor footprint, and maintain greater setbacks than the first floor. New landscaping will be added on the corner of the alley and East El Portal to further accentuate the new outdoor display area, consistent with General Plan Policy LU-2.01- Quality, which states, "we require that new development protect community character by providing architecture, landscaping and urban design of equal or greater quality than surrounding development, and by respecting the architectural character and scale of adjacent buildings", and with General Plan Policy UD-5.10 Scale and Massing, which states "we require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan."; and
  - 2. The project improves the building's façade by providing a more articulate modern style of architecture with new durable materials such as wood and metal. The arrangement of proposed materials and colors provide contrast throughout the building and help define wall planes and openings, consistent with General Plan Policy UD-2.01 Architecture/Design Quality, which states, "we require high quality design for buildings at visually significant locations in gateway areas.."
- B. The architectural treatment of the project complies with Title 17 Zoning in areas including, but not limited to, height, setback color, etc., in that:
  - 1. The storage addition is 10 feet tall, and the new attached patio cover is nine feet tall, below the zone's height limit of 33 feet;
  - 2. There are no required setbacks in the NC1.2 zone. Therefore, the location of new floor area and structures are in compliance with setbacks in the subject zone;
  - 3. The proposed color palette consists of earth tone colors, with a white main body color, consistent with Design Guidelines; and
  - 4. The new lot coverage of 22% is below the maximum allowed lot coverage of 50%.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines, in that:

- The project does not change the scale, mass, and form of the existing twostory building, which is consistent with two-story commercial and residential buildings within the neighborhood. The second floor portion will remain within the first floor footprint, and maintain greater setbacks than the first floor, consistent with Design Guideline II.B.3(a)., which states, "Design buildings to be compatible in scale, mass, and form with adjacent structures and the pattern of the neighborhood.";
- The project proposes improvements on side and rear facades with designs, materials, finishes, and colors compatible with the main façade along East El Portal, consistent with Design Guideline II.B.3(b)., which states, "carefully design rear and side facades to be compatible with the principal facades of the building.";
- 3. The project promotes human-scaled elements by maintaining covered walkways attached to the first floor, appropriately-sized windows and doors, low height railings, and greater setbacks on the second floor than the first floor, consistent with Design Guideline II.C.2., which states, "the building components are divided into parts scaled to human size."; and
- 4. The existing front elevation has large/long continuous planes without much visual interest. The remodel significantly improves the front elevation with the use of different materials and colors, along with a future mural and sign. Additionally, the applicant is proposing an attached cover over an existing walkway, which further articulates a blank wall plane, consistent with Design Guideline III.A.1.3.e, which states, "avoid large or long continuous wall planes without visual interest."
- D. The general appearance of the proposal is in keeping with the character of the neighborhood, in that:
  - The project does not change the scale, mass, and form of the existing twostory building, which is consistent with two-story commercial and residential buildings within the neighborhood. The second floor portion will remain within the first floor footprint, and maintain greater setbacks than the first floor;
  - 2. The proposed earth tone color palette is compatible with the color palette of surrounding commercial and residential buildings; and
  - 3. The project provides additional landscaping on the northeast corner of the lot along the street, consistent with neighboring properties which provide front yard landscaping.
- E. The proposal is not detrimental to the orderly and harmonious development of the City, in that:
  - 1. The project does not change the scale, mass, and form of the existing twostory building, which is consistent with two-story commercial and residential buildings within the neighborhood. The second floor portion will remain within

the first floor footprint, and maintain greater setbacks than the first floor;

- 2. The project is limited to minor exterior improvements and maintains the use of the site as a market with an office and tattoo shop on the second floor supported my ample on-site parking;
- 3. All improvements are proposed within private property and do not encroach into the public right-of-way;
- The project helps the building architecturally contribute to the neighborhood with the replacement of dated building materials with high-quality materials; and
- 5. Prior to the issuance of a building permit, the project is required to meet the California Building Code and Orange County Fire Authority regulations.

### Section 4. Minor Conditional Use Permit Findings

With respect to Minor Conditional Use Permit (MCUP) 21-004, the Zoning Administrator finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Minor Conditional Use Permit and complies with all the applicable provisions of Title 17, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed, in that:
  - Per Zoning Ordinance Section 17.28.210, accessory outdoor display areas are conditionally permitted in conjunction with primary uses permitted or conditionally permitted in their subject zones. Here, the primary use is a market, permitted by right in the Neighborhood Commercial 1.2 Zoning District:
  - 2. The proposed outdoor display area complies with all minimum standards outlined in Zoning Ordinance Section 17.28.210.C.; and
  - 3. The proposed outdoor display area supports an existing market which supports the needs of residents and visitors, as envisioned by the Neighborhood Commercial 1.2 Zoning District.
- B. The site is suitable for the type and intensity of use that is proposed, in that:
  - The outdoor display area is proposed within an existing planter area and does not negatively affect vehicle circulation, and compliance with other development standards related to landscaping, lot coverage, and parking;

- 2. The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the primary building and the outdoor display area for improved pedestrian safety; and
- 3. Ample parking is provided to support the additional parking space required for the outdoor display area.
- C. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity, in that:
  - 1. The outdoor display area will function entirely within private property and not encroach into the adjacent public right-of-way;
  - 2. The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the primary building and the outdoor display area for improved pedestrian safety;
  - The outdoor display area is proposed within an existing planter area and does not negatively affect vehicle circulation, and compliance with other development standards related to landscaping, lot coverage, and parking; and
  - 4. Ample parking is provided to support the additional parking space required for the outdoor display area.
- D. The proposed use will not negatively impact surrounding land uses, in that:
  - 1. The outdoor display area will function entirely within private property and not encroach into the adjacent public right-of-way;
  - 2. The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the primary building and the outdoor display area for improved pedestrian safety;
  - The outdoor display area is proposed within an existing planter area and does not negatively affect vehicle circulation, and compliance with other development standards related to landscaping, lot coverage, and parking; and
  - 4. Ample parking is provided to support the additional parking space required for the outdoor display area.
- E. The nature of the use requires the outdoor display of goods associated with the use, in that;
  - 1. The neighborhood market sells typical groceries, including plants and flowers, sold at other markets such as Ralphs, Albertsons, and Sprouts. The outdoor display of plants and flowers is necessary for maintenance

purposes such as daylight exposure and watering routines essential for growth.

- F. The outdoor display area complies with the standards of Zoning Ordinance Section 17.28.210, in that;
  - 1. Encroachment into the public right-of-way and parking does not occur;
  - 2. The outdoor display does not exceed the subject zone's height limit of 33 feet;
  - 3. The market is located in a nonresidential zone, Neighborhood Commercial 1.2 zone;
  - 4. The market is a permitted use in the Neighborhood Commercial 1.2 zone;
  - 5. Outdoor display of plants and flowers at a market, or grocery store, is allowed per Table 17.28.210 of the Zoning Ordinance;
  - 6. The outdoor display will not occupy any parking space;
  - 7. Ample parking is provided to support the additional parking space required for the outdoor display area; and
  - 8. The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the primary building and the outdoor display area for improved pedestrian safety
- G. The negative visual, noise, traffic and parking impacts associated with the outdoor display area have been reduced to an acceptable level, as determined by the City, in that:
  - Per Condition of Approval 7.20, the use of buckets, crates, cardboard boxes, and other similar materials determined by the Planning Division to be incompatible with the primary building's architecture, is prohibited for the display of merchandise;
  - Per Condition of Approval 7.21, the outdoor display stands shall be made of wood, or a similar material deemed acceptable by the Planning Division, and shall be painted to match the primary building's accent color;
  - 3. The outdoor display is limited to merchandise associated with the market, and does not include the operation of amplified sound or music;
  - 4. The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the primary building and the outdoor display area for improved pedestrian safety; and
  - 5. Ample parking is provided to support the additional parking space required for the outdoor display area;

<u>Section 5.</u> Zoning Administrator Approval.

Based on the foregoing recitals and findings, and the written and oral comments, facts, and evidence presented, the City of San Clemente Zoning Administrator approves Minor Architectural Permit 20-220 and Minor Conditional Use Permit 21-004, SC Ranch Market Remodel and Outdoor Display Area, subject to 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 April 22, 2021.

Cecilia Gallardo-Daly,	Zoning	Administrato

Resolution No. ZA 21-010 EXHIBIT A

### CONDITIONS OF APPROVAL

MINOR ARCHITECTURAL PERMIT 20-220 AND MINOR CONDITIONAL USE PERMIT 21-004, SC RANCH MARKET REMODEL AND OUTDOOR DISPLAY AREA

### 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.

ΑII

1.5 Use of the subject property shall conform to all occupancy requirements, including posting of signs related to the maximum occupancy limitations.

Code Comp

1.6 Minor Architectural Permit 20-220 and Minor Conditional Use Permit 21-004 shall be deemed to have expired if within three years of approval the project is not commenced, or the project permitted by the approved application has lapsed, as defined by Zoning Planning

Ordinance Section 17.12.150.

1.8 The applicant, or designee, shall submit a lighting and landscape plan to the Planning Division for review and approval by April 22, 2023, two years from the approval of Minor Architectural Permit 20-220 and Minor Conditional Use Permit 21-004.

Planning
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### 4.0 PRIOR TO ISSUANCE OF BUILDING PERMITS

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

Planning

4.15 In the event the project valuation is \$50,000 or more per Municipal Code 12.08, 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 along the property frontage and around obstructions such as the drive approach to meet current City standards (2% cross fall) when adequate right-of-way exists, unless a waiver is applied for and approved by the City Manager. Since the street right-of-way varies and is approximately 15 feet behind the curb face, a sidewalk easement is not anticipated to be required to be granted to the City unless a waiver is approved. Compliant sidewalk may also include the requirement to update the pedestrian ramp at the corner intersection with the alley to be ADA compliant with truncated domes.
- B. Contractor shall replace any damaged street improvements resulting from construction activities to the satisfaction of the City Inspector. Additionally, projects with valuations of \$50,000 or more are required to repair any existing damage to the sidewalk area.

(SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050)

### 5.0 PRIOR TO FINAL INSPECTION

### Surveys

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

5.9 Prior to approval of the framing inspection, the applicant shall submit, and must obtain approvals from the City Planner and

Planning Building Building Official, a survey prepared by a registered civil engineer that is licensed to do surveying or a land surveyor confirming that the height of all structures conforms to the dimensions set forth on the approved plans.

#### Architecture

5.10 All exterior details and materials, including corrugated metal, shall be approved by the Planning Division prior to purchase and installation.

Planning

5.13 The use of additional corrugated metal, beyond the approved amount, shall be prohibited, unless approved by the City Planner.

Planning

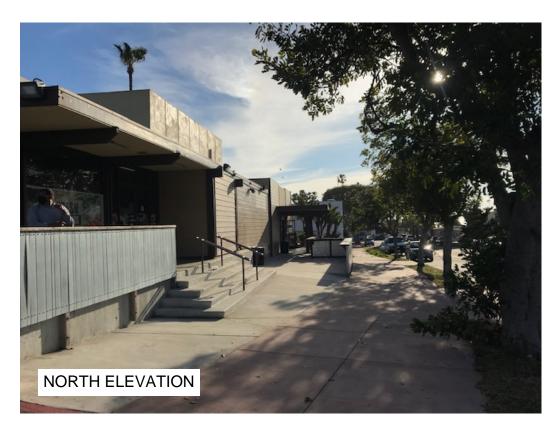
### 7.0 OPERATIONAL CONDITIONS OF APPROVAL

- 7.17 The outdoor display area shall be for the sole us of the market's merchandise, per Zoning Ordinance Section 17.28.210.
- 7.18 Outdoor display of allowed merchandise, per Zoning Ordinance Section 17.28.210, shall be limited to the outdoor display area as shown on approved plans.
- 7.19 Merchandise may be displayed outdoors during the market's business hours, and shall be stored indoors when the market is closed.
- 7.20 The use of buckets, crates, cardboard boxes, and other similar materials determined by the Planning Division to be incompatible with the primary building's architecture, is prohibited for the display of merchandise.
- 7.21 The outdoor display stands shall be made of wood, or a similar material deemed acceptable by the Planning Division, and shall be painted to match the primary building's accent color.
- 7.22 The City Planner may request changes to the outdoor display area in the event negative visual, odor, noise, traffic, or parking impacts derive from the outdoor display of merchandise.
- Denotes a modified Standard Condition of Approval
- \*\* Denotes a project-specific Condition of Approval

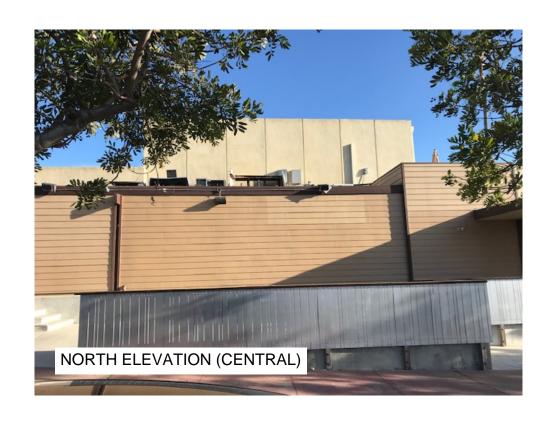


### **ATTACHMENT 3**

### PHOTOS OF EXISTING CONDITIONS































# EXAMPLE OF PROPOSED WOODEN OUTDOOR DISPLAY STANDS





# CITY OF SAN CLEMENTE MINUTES OF THE REGULAR MEETING OF THE DESIGN REVIEW SUBCOMMITTEE FEBRUARY 10, 2021

Subcommittee Members Present: Bart Crandell, Zhen Wu, and Michael Blackwell (All Subcommittee members participated in meeting via teleconference)

Staff Present: Senior Planner Stephanie Roxas, Associate Planner Katie

Crockett, and Assistant Planner David Carrillo (Staff participated

in meeting via teleconference)

### 1. MINUTES

The Subcommittee approved the minutes from the January 27, 2021 regular meeting with changes to Item 2-A.

### 2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS:

# A. Minor Architectural Permit 20-220, SC Ranch Market Remodel, 101 W. El Portal (Carrillo)

A request to consider a storage addition and exterior improvements to an existing 5,300 square-foot commercial building and site located in the NC1.2 (AH-CZ) Zone at 101 West El Portal.

Assistant Planner David Carrillo summarized the staff report. The applicant team, comprised of Tom O Donnell, Peter Haddad, and Don Krall, were also present and available to answer questions.

Subcommittee Member Blackwell arrived during the discussion of this item.

The Design Review Subcommittee (DRSC) discussed the project, and made the following comments either individually or as a group:

- Supports the remodel of the primary building.
- Expressed concerns with the material and design of the proposed gazebo in the new outdoor display area due to incompatibility with the primary building.
- Suggested reducing the amount of corrugated metal on and around the proposed gazebo.
- Suggested redesigning the gazebo for an open and unenclosed appearance to reduce bulkiness in the subject area.
- Asked the applicant to consider relocating the north point of vehicle egress/ingress for improved connectivity and pedestrian safety between the proposed outdoor display area and the primary building.

- Suggested the applicant use same-sized timbers on the gazebo and attached patio cover for cohesiveness.
- Suggested a site landscape and lighting plan be provided to further improve the entire site.
- Suggested landscaping around the main building be provided to soften bare walls.
- Requested the detached gazebo return for a second review, prior to a public hearing.
- Agreed with staff's recommendations.

The applicant agreed to revise the project design in response to DRSC's comments and suggestions. Further, the applicant agreed to remove the gazebo from the scope of work and submit the proposed detached gazebo under a separate application. Further, the applicant agreed to return to DRSC at a later date to review the unresolved design issues related to the proposed gazebo.

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

# B. <u>Cultural Heritage Permit 20-152 / Site Plan Permit 20-153/ Conditional Use Permit 21-007, The Valencia Building, 1502 S. El Camino Real</u> (Crockett)

A request to redevelop the former "Top Tune" site and construct a new two-story commercial building that includes a restaurant with outdoor dining on the first floor and office uses on the second floor. Shared parking is requested to reduce the number of required parking spaces.

Associate Planner Katie Crockett summarized the staff report.

The applicant team including Michael Luna, Sanjay Patel, Jorge Stambuk, and Jason Wright were available to answer questions of the DRSC members.

The Design Review Subcommittee (DRSC) discussed the project, and made the following comments either individually or as a group:

- Questioned whether there is sufficient space in the roof well for mechanical equipment related to the future restaurant kitchen. Applicant clarified that they had planned for that.
- Complimented the landscape design and discussed potential modifications to the landscape plans including the following:
  - Requested an alternate tree to be used in place of the Pineapple Guavas on the landscape plan. Crepe Myrtle was discussed as an alternative.
  - Increasing landscape area to meet minimum requirements. Turf-block and additional planters were discussed.
  - Add low voltage landscape lighting.
- Noted that elevation heights on elevation drawings and the grading plan do not match and need to be updated, and that a height analysis is required to confirm the project complies with height limitations.

- Discussed additional ways to provide additional interest at rear elevation, including cutouts on back wall along alley at parking level with landscape. Applicant indicated that would make the drive aisle ramp narrower, which engineering will not allow. Recommended enhancing rear elevation with more definition at the back of the chimney, such as cantilevering out to create offsets.
- Commented that shared parking is desirable here.

The Subcommittee recommended if their concerns and comments are addressed in the applicant's resubmittal and no significant design changes occur, that the project move forward to Planning Commission.

The applicant expressed a desire to address the Subcommittee's concerns and incorporate their suggestions in order to advance the application forward to Planning Commission.

### 3. <u>NEW BUSINESS</u>

None

### 4. OLD BUSINESS

None

### 5. ORAL AND WRITTEN COMMUNICATION

None

### **ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held Wednesday, February 24, 2021 at 4:00 p.m., by teleconference only and available to the public via live stream from the City's YouTube channel.

Respectfully submitted,	ully submitted,	
Bart Crandell, Chair		
Attest:		
Stephanie Roxas, Senior Planner		



### Design Review Subcommittee (DRSC)

Meeting Date: February 10, 2021

**PLANNER:** David Carrillo, Assistant Planner

**SUBJECT**: Minor Architectural Permit 20-220, SC Ranch Market

Remodel, a request to consider a storage addition and exterior improvements to an existing 5,300 square-foot commercial building and site located in the NC1.2 (AH-CZ) Zone at 101 West

El Portal.

### **BACKGROUND**:

Site Data

The project site is a 27,072 square foot lot with a modest downward slope from east to west, and located on the eastern edge of a residential neighborhood, within a minor gateway. The site is developed with a two-story commercial building, a trash enclosure, overhead utility lines, and parking lot with 43 parking spaces. The building is currently occupied by a market on the first level, and offices on the second level. The trash enclosure is located on the northeastern side of the lot and accessed via the adjacent alley. The parking lot consists of one light pole in the center of the site, and planter areas with a variety of landscaping including trees, bushes, and plants. To the south rear side of the building, a chain link fence encloses a storage area with two prefabricated storage sheds. Surrounding land uses include commercial to the north, residential to the east and south, residential and commercial to the west. The site is in the Neighborhood Commercial 1.2 Zone and Affordable Housing and Coastal Zone Overlay Districts (NC1.2-AH-CZ), and within the Coastal Exclusion Order Area. Image 1 below is an aerial view of the site. See Attachment 2 for photos of existing conditions.



Image 1 - Site Aerial View

### Project Description

The applicant proposes exterior improvements consisting of the following: 1) a façade remodel; 2) a 510 square foot storage addition; 3) a 310 square foot patio cover; 4) a prefabricated detached patio cover; 5) a new shopping cart corral; and 6) a new block wall and gate.

The façade remodel provides a more modern style of architecture consisting of new materials and paint such as corrugated metal, white and grey horizontal wood siding, white stucco, brown metal railing, dark grey wood trim, and black gooseneck lighting fixtures. Image 2 below is the proposed front elevation drawing showing new materials and paint on the existing building. (The mural shown below is informational only and will be reviewed separately by staff under a Mural Permit.) On the front elevation, corrugated metal is proposed as a parapet to screen rooftop equipment. Attachment 6 includes a full set of proposed elevation drawings. The new covered patio, shown below in Image 2, is proposed on the front side of the building over an existing walkway, and would be made of wood and painted dark grey.



Image 2 - Proposed North (Front) Elevation

The storage addition consists of a dark grey wood fascia, and light grey roll-up doors and stucco. The new storage area would be located on the southeastern side of the building and will accommodate the market's growth and need for more storage of products and equipment. The detached prefabricated patio cover is proposed on the northern corner of the lot near the junction of the alley and West El Portal. [It] is made up of wood with a metal solid roof. The applicant proposes to paint the wood grey to match trims on the primary building. The patio cover would provide coverage for outdoor display of flowers and plants, and seating without dining tables. This corner area would include new corrugated metal fencing and gates enclosing the space, landscaping between the corrugated metal fence/gates and the adjoining sidewalk. Image 3 below is the proposed alley-facing elevation showing the new storage addition and prefabricated patio cover. (The applicant has been informed that payment of a Minor Conditional Use Permit fee

NEW OUTDOOR DISPLAY AND SEATING AREA

must be submitted to review the permanent outdoor display use concurrently with the exterior improvements).



### <u>Image 3 – Proposed East Elevation</u>

The cart corral is comprised of corrugated metal and the building serving as flanking barriers. The corral is proposed on the east side of the building as shown in Image 3 above. The corral would assist in maintaining the site free from unattended carts. Additionally, an enclosure made of block wall and metal gate is proposed adjacent to the new storage addition, for additional outdoor storage.

NEW CART CORRAL

A digital materials board is provided in Attachment 3, which includes examples of the proposed prefabricated patio cover ("gazebo"), light fixtures, and roll up doors.

The new signage shown on plans is provided for informational purposes only. Signage will be administratively reviewed under and Administrative Sign Permit, separate from the subject discretionary permits.

### Why is DRSC Review Required?

The project requires a Minor Architectural Permit (MAP) for the minor exterior alterations and new accessory structures. Zoning Ordinance Section 17.12.025 allows the City Planner to determine if a MAP requires review by the Design Review Subcommittee (DRSC) if deemed necessary. Due to the project's visibility from the public right-of-way, and complete facade remodel, the City Planner determined DRSC review is required.

### **ANALYSIS:**

### Development Standards

The proposed project is consistent with all applicable development standards, as shown in Table 1 below.

Table 1 - NC 1.2 Development Standards

Standard	Zoning Ordinance	Proposed	Complies with the Code
Setbacks (Minimum)			
Front	0'-0"	>0'-0"	Yes
Side	0'-0"	>0'-0"	Yes
Rear	0'-0"	>0'-0"	Yes
Lot Coverage (Maximum)	100%	22%	Yes
FAR (Maximum)	.35	.22	Yes
Building Height (Maximum)*			
Plate	26'	No Change	Yes
Top of Roof	33'	No Change	Yes
Parking (Minimum)	16	43	Yes
Landscaping	10% of gross lot area	12.5%	Yes

### Lighting

Zoning Ordinance Section 17.24.130, requires exterior lighting to be shielded and directed downwards away from neighboring properties to prevent direct glare and reflections. Wall-mounted light fixtures (floodlights) on the building would be replaced with black gooseneck light fixtures, which improve compliance with lighting and design standards. However, there is currently an open code case regarding the parking lot light pole and its direct glare on neighboring properties. Aesthetically, the parking lot light pole is not compatible with the proposed building remodel. Therefore, staff is requesting that the applicant consider replacing the parking lot light pole with a more compatible design, and with features in compliance with the City's lighting standards.

### Pedestrian Safety

The new prefabricated patio cover is proposed across from the primary building's east elevation within an existing planter area on the corner of the East El Portal and the adjacent alley. The applicant intends to use this space for outdoor display and seating. A drive aisle currently exists between the primary building and the new outdoor display area. Customer foot traffic is expected to occur to and from the outdoor display area to view and purchase display items across the drive aisle. Staff consulted with the City's Traffic

Engineer on the feasibility of painting a crosswalk to connect the primary building and the outdoor display areas, with a speed bump on either side of the crosswalk to address pedestrian safety concerns near a vehicle site entrance. The City's Traffic Engineer supports a painted crosswalk and speed bumps, and the applicant agreed to add these elements to the site plan. City staff anticipates that the crosswalk and speed bumps will encourage vehicles to enter and exit the parking lot at a slower speed when driving near the crosswalk for a safer pedestrian zone.

### Corrugated Metal

The applicant proposes corrugated metal on portions of the building and as fences adjacent to the building and around the new outdoor display area, as seen on elevation drawings (Attachment 6). Staff is not opposed to the use of corrugated metal since Spanish Colonial Revival architecture is not required given that the property is not within the Architectural Overlay District, not a historic resource, nor does the subject building currently have Spanish Colonial Revival architecture. However, since the property is within a minor gateway identified in the General Plan, high quality architecture and design is still required. The corrugated metal provides a unique, contemporary design which would improve articulation throughout the building. Staff believes that the building surface area devoted to corrugated metal is appropriate and not visually overwhelming. For cohesiveness, the applicant is proposing corrugated metal fences that match portions of the building. Although staff is not opposed to corrugated metal, staff is seeking feedback from the DRSC on the design and use of corrugated metal fences.

### Design Guidelines Consistency

The City's Design Guidelines are applied to projects involving exterior changes to non-residential properties to ensure improvements are of high quality and compatible with the surrounding neighborhood. Attachment 4 is an analysis table of the project's consistency with Design Guidelines. Overall, the project is consistent with most of the City's Design Guidelines. The recommendations listed below in the *Recommendations* section reflect Design Guidelines that the project is not consistent with.

### General Plan Policies Consistency

Attachment 5 is an analysis table of the project's consistency with General Plan policies. Staff determined that the project is partially consistent with General Plan policies.

### **RECOMMENDATIONS:**

Overall, the project improves the commercial building's façade. However, staff recommends the following modifications to improve the project's consistency with the City's Design Guidelines. Additionally, staff recommends that the DRSC provide specific feedback on the design and use of the proposed corrugated metal fences.

1. Consider replacing the parking lot light pole with a more compatible design, and with features in compliance with the City's lighting standards. (If the applicant does not

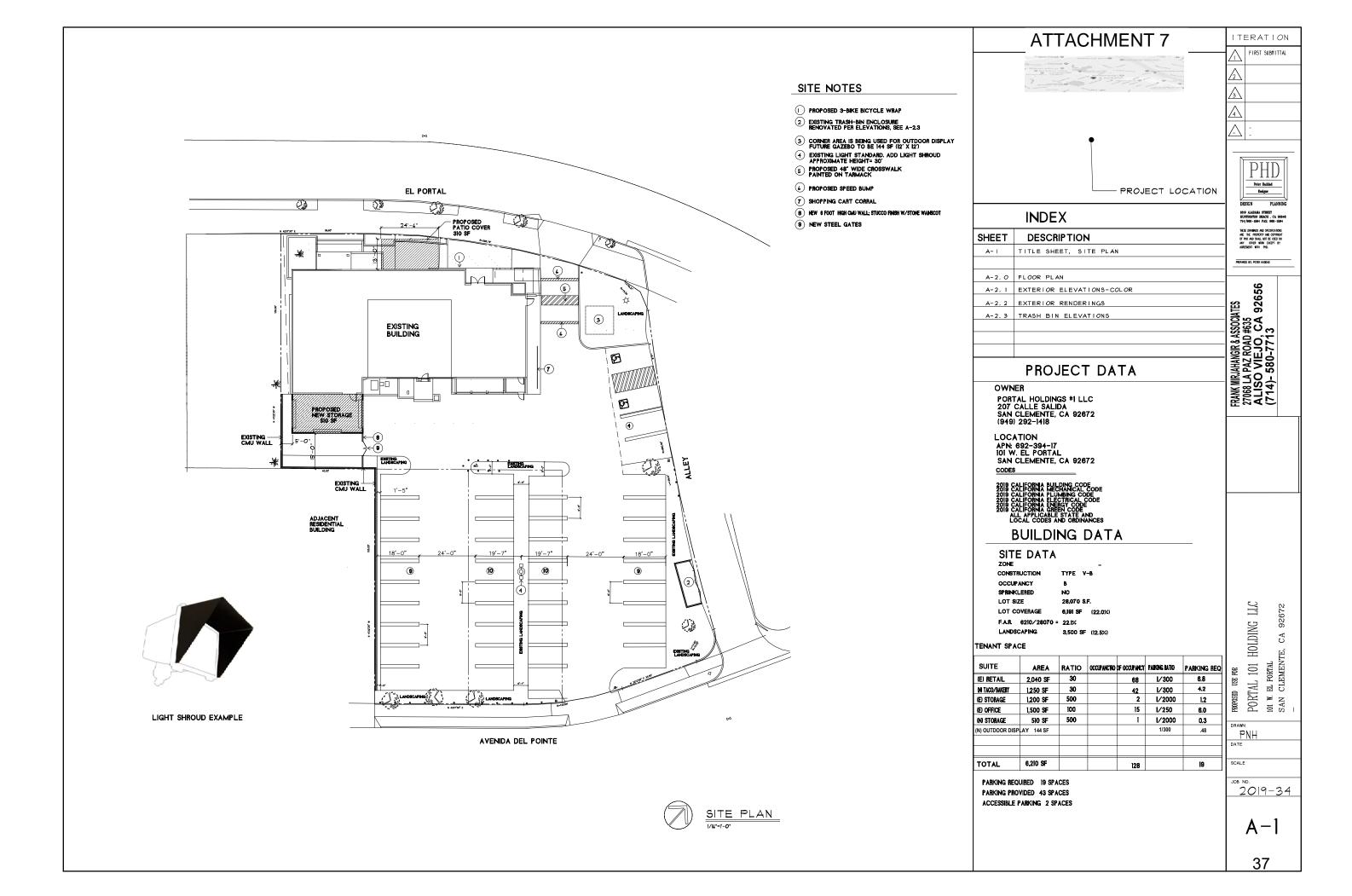
- consider full replacement of the parking lot light pole, staff is still requesting that the existing light fixture be modified for compliance with the City's lighting standards).
- 2. Submit a preliminary landscape plan to rehabilitate existing planter areas surrounding the parking lot with drought-tolerant, native landscaping.
- 3. Remodel the trash enclosure to match the primary building. Improvements to the trash enclosure may include adding stone veneer, painting the enclosure, and/or replacing the gate and cover with compatible materials.
- 4. Remove unpermitted window advertisements for compliance with Code and increased visibility of the market.

### Attachments:

- 1. Location Map
- 2. Photos of Existing conditions
- 3. Digital Materials Board
- 4. Design Guidelines Consistency Analysis
- 5. General Plan Policies Consistency Analysis
- 6. Elevation Drawings
- 7. Site Plan

	Zoning Ordinance Section 17.28.210.C. – Minimum Standards, for Outdoor Display Areas		
	Standard	Compliance	
1.	Encroachment into Public Right-of-Way and/or Parking. No outdoor display shall occupy any part of a required parking area, or encroach upon public right-of-way.	Encroachment into the public right-of-way and parking does not occur.	
2.	Height. No outdoor display shall exceed the height limit of the zone.	The outdoor display does not exceed the subject zone's height limit of 33 feet	
3.	Location. Only goods and materials associated with pre-existing, indoor primary uses may be displayed. Outdoor accessory display areas are allowed, when all of the following criteria apply:		
	a. The use engaged in the outdoor display and the outdoor display itself are located in a nonresidential or mixed-use zone.	a. The market is located in a nonresidential zone, Neighborhood Commercial 1.2 zone	
	b. The use engaging in the outdoor display is permitted or conditionally permitted in the zone in which it is located, as listed in the Permitted and Conditionally Permitted Use Tables in Chapters 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, of this title.	b. The market is a permitted use in the Neighborhood Commercial 1.2 zone	
	c. The primary use on the property and the goods displayed, as determined by the City, are as outlined in Table 17.28.210.	c. Outdoor display of plants and flowers at a market, or grocery store, is allowed per Table 17.28.210 of the Zoning Ordinance	
	d. Parking. No outdoor display shall occupy any part of a required parking area.  Areas used for outdoor display and sales shall be calculated in determining the parking requirements for the primary use. Exception: Auto dealerships and rental facilities with 10 or fewer cars for sale/no repair are exempt from these requirements, as detailed in <a href="Section 17.28.310">Section 17.28.310</a> , Vehicle Dealerships.	The outdoor display will not occupy any parking space. Ample parking is provided to support the additional parking space required for the outdoor display area	
	e. Visibility. Outdoor display shall not create any sight distance problems to or	The City's Traffic Engineer supports the location of the outdoor display area and the use of speed bumps and a painted crosswalk between the	

Zoning Ordinance Section 17.28.210.C. – Minimum Standards, for Outdoor Display Areas		
Standard	Compliance	
from the appropriate streets, as determined by the City Traffic Engineer.	primary building and the outdoor display area for improved pedestrian safety	





JOB NO. 2019-34

