

**CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT**

ITEM #5

DATE: DECEMBER 8, 2014

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
URSULA LUNA-REYNOSA, DIRECTOR
EVAN LANGAN, AICP, ASSOCIATE PLANNER

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP14-0014, VARIANCE V14-0002, SITE DEVELOPMENT PERMIT SDP14-0017 AND MINOR CONDITIONAL USE PERMIT CUP14-0004(M) TO ALLOW THE DEMOLITION OF AN EXISTING BOAT STORAGE FACILITY AND THE CONSTRUCTION OF A NEW, SINGLE-STORY, 4,900 SQUARE FOOT COMMERCIAL STRUCTURE AT 34215 PACIFIC COAST HIGHWAY (PCH) WITHIN THE CITY'S TOWN CENTER/LANTERN DISTRICT. VARIANCES ARE REQUESTED TO LOCATE ON-GRADE PARKING WITHIN THE FIRST 40 FEET OF FRONTAGE AS WELL AS TO PERMIT DRIVEWAYS FROM PCH AND DEL PRADO STREETS; A MINOR CONDITIONAL USE PERMIT IS REQUESTED TO ALLOW THE ESTABLISHMENT OF A NEW BANK USE.

RECOMMENDATION: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP14-0014, Variance14-0002, Site Development Permit SDP14-0017 and Minor Conditional Use Permit CUP14-0004(M).

PROJECT APPLICANT: Patterson Development Company, LLC

PROPERTY OWNER: Marquerite Katherine Seiler-Ware Trust

REQUEST: Approval of a Coastal Development Permit, Variance, Site Development Permit and Minor Conditional Use Permit.

LOCATION: 34215 Pacific Coast Highway
Assessor Parcel Numbers (APNs):
682-301-15 and 682-301-16

NOTICE: Notices of the Public Hearing were mailed to property owners within 500 feet and occupants within 100 feet on November 26, 2014, published within a newspaper of general circulation on November 27, 2014, and posted on November 26, 2014 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15332 (Class 32 – Infill Development Projects) in that the subject properties measure five acres or less in area, are surrounded by urban uses and that the project would not result in significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and, can be adequately served by all required utilities and public resources.

ISSUES:

- Project consistency with the Dana Point Town Center Plan and Zoning Code (DPZC).
- Project satisfaction of all findings required pursuant to the Town Center Plan and DPZC for approval of a Coastal Development Permit (CDP), Variance (V), Site Development Permit (SDP) and Minor Conditional Use Permit (CUP[M]).
- Project compatibility with and enhancement of the site and surrounding neighborhood.

BACKGROUND: The subject address comprises two legal lots measuring a combined 18,605 square feet (.43 acres), originally developed as a boat storage and repair facility in 1962. The site presently contains minimal landscaping and two small, single-story structures as well as perimeter fencing. The site is located at the intersection of Pacific Coast Highway (to the north) and Del Prado (street) to the south and more broadly, within the City's Town Center/Lantern District. Adopted zoning for the properties is "Town Center Mixed Use" (TC-MU), with both parcels located within the Coastal Overlay District (the CA Coastal Zone) but outside of the appeals jurisdiction of the CA Coastal Commission.

DISCUSSION: The subject application proposes the demolition of all onsite development and the construction of a new commercial building with the possibility to divide the building into two suites as follows:

Suite A:	<i>1,966 square feet</i>
Suite B:	<i>2,934 square feet</i>

Total:	<i>4,900 square feet of gross floor area</i>

Pursuant to the Town Center Plan, building height is measured from the level of the sidewalk at the midpoint of the front property-line (Pacific Coast Highway as applied to

the subject lot). Utilizing a baseline sidewalk elevation of 125 feet, the structure will be 39 feet 10 inches at its highest point; however, the majority of the building, owing to its single-story design, will not exceed 23 feet in height.

The architecture of the building adheres to a Spanish/Mediterranean Revival style, incorporating a rectangular floor-plan, smooth stucco exterior and red tile roofing, as well as a singular, roughly circular tower element that acts as both a focal point of the building and a visible landmark for entry into the interior of the Lantern District. The overall style and materials of the structure would evoke and compliment the architecture, colors and materials utilized in development found elsewhere in the Lantern District and more specifically, the community's earliest development.

The project site plan proposes extensive amounts of new landscaping both forward of the building (facing the intersection of PCH and Del Prado), within the property's interior and at proposed site entrances, covering approximately 17 percent of the property where the Town Center Plan requires none. That said, the amount of landscaping proposed means that the project is subject to Section 9.55 of the Dana Point Zoning Code (DPZC), requiring that the new landscaping minimize water usage and offsite drainage - and specifically propose a palette that is both native to CA and drought tolerant to the greatest extent feasible. A condition of approval has been included in the project's draft resolution that a final landscaping plan be submitted for review that shows compliance with the referenced DPZC section.

Parking

Parking requirements for proposed development in the Town Center/Lantern District are stipulated by the DPZC. The subject project proposes the construction of a new building with 4,900 square feet of gross commercial floor area. While the future tenant(s) of the building are not yet known, parking for the building has been provided under the following, potential mix of uses:

Scenario 1: *Bank use occupying entire building*
Required Parking Ratio: *1 stall for every 250 square feet of gross floor area*
Number of Parking Stalls Required: *20 stalls*
Number of Parking Stall Currently Proposed: *20 stalls*

Scenario 2: *One retail use (Suite "A") and one bank use (Suite "B")*
Required Parking Ratio: *1 stall for every 300 square feet of retail gross floor area*
1 stall for every 250 square feet of bank gross floor area
Number of Parking Stalls Required: *19 stalls*
Number of Parking Stall Currently Proposed: *20 stalls*

Scenario 3: *Retail use occupying entire building*
Required Parking Ratio: *1 stall for every 300 square feet of gross floor area*
Number of Parking Stalls Required: *16 stalls*
Number of Parking Stall Currently Proposed: *20 stalls*

Regardless of the final use mix desired by the applicant, a compliant number of onsite parking spaces would be provided and no deviations from the required number of parking stalls are requested. Moreover, and omitted from the calculations provided above, right-of-way improvements proposed along Pacific Coast Highway will create three additional offsite parking spaces adjacent to the subject property. While these spaces will not be dedicated for exclusive use by patrons of the new building, their close location coupled with an absence of commercial development to the east and a convenient means of vicinity pedestrian crossing on PCH, lend the spaces to ready use by the subject property.

Required Entitlements

The project as proposed requires application and approval of four discretionary entitlements as detailed below.

Coastal Development Permit CDP14-0014

Pursuant to Section 9.69.040 of the DPZC, demolition of existing development and/or construction of new development in the City's Coastal Overlay District (the CA Coastal Zone) shall first require approval of a Coastal Development Permit. The subject application proposes the demolition of an existing boat storage/repair facility and the construction of a new commercial building in its place.

Section 9.69.070 of the DPZC stipulates a minimum of seven findings for approval of a CDP, requiring that the project:

- 1. Is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 Cal. Code of Regulations/13096).*
- 2. If located between the nearest public roadway and the sea or shoreline of any body of water, is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 Cal. Code of Regulations/13096).*
- 3. Conform to Public Resources Code Section 21000 and following, that there are no feasible mitigation measures or alternatives available which would substantially lessen any significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 Cal. Code of Regulations/13096).*

4. *Be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.*
5. *Minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards.*
6. *Be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas.*
7. *Conform to the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs.*

Staff recommends that all required findings for the requested CDP can be made as enumerated in the attached, draft project resolution.

Variance V14-0002

The property is qualified as a corner lot without alley access. Pursuant to the Town Center Plan, corner lots without alley access shall not have vehicular driveways fronting either PCH or Del Prado. However, as the subject property is bordered to the west by another privately owned lot and to the east by existing monument signage for the broader Lantern District, strict application of this standard to the subject property would disallow any vehicular access from public rights-of-way and deny the owner a critical allowance enjoyed by other properties in the vicinity. Moreover, the subject property is the only lot within the Town Center/Lantern District with the unique characteristic of a corner location without either alley or side street frontage and accordingly, other than PCH and/or Del Prado, no other opportunity for access to the site exists.

The Town Center Plan further stipulates that on-grade parking lots be disallowed within 40 feet of PCH and Del Prado to ensure adequate space for building frontage, landscaping and pedestrian-focused amenities. That said, the small size and atypical shape of the subject site, when combined with any reasonable development, makes adherence to this development requirement all but impossible and creates a valid hardship that justifies deviation from the standard.

Section 9.67.050 of the DPZC stipulates eight findings for approval of a variance, requiring:

1. *That the strict or literal interpretation and enforcement of the specified regulation(s) would result in practical difficulty or unnecessary physical hardships inconsistent with the objectives of this Chapter; and*

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use of the property which do not apply generally to other properties in the same zoning district; and*
3. *That the strict or literal interpretation and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district with similar constraints; and*
4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district with similar constraints; and*
5. *That the variance request is made on the basis of a hardship condition and not as a matter of convenience; and*
6. *That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity;*
7. *That the variance approval places suitable conditions on the property to protect surrounding properties and does not permit uses which are not otherwise allowed in the zone;*
8. *That granting of the variance would not result in adverse impacts, either individually or cumulatively, to coastal access, public recreation opportunities, or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan.*

Staff recommends that all required findings for the requested variances from standards can be made as enumerated in the attached, draft project resolution.

Site Development Permit SDP14-0017

Pursuant to Section 9.71.020 of the DPZC, proposed construction of non-residential development in excess of 2,000 square feet of gross floor area shall first require approval of a Site Development Permit. Section 9.71.050 further stipulates a minimum of four findings for approval of a SDP, requiring:

1. *Compliance of the site design with development standards of this Code.*
2. *Suitability of the site for the proposed use and development.*
3. *Compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines.*

4. *Site and structural design which is appropriate for the site and function of the proposed use(s), without requiring a particular style or type of architecture.*

Staff recommends that all required findings for the requested SDP can be made as enumerated in the attached, draft project resolution.

Minor Conditional Use Permit CUP14-0004(M)


Pursuant to standards of the Town Center Plan, proposed establishment of a new bank use shall require application and approval of a Conditional Use Permit. Section 9.65.060 of the DPZC stipulates a minimum of four findings for approval of a CUP, requiring:


1. *That the proposed conditional use is consistent with the General Plan.*
2. *That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures.*
3. *That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other land use development features prescribed in this Code and required by the Commission or Council in order to integrate the use with existing and planned uses in the vicinity.*

Staff recommends that all required findings for the requested CUP(M) can be made as enumerated in the attached, draft project resolution.

CORRESPONDENCE: To date, a single item of correspondence has been received for this project and has been included as Attachment 5 - Public Correspondence.

CONCLUSION: Staff recommends that the subject project be found consistent with the policies and provisions of the Dana Point Town Center Plan, Zoning Code and Local Coastal Program and accordingly recommends the Planning Commission adopt the attached resolution, approving CDP14-0014, V14-0002, SDP14-0017 and CUP14-0004(M), subject to findings and conditions of approval.


Evan Langan, AICP
Associate Planner


Ursula Luna-Reynosa, Director
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 14-12-08-xx

Supporting Documents

2. Vicinity Map
3. Site Photos
4. Project Plans (architectural only)
5. Public Correspondence (one item)

RESOLUTION NO. 14-12-08-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP14-0014, VARIANCE V14-0002, SITE DEVELOPMENT PERMIT SDP14-0017 AND MINOR CONDITIONAL USE PERMIT CUP14-0004(M) TO ALLOW THE DEMOLITION OF AN EXISTING BOAT STORAGE FACILITY AND THE CONSTRUCTION OF A NEW, SINGLE-STORY, 4,900 SQUARE FOOT COMMERCIAL STRUCTURE AT 34215 PACIFIC COAST HIGHWAY (PCH) WITHIN THE CITY'S TOWN CENTER/LANTERN DISTRICT. VARIANCES ARE REQUESTED TO LOCATE ON-GRADE PARKING WITHIN THE FIRST 40 FEET OF FRONTAGE AS WELL AS TO PERMIT DRIVEWAYS FROM PCH AND DEL PRADO STREETS; A MINOR CONDITIONAL USE PERMIT IS REQUESTED TO ALLOW THE ESTABLISHMENT OF A NEW BANK USE.

Project Applicant: Patterson Development Company, LLC

Property Owners: Marquerite Katherine Seiler-Ware Trust

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, the applicant filed a verified application for a Coastal Development Permit, Variance, Site Development Permit and Minor Conditional Use Permit to allow demolition of existing development and the construction of a new commercial building at 34215 Pacific Coast Highway (APNs 682-301-15 and 682-301-16), and;

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code, and;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorical Exempt per Section 15332 (Class 32 – Infill Development Projects) and;

WHEREAS, the Planning Commission did, on the 8th day of December, 2014, hold a duly noticed public hearing as prescribed by law to consider said request, and;

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP14-0014, Variance V14-0002, Site Development Permit SDP14-0017 and Minor Conditional Use Permit CUP14-0004(M).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

ATTACHMENT #1

- A. That the above recitations are true and correct.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP14-0014, V14-0002, SDP14-0017 and CUP14-0004(M) subject to conditions:

Findings:

Coastal Development Permit CDP14-0014

1. That the proposed development is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of the Dana Point Zoning Code (Coastal Act/30333, 30604(b); 14 California Code of Regulations/13096) **in that the project is found to comply with the standards of the Dana Point Town Center Plan (the Local Coastal Program for the site) by creating a structure and fostering uses consistent with Policy No. 1.1 of the Town Center Plan which states: "provide a diversity of retail, office and residential land uses that establish the Town Center as a major center of social and economic activity in the community."**
2. That the proposed development is not located between the nearest public roadway and the sea or shoreline of any body of water **and is therefore not subject to the Public Access and Public Recreation policies of Chapter Three of the California Coastal Act.**
3. That the proposed development conforms with Public Resources Code Section No. 21000 (the California Environmental Quality Act - CEQA) **in that the project is Categorically Exempt per Section 15332 of the CEQA Guidelines (Class 32 – In-Fill Development Projects).**
4. That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas and will provide adequate buffer areas to protect such resources **in that the subject property is an already developed parcel containing no environmentally sensitive habitat area (ESHA) and accordingly, proposed improvements would not result in adverse impacts.**
5. That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **in that the subject site is an already developed property located within an established area of mixed uses with little to no natural landforms present and; in that the proposed development will be constructed in conformance with**

applicable regulations for flood and fire, minimizing undue risks from these or other hazards.

6. That the proposed development will be visually compatible with the character of surrounding areas and, where feasible, will restore and enhance visual quality in visually degraded areas **in that the proposed project will redevelop a presently underutilized property with a new commercial structure that, other than a variance for locations of driveways and parking spaces, conforms to current development and design standards of the Dana Point Town Center Plan.**
7. That the proposed development will conform with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or other applicable adopted plans and programs **in that the subject project has been reviewed by Planning and Building/Safety Division staffs as well as the Public Works/Engineering Department and found to conform with applicable requirements of the Dana Point Town Center Plan (which serves as the implementing document for the General Plan, Zoning Code and Local Coastal Program for the subject property).**

Variance V14-0002

1. That the strict or literal interpretation and enforcement of the specified regulations would result in practical difficulty or unnecessary physical hardships inconsistent with the objectives of this Chapter **in that strict application of the parking location standards of the Town Center Plan to the small size, atypical shape and unique location of the subject property would prohibitively limit the area available for onsite parking and disallow vehicular access to the property - effectively denying the owner use of the property as well as privileges afforded to other vicinity properties under identical zoning classification.**
2. That there are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use of the property which do not apply generally to other properties in the same zoning district **in that the subject property is a small corner lot bordered to the east by public property and to the west by private property, limiting potential access points to the lot from PCH and Del Prado. Due to the site's small size coupled with its unusual configuration and relationship to adjoining streets and neighboring properties, strict application of development standards in the Town Center Plan would prohibitively reduce the area available for parking and disallow vehicular access to the property and effectively deny the owner use of their property as well as a critical allowance afforded to other property owners in the vicinity.**

3. That the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district with similar constraints **in that other properties within the Town Center have vehicular entry and exit-ways to onsite parking and the requested variance would accordingly permit the subject property to be developed in a reasonable manner consistent with other properties in the vicinity.**
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with limitations on other properties in the same zoning district with similar constraints **in that no other properties within the Town Center District have the same constraints. Allowing the property to be developed in a manner consistent with others in the vicinity would not constitute a special privilege.**
5. That the variance request is made on the basis of a hardship condition and not as a matter of convenience **in that strict application of development standards would deny the owner use of the property in a manner enjoyed by properties under identical zoning classification.**
6. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity **in that the proposed location of on-grade parking facilities have been reviewed by the City Engineer with a finding that the proposed location would not impact or interfere with new or existing pedestrian access across or through the property. Landscaping and signage are proposed at the entrance to the parking lot in a manner that would both beautify the addition while also providing a means of identification and way-finding for potential patrons of the site. Other neighboring properties are presently developed with on-grade parking in a similar manner to that proposed by the subject application and accordingly, approval of the deviation from Town Center parking requirements would not be a grant of special privilege.**
7. That the variance approval places suitable conditions on the property to protect surrounding properties and does not permit uses which are not otherwise allowed in the zone **in that specific conditions for site stability, landscaping, drainage, water and structure design quality and others have been included herein and, coupled with standard conditions of approval, will ensure that surrounding properties and uses are not adversely affected with implementation of the proposed project.**

8. That granting of the Variance will not result in adverse impacts, either individually or cumulatively, to coastal access, public recreation opportunities, or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan **in that the project proposes construction of a new commercial building located where no public accessway or recreation areas exist and so would not result in individual or cumulative adverse impacts. With the exception of the variance request, the proposed scope of work conforms to all applicable standards of development.**

Site Development Permit SDP14-0017

1. Compliance of the site design with development standards of the Dana Point Zoning Code **in that the subject application proposes the demolition of existing development and the construction of a new commercial building exceeding 2,000 square feet and has been reviewed by Planning and Building/Safety Division staffs as well as the Public Works/Engineering Department and found to conform with applicable requirements.**
2. Suitability of the site for the proposed use and development **in that all development proposed is permitted pursuant to the Town Center Plan and, that the proposed scope-of-work would redevelop a presently underutilized development, constituting an improvement of the property in compliance with the standards and intent of the Dana Point General Plan, Zoning Code and Town Center Plan.**
3. Compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines **in that subject project doesn't conflict with the elements of the General Plan or applicable provisions of the design guidelines of the Town Center Plan.**
4. Site and structural design which is appropriate for the site and function of the proposed use(s), without requiring a particular style or type of architecture **in that, other than the aforementioned variances that are found to be justified, the proposed commercial structure and site design conforms to all applicable development standards and design guidelines of the Town Center Plan.**

Minor Conditional Use Permit CUP14-0004(M)

1. The proposed conditional use is consistent with the City of Dana Point General Plan and Municipal Code **in that the subject project proposes the establishment of a new bank use within a new commercial structure - a use and development that is permitted by the Dana Point Town Center Plan subject to approval of a conditional use permit.**
2. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the proposed, conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures **in that the new development has been found to conform to standards of development and that specific conditions as related to site stability, landscaping, drainage, water quality and design aesthetics have been included herein and, coupled with standard conditions of approval, will ensure that surrounding properties and uses are not adversely affected.**
3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code and required in order to integrate the use with existing and planned uses in the vicinity **in that the proposed commercial structure has been designed in compliance with prescribed property setbacks, height limitations and other standards of development of the Town Center Plan.**

Conditions:

A. General:

1. Approval of this application permits construction of a new, single-story commercial structure to include a commercial bank tenant at 34215 Pacific Coast Highway with on-grade parking located within the first 40 feet of property frontage and driveway locations/access on both Pacific Coast Highway and Del Prado Street. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission and in compliance with the applicable provisions of the Dana Point General Plan, Town Center Plan, Local Coastal Program and Dana Point Zoning Code.

2. This discretionary permit(s) is valid for two years (24 months) following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved and such work is not commenced within the prescribed two year time period or, if the Director of Community Development or the Planning Commission as applicable doesn't grant an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions and in accordance with the appropriate sections of the Dana Point Zoning Code.
3. The application is approved for the location and design of the uses, structures, features, and materials, shown on the approved plans. Any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If he/she determines that the proposed change complies with the provisions and the spirit and intent of this approval action and that the action would have been the same for the amendment as for the approved plans, the Director may approve the amendment without requiring a new public hearing.
4. Final design of exterior materials, colors and building design details shall be submitted for review and approval by the Director of Community Development. Approval of a detailed final design plan shall be obtained prior to issuance of any permits.
5. This resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any and all plans submitted to the City's Planning and/or Building/Safety Divisions and/or the Public Works/Engineering Department.
6. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
7. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. It shall be the applicant's duty to defend, indemnify, and hold the City harmless and shall include paying the CITY's attorney-related fees, costs and any expenses incurred concerning the claim, action, or proceeding.

The applicant shall further reimburse the City for any attorney-related fees and costs associated with the review of the proposed project and any other related documentation.

7. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
8. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
9. Commercial deliveries to the site shall only occur between the hours of 7:00 AM and 8:00 PM.
10. The applicant shall process a Sign Program permit in accordance with the provisions of the Dana Point Zoning Code. Any sign program proposed for the site shall provide adequate signage to direct patrons to onsite parking facilities, in addition to identifying the development name and/or individual businesses on the site, and shall be consistent with the provisions of the Dana Point Town Center. The Sign program shall be approved and directional signage related to the on-site parking facilities shall be installed prior to issuance any Certificate of Use and Occupancy for the site.
11. The applicant shall be responsible for coordination with SDG&E, AT&T California, SCWD, Southern California Gas Company, and Cox Communication Services for the provision of all utility services.
12. All public right-of-way improvements require advanced approval by the City Engineer. All proposed improvements within the City of Dana Point streets right-of-way and alley right-of-way require an approved encroachment permit, prior to commencement of work.

13. All improvements within the public right-of-way shall be constructed per the Lantern District Public Works Construction Details, City Standards, the City Standard Encroachment Permit Conditions, and as indicated by the City Engineer.
14. Building materials, unlicensed vehicles, construction equipment, portable toilets, and related items shall not be placed in the public right-of-way, beginning at the back of sidewalk.
15. Any approved private improvements within the public right-of-way or City's Easement area shall require a Removal and Maintenance Agreement, from the Engineering Division of Public Works.
16. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation or dust. The applicant shall provide erosion control measures and temporary desiltation/detention basins as required, and use water or other measures to control dust. The applicant shall maintain the temporary basins and erosion control devices until the Director of Public Works and/or City Engineer approves of the removal of said facilities. Failure to do so shall obligate the City to repair/replace as appropriate and charge the applicant.
17. The project shall meet all current NPDES Permit requirements.
18. A Water Quality Management Plan (WQMP) is required. All site plan and drainage plan revisions made through the plan check process shall be reflected in the WQMP. All revisions to the WQMP shall be reviewed and approved by the City of Dana Point prior to issuance of any permits. Additional site plan and drainage plan changes may significantly impact the WQMP.
19. All plans shall be in conformance with the Town Center Specific Plan, and the Town Center Standards and Construction Details, and the in progress design documents for the PCH/Del Prado Streetscape Improvement Project. All needed design or construction adjustments shall be at the expense of the applicant.
20. Any damage to existing public or adjacent private property facilities shall be repaired or replaced to the satisfaction of the City Engineer, and per City Standards.
21. In the event of construction ceasing for a period of longer than three months, landscaping and/or screening will be required of the applicant or installed by the City of Dana Point at the owner's expense.

22. Temporary fencing with green/black screening shall be provided around work areas unless an alternative is approved by the City Engineer.
23. The development shall obtain approval from San Diego Gas & Electric (SDG&E) as well as the City of Dana Point for required relocation of any existing street lights or electric meter panels (due to proposed construction of a new driveway) along PCH.

By accepting this approval from the City of Dana Point, the applicant understands that additional coordination with SDG&E on the relocation of this infrastructure is mandatory and may be a lengthy process.

24. The PCH entry to the development shall be limited to right turn-in and right turn-out vehicular travel only.
25. The applicant shall obtain all applicable permits for the proposed improvements, including any that may be required from outside agencies.
26. This project is subject to the requirements of Section 9.55 (Water Efficient Landscape Standards and Requirements) of the Dana Point Zoning Code. Prior to final inspection of framing, the applicant shall submit for approval, a Final Landscape Plan that provides descriptive and illustrative landscaping information for all properties as well as for adjacent public rights-of-way. The Plan shall further include the location, type, size and quantity of both existing and proposed plantings, an irrigation plan, a copy of this entitlement in its entirety and the specific calculations required by the aforementioned Zoning Code section.
27. Separate review, approval, and permits are required for:
 - *Separate Structures*
 - *Retaining Walls*
 - *Fire Sprinklers*
 - *Site walls over three feet in height*

B. Prior to issuance of a precise grading permit the applicant shall meet the following conditions:

28. A utility plan shall be prepared to outline the maintenance, relocation or temporary bypass of existing utilities or for the provision of new utilities. Said plan shall address both dry and wet utilities.

29. The applicant shall apply for a Precise Grading Permit. The application will include a grading plan and soils report for review and approval by the Director of Public Works and City Engineer that complies with City standards. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works.
30. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.
31. The applicant shall prepare all needed reports and implement all required actions, for each phase, to meet current water quality regulations including, but not limited to, a Water Quality Management Plan, and all other required reports/actions for NPDES Permit compliance.
32. The development grading and street improvement plans shall resolve all conflicts between the PCH right-of-way and easement areas to the satisfaction of the Director of Public works and prior to permit issuance.
33. The applicant shall submit street improvement plans concurrently with the Precise Grading Plans showing any street improvements on PCH.
34. By accepting this approval from the City of Dana Point, the applicant acknowledges that, with anticipation of the completion of Lantern District Improvements, all vicinity streets may be under a moratorium (as per the Dana Point Municipal Code). All disturbance and trenching within a moratorium street will require approval from the City Engineer and may result in additional boring, paving and repairs per City standards.
35. All utility connections shall be from Del Prado where possible as PCH is a designated moratorium street. Asphalt paving repairs will be per City standards and determined by the City Engineer on site.
36. The applicant shall protect in place all newly paved street, street improvements and associated improvements within the Lantern District - unless demolition and replacement is specifically approved by the City Engineer. Any damage to existing public or adjacent private property shall be repaired or replaced to the satisfaction of the City Engineer.
37. The applicant shall obtain written approval for any work proposed on adjoining properties.

38. The development shall construct the curb alignment on PCH per the ultimate Town Center Traffic Plan, adding parallel parking along PCH. The curb radii at the beginning and end of the turnout along PCH shall be modified to 15 feet minimum to allow for street sweeping. New PCH sidewalk shall be generally 10 feet with the two existing date palm trees relocated to the back of the sidewalk.
39. The Precise Grading Plan shall include a final utility plan as approved by South Coast Water District, SDG&E and all other utilities identifying improvements, including off-site improvements, required to provide adequate services to the proposed development, for each phase.
40. The final utility plan(s) shall include the final approved location of all meters, backflow prevention devices, vaults, and other associate equipment for all utilities and fire prevention. All fire prevention equipment, utility meters, and utility equipment servicing the development shall be within the proposed development and not in the public right-of-way.
41. As the subject project proposes improvements in the vicinity of utilities along or under PCH, the potential relocation of telephone vault, telephone line, telecommunications lines, and high voltage electrical in a slurry bank will be evaluated during the plan check process. Whether relocation or protection in place for all utilities is deemed required by the City, an associated plan shall be provided to the City prior to issuance of a Grading Permit.
42. The applicant shall revise the proposed location of the Fire Department Connection (FDC) and Double Check Detector Assembly (DCDA). The location of the DCDA as illustrated in the entitlement plans is not approved. The DCDA and any other above ground fire prevention assemblies shall be placed away from PCH as feasible and permitted by OCFA.
43. The applicant shall revise the drainage plan to utilize curb outlets to PCH and/or Del Prado. The drainage plan as illustrated in entitlement plans is not approved. Storm drain or catch basin connections are generally not allowed unless otherwise approved by the City Engineer.
44. The applicant shall revise the plans to address all outstanding comments and concerns noted during the entitlement plan review period.
45. The drainage plans and WQMP shall be reviewed and approved prior to the issuance of the Grading Permit. Any revisions to the drainage plan and Best Management Plan (BMP) locations during the plan check process will be updated in the revised WQMP and provided via modifications to the plans, with all subject to review and final approval by the City Engineer.

46. Surety to guarantee the completion of the project's precise grading, street improvements and drainage improvements, including erosion control up to 100 percent of the approved Engineer's cost estimate shall be posted to the satisfaction of the City Engineer and the City Attorney.
47. The applicant shall execute an Irrevocable Offer of Dedication of an Easement for roadway, drainage, pedestrian/bike and trail, utility, and traffic signal purposes for the 10 foot area just west of the right-of-way on Pacific Coast Highway.

C. Prior to issuance of a rough grading permit the applicant shall meet the following conditions:

48. The applicant shall apply for a Rough Grading Permit. The application will include a rough grading plan, in compliance with City standards, for review and approval by the Director of Public Works and City Engineer. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works and City Engineer, and conform to the in progress design documents for the PCH/Del Prado Streetscape Improvement Project.
49. A detailed design level geotechnical report shall be prepared, submitted and reviewed by the City Engineer.
50. The applicant shall submit written evidence to the satisfaction of the Director of Community Development that a certified paleontological/archaeological monitor has been retained to observe grading activities and salvage and catalogue fossils and artifacts as necessary. The certified paleontological / archaeological monitor shall be present at the pre-grade conference, shall establish procedures for paleontological and archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the findings.
51. The applicant shall secure all Building Permits related to excavation. The applicant shall include all plans and documents in their submittal as required by current Building Department submittal policies, including but not limited to all shoring contemplated to accomplish the rough grading.

D. Prior to Building Plan Check Submittal:

52. Building plan check submittal shall include two sets of the following construction documents:
 - *Building Plans (three sets)*
 - *Energy calculations*
 - *Structural Calculations*
 - *Soils/geology report*
 - *Drainage Plan*
53. Fire Department review is required. The applicant shall submit three sets of construction plans directly to the Orange County Fire Authority (OCFA) for review and approval.
54. All documents prepared by a professional and submitted to the City shall be wet-stamped and signed.
55. All structures shall comply with the 2013 California Code of Regulations Part No's. 1-12 and any local amendments thereto, as well as shall with 2013 T-24 Energy Conservation Regulations.
56. Foundation system to provide for expansive soils and soils containing sulfates unless a soils report can justify otherwise. Use Type V cement, w.c. ration of 0.45, F'c of 4,500 psi.
57. Minimum roofing classification of type "A" is required.
58. All applicable structures shall conform to CA State amendments for disabled accessibility (California Building Code Chapter 11A or B). The applicant shall provide an Accessibility and Exit analysis for review and approval by the Building/Safety Division.

E. Prior to issuance of a building permit or release on certain related inspections, the applicant shall meet the following conditions:

59. The applicant shall obtain a Precise Grading Permit.
60. The project shall require either a Lot Line Adjustment or Parcel Map for the merger of the two lots comprising the subject address with approvals required from both the Planning Division and the Public Works/Engineering Department.

61. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan.
62. A licensed land surveyor shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.
63. An as-graded geotechnical report and certification shall be prepared by the project geotechnical consultant following grading of the subject site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.
64. Prior to commencement of framing, the applicant shall submit a foundation certification, by survey that the proposed structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including setbacks from property-lines included as part of CDP14-0014. The City's standard "Line & Grade Certification" form shall be prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval.
65. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structure and any encroachments above the height limit are in compliance with plans approved by the Planning Commission and the structure heights included as part of CDP14-0014. The City's standard "Height Certification" form shall be prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.
66. All plan check and building permit fees shall be paid to the City of Dana Point.

F. Prior to the issuance of a certificate of occupancy (C-of-O) or during operation of the project the applicant shall meet the following:

67. All landscaping and irrigation shall be installed per the approved final landscape and irrigation plan. A CA State licensed landscape architect shall certify that all plant and irrigation materials have been installed in accordance with the specifications of the Final Landscaping Plan as well as Section 9.55 of the DPZC (See Condition of Approval No. 26) and shall submit said certification in writing to the Project Planner. The Community Development Department shall inspect the site to ensure that the landscaping has been installed in accordance with the approved plans.
68. This project is subject to the requirements of Section 9.05.240 of the Dana Point Zoning Code ("Art in Public Places"). The applicant shall submit one of the following two options for review and approval by the City:
 - *A proposal for public artwork to be placed on or offsite and which shall have a minimum value equivalent to one-half (0.50) percent of the total construction costs of the project*
 - *A monetary contribution to the City's public art in-lieu fund in an amount equivalent to one-half (0.50) percent of the total construction costs of the project.*
69. A Final Geotechnical Report shall be prepared by the project registered geotechnical consultant in accordance with the City of Dana Point Grading Manual.
70. A written certification and approval is required from the project Geotechnical Engineer stipulating that the precise grading substantially conforms to the approved precise grading plan.
71. A written certification and approval is required from the project Civil Engineer stipulating that precise grading was completed in substantial conformance with the approved Precise Grading Plan and specifically, that construction of line-and-grade for all engineered drainage devices, utility work, retaining walls, and all other improvements has been completed per approved plans.
72. All work in the right-of-way shall be completed to the satisfaction of the City Engineer in conformance with the project's approved Encroachment Permit, the Town Center Plan and the in-progress design documents for the PCH/Del Prado Streetscape Improvement Project.

73. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record and provided to the Public Works/Engineering Department for review and approval.
74. The applicant shall obtain all utility agencies' final approval of project improvement plans.
75. A written certification and approval shall be required from the project Civil Engineer stipulating that all street improvements were constructed in substantial conformance with approved street improvement plans.
76. The applicant shall provide a full WQMP which:
 - *Demonstrates that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.*
 - *Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.*
 - *Demonstrate that an adequate number of copies of the approved Project WQMP are available onsite.*
 - *Submit for review, and receive approval by the City for an Operations and Maintenance (O&M) Plan for all BMPs.*
 - *Certification from the project Civil Engineer or Landscape Architect of Record that all BMPs and WQMP elements have been constructed and installed as designed with the approved plans and WQMP.*

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 8th day of December, 2014 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Liz Claus, Chairperson
Planning Commission

ATTEST:

Ursula Luna-Reynosa, Director
Community Development Department



City of Dana Point

CDP14-0014, V14-0012, SDP14-0017 and CUP14-0004(M)

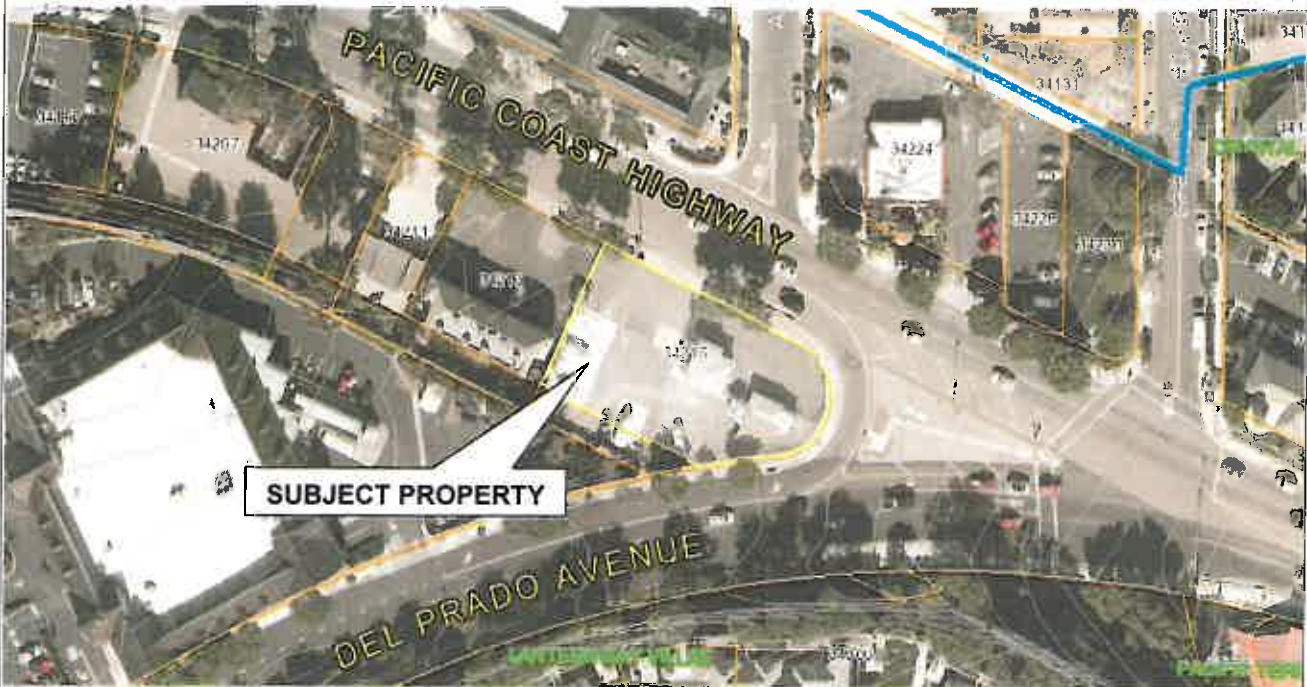
Evan Langan, AICP, Associate Planner

Community Development Department

33282 Golden Lantern

Dana Point, CA 92629-1805

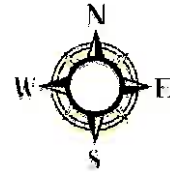
VICINITY MAP



Project: *CDP14-0014, V14-0012, SDP14-0017 & CUP14-0004(M)*

Applicant: *Patterson Development Company, LLC*

Location: *34215 Pacific Coast Highway*



ATTACHMENT #2

**1329 Dana Point Retail - 34215 Pacific Coast Highway
Photographs of Existing Site**



1. Neighboring site looking south.



2. Existing site looking southeast.

ATTACHMENT #3

**1329 Dana Point Retail - 34215 Pacific Coast Highway
Photographs of Existing Site**



3. Existing site looking west.



4. Site across PCH looking north.

1329 Dana Point Retail - 34215 Pacific Coast Highway
Photographs of Existing Site



5. Existing site looking northwest.



6. Existing site looking northeast.

**1329 Dana Point Retail = 34215 Pacific Coast Highway
Photographs of Existing Site**



7. Site across Del Prado looking southeast.



8. Existing site looking east.

**1329 Dana Point Retail - 34215 Pacific Coast Highway
Photographs of Existing Site**



9. Site across PCH looking northeast.



10. Site across PCH looking north.

1329 Dana Point Retail - 34215 Pacific Coast Highway
Photographs of Existing Site



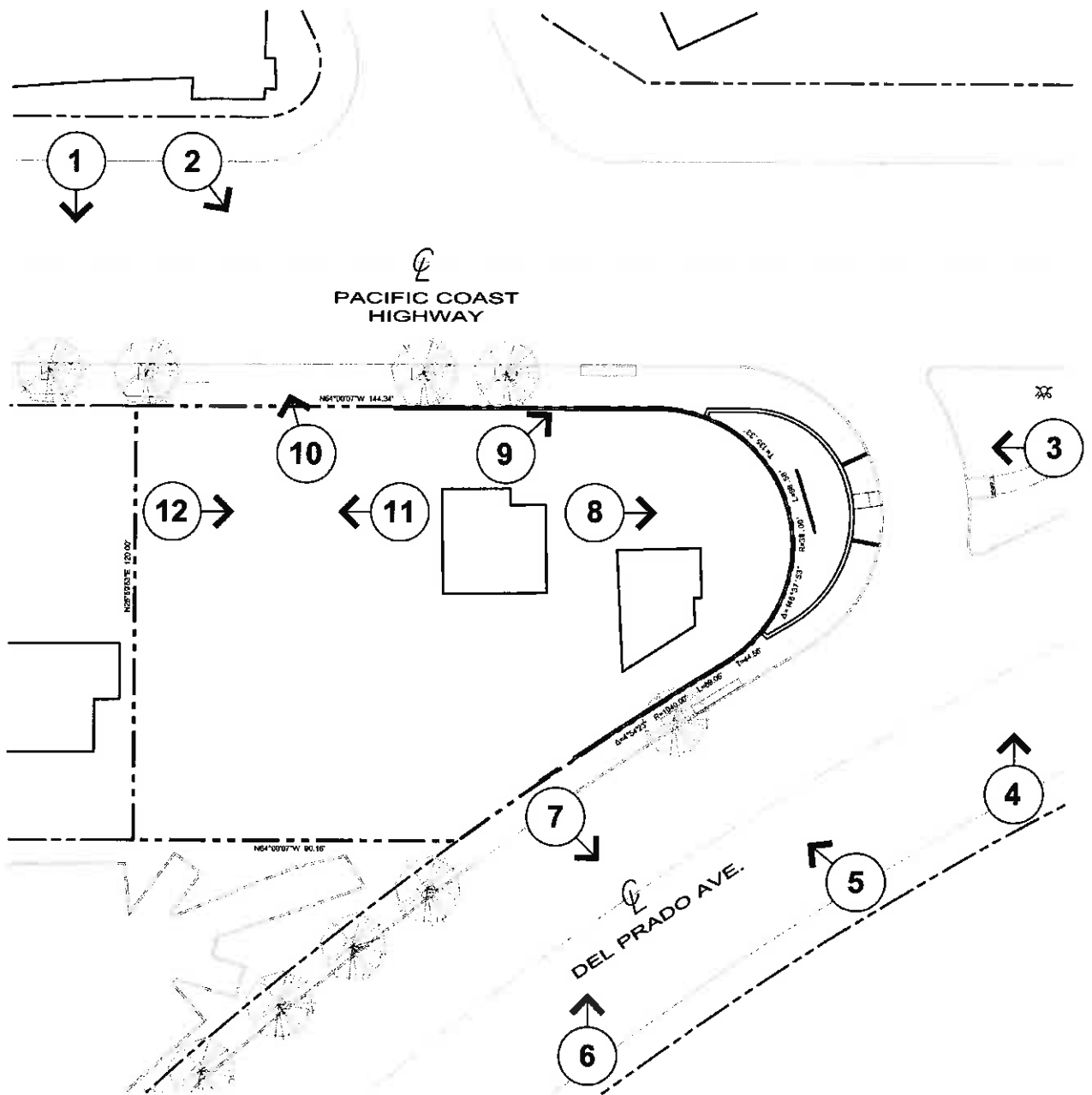
11. Neighboring site looking west.



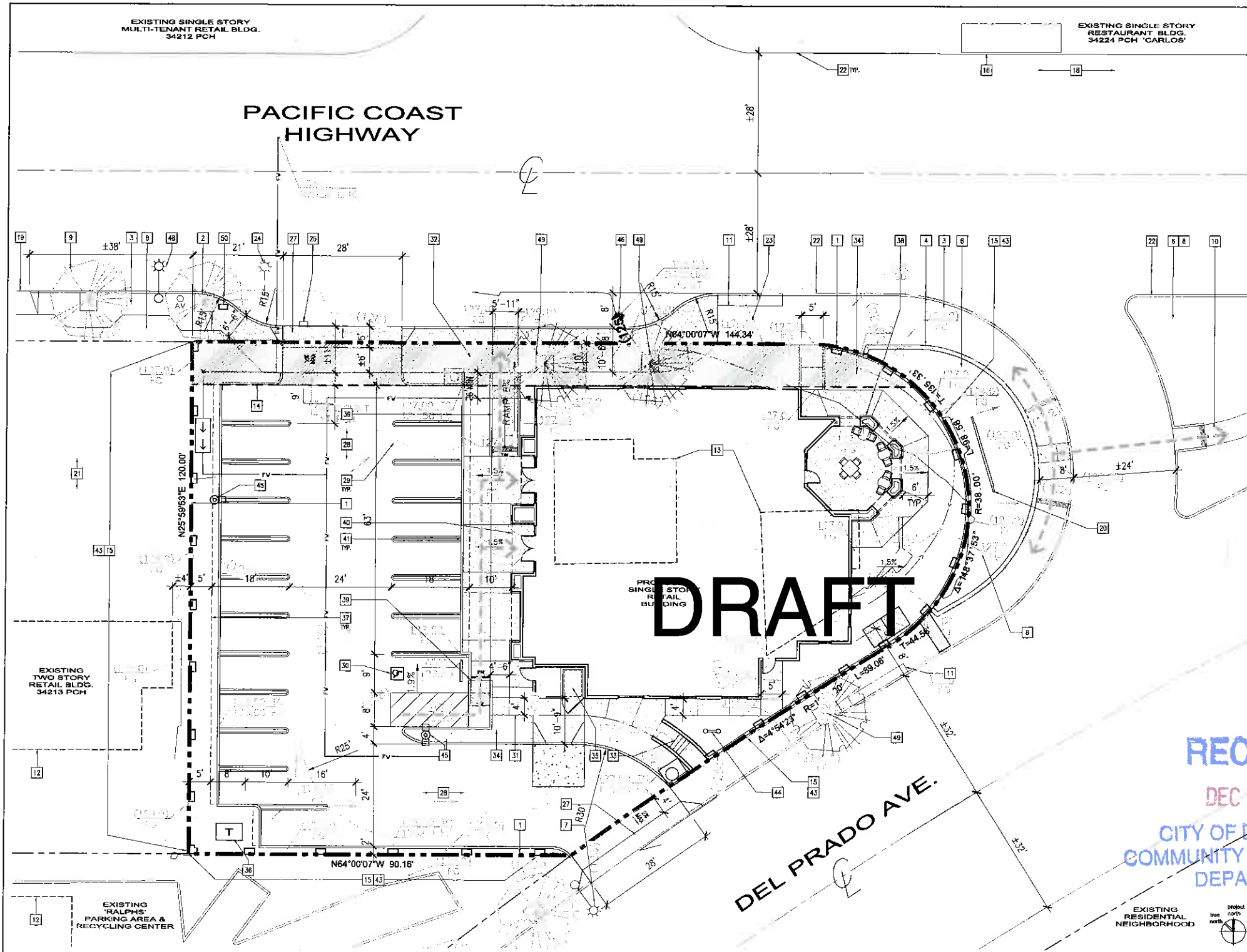
12. Existing site looking east.

1329 Dana Point Retail - 34215 Pacific Coast Highway

Photographs of Existing Site



Reference Site Plan



APPLICANT
 PATTERSON DEVELOPMENT COMPANY, LLC
 547 SAN NICOLAS DRIVE, STE. 200
 NEWPORT BEACH, CA 92660
 TEL: 949-291-9045
 CONTACT: PAUL PATTERSON
 EMAIL: paul@pattersondevelopment.com

ARCHITECT / AGENT
 LUNDSTROM & ASSOCIATES ARCHITECTS
 9 CORPORATE PARK, STE. 200
 IRVINE, CA 92618
 TEL: 949-250-1772
 CONTACT: EDUARDO GOMEZ
 EMAIL: edgomez@lundstromarch.com

OWNER
 THE WARDWICK PROPERTIES SELLER TRUST
 C/O JOHN KELLY WARE - TRUSTEE
 P.O. BOX 416
 DANA POINT, CA 92629
 TEL: 949-370-1781
 CONTACT: KELLY WARE
 EMAIL: kelly@wardwick.com

CIVIL ENGINEER
 PSQMS
 1500 19TH AVE., STE. 210
 RIVERSIDE, CA 92507
 TEL: 951-330-2804
 CONTACT: BRUCE HARRY
 EMAIL: bruce.harry@psqms.com

LANDSCAPE ARCHITECT
 WILSON ASSOCIATES
 11252 WASHINGTON STREET
 IRVING, CA 92633
 TEL: 951-303-1103
 CONTACT: SCOTT WILSON
 EMAIL: scott@wilsonassoc.com

PROJECT TEAM

SITE SUMMARY
 SITE ADDRESS: 34215 PACIFIC COAST HIGHWAY, DANA POINT, CA 92629
 A/P/N: 942-301-15 AND 942-301-16
 TRACT NO.: 832
 LOT NO.: 17, 18, 19 & 20
 ZONE: CC-100 TOWN CENTER MIXED USE
 LAND USE: CC COMMUNITY COMMERCIAL
 SITE AREA: 19,620 S.F. (4.427 AC)
 BLDG. AREA: 4,200 S.F.
 F.A.R.: 263
 BLDG. COVERAGE: 21% (4,100 S.F.)
 PARKING COVERAGE: 57% (10,500 S.F.)
 LANDSCAPE COVERAGE: 17% (3,197 S.F.)
 BLDG. USE: RETAIL & BANQUET
 BLDG. OCCUPANCY: GROUP B & M (2013 CBC)
 NUMBER OF STORIES: ONE
 MAX. BUILDING HEIGHT: 42' TOP OF TOWER
 CONSTRUCTION TYPE: TYPE V B, FULLY SPRINKLERED

GROSS BUILDING AREA
 SUITE 'A': 1,988 G.S.F.
 SUITE 'B': 2,212 G.S.F.
 TOTAL GROSS BLDG. AREA: 4,200 G.S.F.

PARKING SUMMARY
 PARKING REQUIRED:
 1,988 S.F. GENERAL RETAIL @ 1/300: 6.55 STALLS
 2,212 S.F. FINANCIAL SERVICES @ 1/220: 11.74 STALLS
 TOTAL PARKING REQUIRED: 18.29 STALLS

PARKING PROVIDED:
 STANDARD PARKING STALLS: 19 STALLS
 ACCESSIBLE PARKING STALLS: 1 STALL
 TOTAL PARKING PROVIDED: 20 STALLS

LEGAL DESCRIPTION

PARCEL ONE: LOTS SEVENTEEN (17) AND EIGHTEEN (18), TRACT NO. 832, AS PER MAP THEREOF RECORDED IN BOOK 25, AT PAGES 18 AND 19, OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

PARCEL TWO: LOTS NINETEEN (19) AND TWENTY (20), TRACT NO. 832, AS PER MAP THEREOF RECORDED IN BOOK 25, AT PAGES 18 AND 19, OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

PARCEL THREE: THAT PORTION OF LOT 1 LYING SOUTHERLY FROM AND ADJACENT TO LOTS 17, 18, 19 AND 20 OF TRACT NO. 832, AS SHOWN ON A MAP RECORDED IN BOOK 25, PAGES 18 AND 19 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING FROM PARCELS TWO AND THREE, THOSE PORTIONS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED OCTOBER 16, 1978, IN BOOK 13327, PAGE 665 OF OFFICIAL RECORDS.

PROJECT DESCRIPTION
 NEW SINGLE STORY RETAIL BUILDING WITH PROPOSED BANK AND GENERAL RETAIL USES AS PART OF A LOT MERGER FROM TWO LEGAL LOTS TO ONE LOT.

RECEIVED
 DEC 04 2014
 CITY OF DANA POINT
 COMMUNITY DEVELOPMENT
 DEPARTMENT

EXISTING RESIDENTIAL NEIGHBORHOOD



PATTERSON DEVELOPMENT
 507 San Nicolas Drive, Suite 200
 Newport Beach, CA 92660

DANA POINT RETAIL
 34215 Pacific Coast Highway
 Dana Point, CA 92629

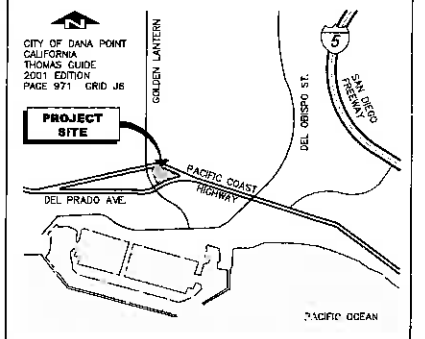
Date	Description
05/15/14	1ST CUP SUBMITTAL
08/04/14	2ND CUP SUBMITTAL
11/17/14	3RD CUP SUBMITTAL

PROPOSED SITE PLAN

- | | | | |
|---|---|--|--|
| 1 (E) PROPERTY LINE, TYP. | 14 (E) 10' EASEMENT TO CITY OF DANA POINT | 27 (N) CONC. DRIVEWAY APRON LOCATION | 40 (N) BLDG. OVERHANG, TYP. |
| 2 (E) TREE WELL, TYP. | 15 (E) PERIMETER COLUMNS/FENCING TO BE DEMOLISHED, TYP. | 28 (N) ASPHALT DRIVE ASLE/PARKING | 41 (N) 6" CONC. CURB, TYP. |
| 3 (E) CONC. SIDEWALK, TYP. | 16 (E) BUS STOP LOCATION | 29 (N) STANDARD PARKING STALL STRIPING PER CITY STANDARDS, TYP. | 42 (N) REINFORCED CONCRETE SLAB @ TRASH PICK UP LOCATION |
| 4 (E) CONC. SITE RETAINING WALL, TYP. | 17 (E) STREET LIGHT, TYP. | 30 (N) VAN ACCESSIBLE PARKING STALL PER ADA STANDARDS | 43 (N) STUCCO COLUMNS & W.I. FENCE ALONG SITE PERIMETER, TYP. SEE 4/AS.1 - RECTANGULAR OUTLINES SHOW CONCRETE FOOTINGS TO BE CONSTRUCTED ON PRIVATE PROPERTY |
| 5 (E) CMU SITE RETAINING WALL, TYP. | 18 (E) BICYCLE LANE, TYP. | 31 (N) CONC. SIDEWALK, TYP. | 44 (N) FIRE BACKFLOW DETECTOR CHECK VALVE |
| 6 (E) TRAFFIC ISLAND, TYP. | 19 (E) ADJACENT DRIVEWAY LOCATION | 32 (N) ACCESSIBLE PATH OF TRAVEL TO PUBLIC RIGHT OF WAY | 45 (N) PARKING LOT LIGHT STANDARD |
| 7 (E) FIRE HYDRANT, TYP. | 20 (E) CITY SIGNAGE | 33 (N) SITE ACCESS FROM DEL PRADO | 46 (N) +125' BASELINE ELEVATION AT MIDPOINT OF SIDEWALK FRONTING POI. |
| 8 (E) LANDSCAPING, TYP. | 21 (E) PARKING AREA, TYP. | 34 (N) LANDSCAPING, SEE LANDSCAPE DRWS. | 47 (N) TREE WELL |
| 9 (E) STREET TREES, TYP. | 22 (E) CONC. CURB | 35 (N) TRASH ENCLOSURE TO MATCH BLDG. COLOR & FINISH, SEE 3/AS.1 | 48 (N) LOCATION FOR (E) STREET LIGHT |
| 10 (E) ADA PATH OF TRAVEL ACROSS PCH | 23 (E) TOPOGRAPHY, SEE CIVIL DRWS. | 36 (N) ELECTRICAL TRANSFORMER LOCATION | 49 (N) TREE WELLS W/ GRATES W/ (E) TREES TO BE RELOCATED FROM PREVIOUS LOCATION |
| 11 (E) CONC. CATCH BASIN | 24 (E) STREET LIGHT TO BE REMOVED AND RELOCATED | 37 (N) 2' PARKING STALL OVERHANG, TYP. | 50 (N) LOCATION FOR (E) ELECTRICAL METER |
| 12 (E) OFF-SITE BLDG. OUTLINE, TYP. | 25 (E) ELECTRICAL METER TO BE REMOVED AND RELOCATED | 38 (N) BLDG. TOWER COLUMNS, TYP. | |
| 13 (E) BLDG. OUTLINE - TO BE DEMOLISHED | | 39 (N) CONC. RAMP IF REQUIRED, 8% MAX SLOPE IN DIRECTION OF TRAVEL, DESIGNED TO MEET ALL ADA STANDARDS FOR ACCESSIBLE RAMPS, 2% CROSS SLOPE MAX. | |

KEYNOTES

PROJECT DATA

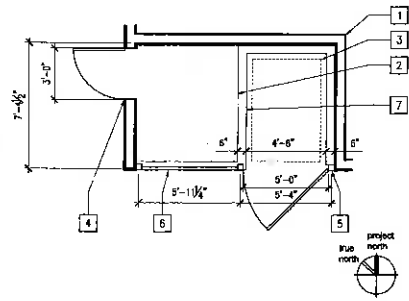


VICINITY MAP

Site Plan

A1.0

PC ATTACHMENT #4
 12/08/14 — Item 5
 CDP14-0014 V14-0002 SDP14-
 0017 CUP14-0004(M)
 34215 Pacific Coast Highway

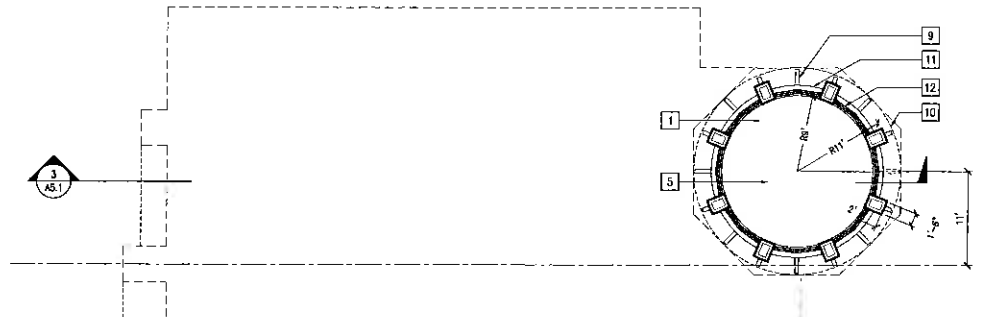


- 1 (N) STUCCO TRASH ENCLOSURE INTEGRATED INTO BUILDING FOOTPRINT
- 2 60° ADA COMPLIANT TURNING RADIUS
- 3 (N) 4'X'6' TRASH BIN, TYP. PER CITY STANDARDS
- 4 (N) ADA COMPLIANT 3'-0" WIDE ACCESS DOOR
- 5 (N) PAINTED METAL ENCLOSURE SWING DOOR, TYP. OPEN ABOVE — SEE ELEVATIONS
- 6 (N) METAL SCREEN WALL TO MATCH ENCLOSURE SWING DOOR, OPEN ABOVE — SEE ELEVATIONS
- 7 (N) 6" CONC. BIN CONTROL CURB, TYP.

TRASH ENCLOSURE PLAN

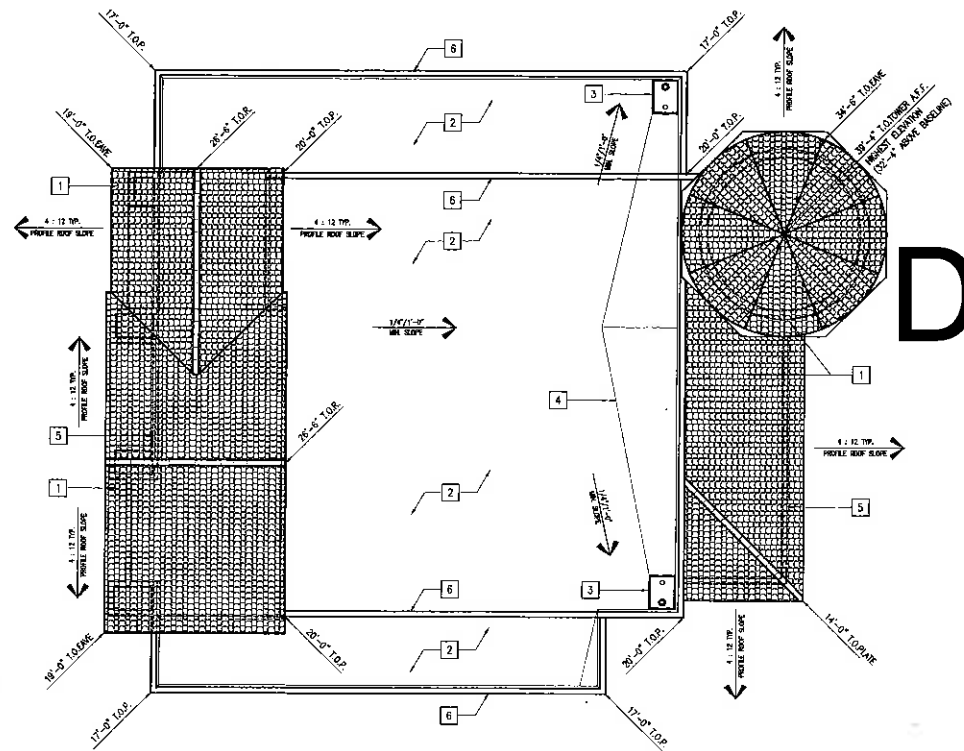
1/4" = 1'-0"

3 TOWER PLAN



1/8" = 1'-0"

1



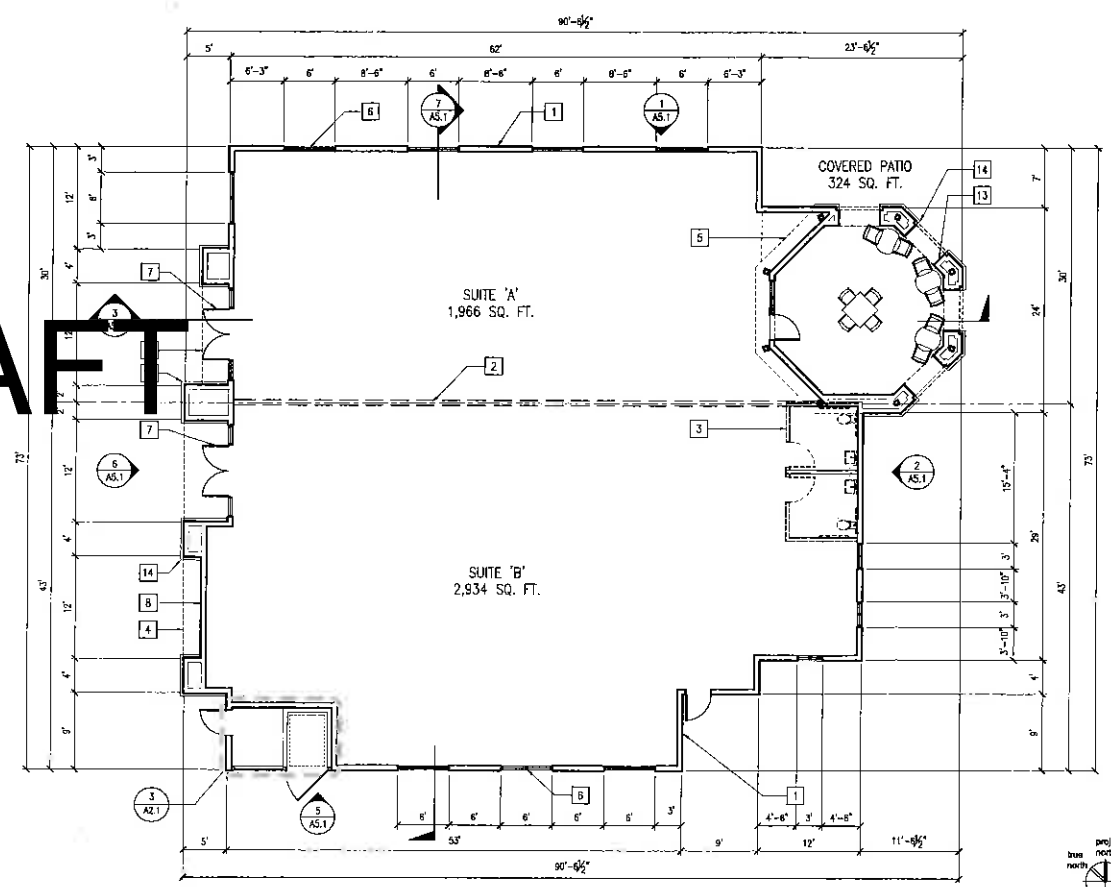
* NOTE: ALL FINISH SURFACE ELEVATIONS ARE FROM FINISH FLOOR.

1/8" = 1'-0"

ROOF PLAN

1/8" = 1'-0"

4 GROUND FLOOR PLAN



1/8" = 1'-0"

2

- 1 (N) PROFILE ROOF AREA, 4:12 SLOPE, TWO PIECE EAVE W/ ONE PIECE "S" MISSION" CLAY TILE FIELD, TYP.
- 2 (N) FLAT ROOF AREA, TYP.
- 3 (N) ROOF DRAIN, TYP.
- 4 (N) ROOF CRICKET, TYP.
- 5 (N) LINE OF WALL BELOW, TYP.
- 6 (N) ROOF PARAPET WALL, TYP.

ROOF PLAN KEYNOTES

- 1 (N) EXTERIOR WALL, TYP.
- 2 (N) INTERIOR DEMISING WALL, TYP.
- 3 (N) TENTATIVE LOCATION FOR REST ROOM, TYP.
- 4 (N) LINE OF SOFFIT ABOVE, TYP.
- 5 (N) LINE OF TOWER OUTLINE ABOVE, TYP.
- 6 (N) EXTERIOR WINDOW ASSEMBLY, TYP.
- 7 (N) GLASS DOUBLE ENTRY DOORS IN ALUM. STOREFRONT SYSTEM, TYP.
- 8 (N) TENTATIVE ATM LOCATION, TYP.
- 9 (N) OUTLINE OF 6"X RAFTER TRUSS ABOVE, TYP.
- 10 (N) OUTLINE OF CIRCULAR ROOF ABOVE, TYP.
- 11 (N) OUTLINE OF SILL BELOW, TYP.
- 12 (N) FROSTED GLAZING WITH BACKLIGHTING, TYP.
- 13 (N) 2' DEEP TOWER COLUMNS, TYP.
- 14 (N) OUTLINE OF CONC. WALL BASE, TYP.

FLOOR PLAN KEYNOTES



Lundstrom & ASSOCIATES ARCHITECTS
 9 Corporate Park, Suite 250
 Irvine, CA 92608
 P 949.250.1772
 F 949.250.0207
 www.lundstromarch.com



PATTERSON DEVELOPMENT
 107 San Marina Drive, Suite 200
 Newport Beach, CA 92660

DANA POINT RETAIL

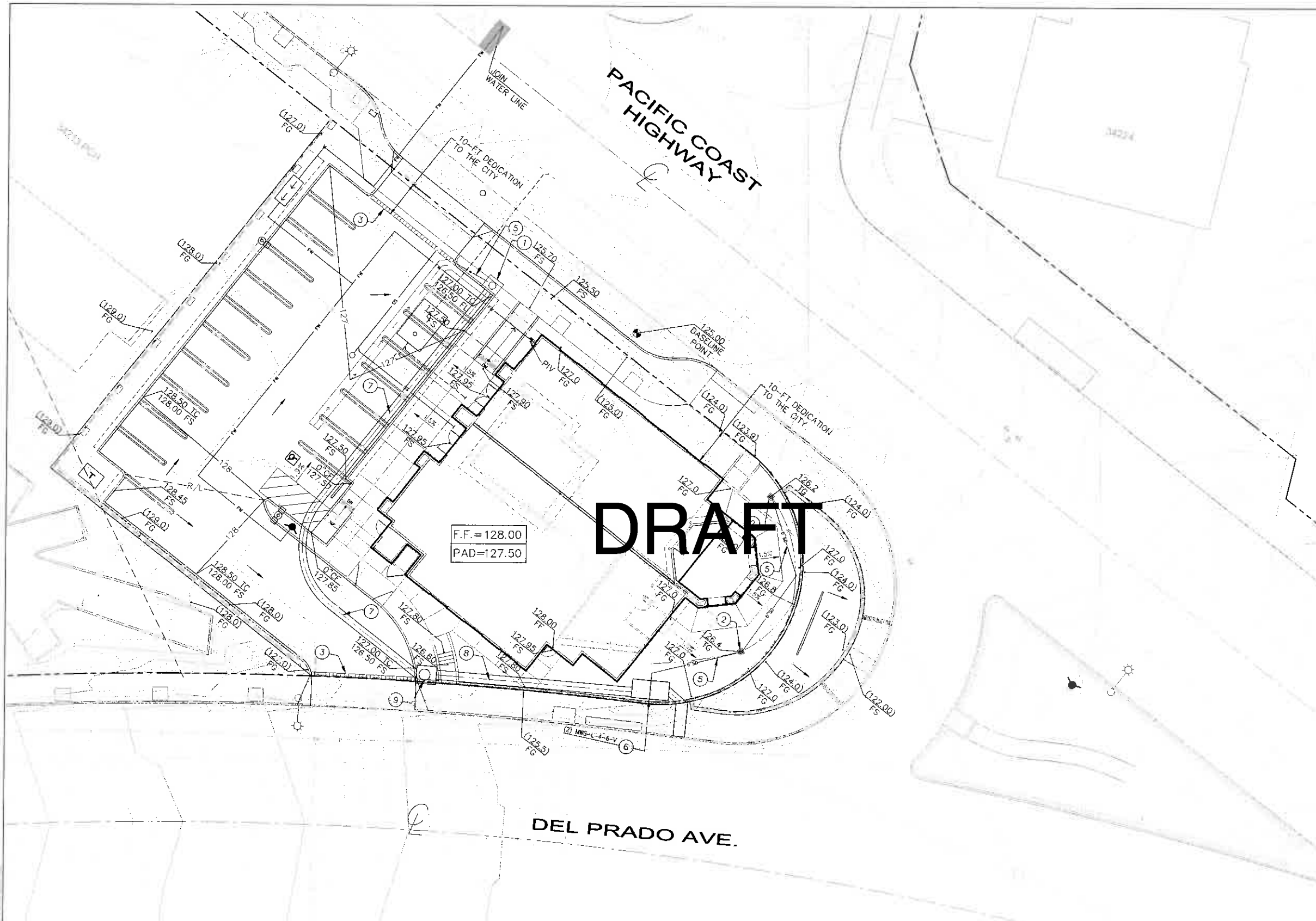
34215 Pacific Coast Highway
 Dana Point, CA 92629

Date	Description
05/15/14	1ST CLP SUBMITTAL
09/04/14	2ND CLP SUBMITTAL
11/17/14	3RD CLP SUBMITTAL

L.S.A.# 1329
 Sheet Scale: AS SHOWN
 Drawn:
 Checked:

Floor Plan & Roof Plan

A2.1

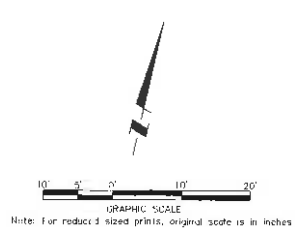


EARTHWORK VOLUMES:

4,900 C.Y.	RAW	CUT
4,900 C.Y.	RAW	CUT
0	IMPORT/EXPORT	

GENERAL NOTES:

- CITY IMPROVEMENTS SHOWN ON THIS PLAN ARE STILL IN DESIGN AND ARE SUBJECT TO CHANGE.
- ACCESS TO THE SITE FROM PACIFIC COAST HIGHWAY WILL BE RIGHT TURN IN AND RIGHT TURN OUT ONLY. NO LEFT TURNS WILL BE ALLOWED FROM THE DRIVEWAY.



- LEGEND**
- DOUBLE MODULAR WETLAND UNIT (BMP)
 - P.C.H. WIDENING IMPROVEMENT
 - PARKWAY CULVERT

- CONSTRUCTION NOTES**
- CONSTRUCT CATCH BASIN
 - CONSTRUCT 12"x12" INLET
 - CONSTRUCT 1'-FT WIDE CHANNEL DRAIN (WITH HEEL RESISTANT GRATES)
 - CONSTRUCT 8" (SDR-35) PVC DRAIN PIPE
 - CONSTRUCT 6" (SDR-35) PVC DRAIN PIPE
 - CONSTRUCT MODULAR WETLAND UNIT (BMP)
 - CONSTRUCT 24" HDPE DRAIN PIPE
 - CONSTRUCT 30" HDPE DRAIN PIPE
 - CONSTRUCT JUNCTION STRUCTURE TYPE I

Lundstrom & Associates ARCHITECTS
 9 Corporate Park, Suite 250
 Irvine, CA 92614
 P 949.259.1772
 F 949.259.0907
 www.lundstromarch.com

PSOMAS
 2 HUTTON CENTER DRIVE, SUITE 200
 SANTA ANA, CA 92707
 (714) 251-3273 FAX (714) 945-1643

PATTERSON DEVELOPMENT
 507 5th Street, Suite 100
 Newport Beach, CA 92660

DANA POINT RETAIL
 34715 Pacific Coast Highway
 Dana Point, CA 92629

REVISIONS

NO.	DATE	DESCRIPTION
02/15/14	1ST CLIP SUBMITTAL	
09/04/14	2ND CLIP SUBMITTAL	
11/17/14	3RD CLIP SUBMITTAL	

L&A #: 1329
 Sheet Scale: AS SHOWN
 Drawn:
 Checked:

CONCEPTUAL GRADING AND DRAINAGE PLAN



**Lundstrom
& ASSOCIATES
ARCHITECTS**

9 Corporate Park, Suite 250
Irvine, CA 92618
P 949.250.1772
F 949.250.0207
www.lundstromark.com

PSOMAS

3 MILLION CENTRE DRIVE, SUITE 200
SANTA ANA, CA 92707
(714) 251-1312 Fax (714) 545-8853



**PATTERSON
DEVELOPMENT**

107 Sandstone Lane, S-4-200
Newport Beach, CA 92660

**DANA POINT
RETAIL**

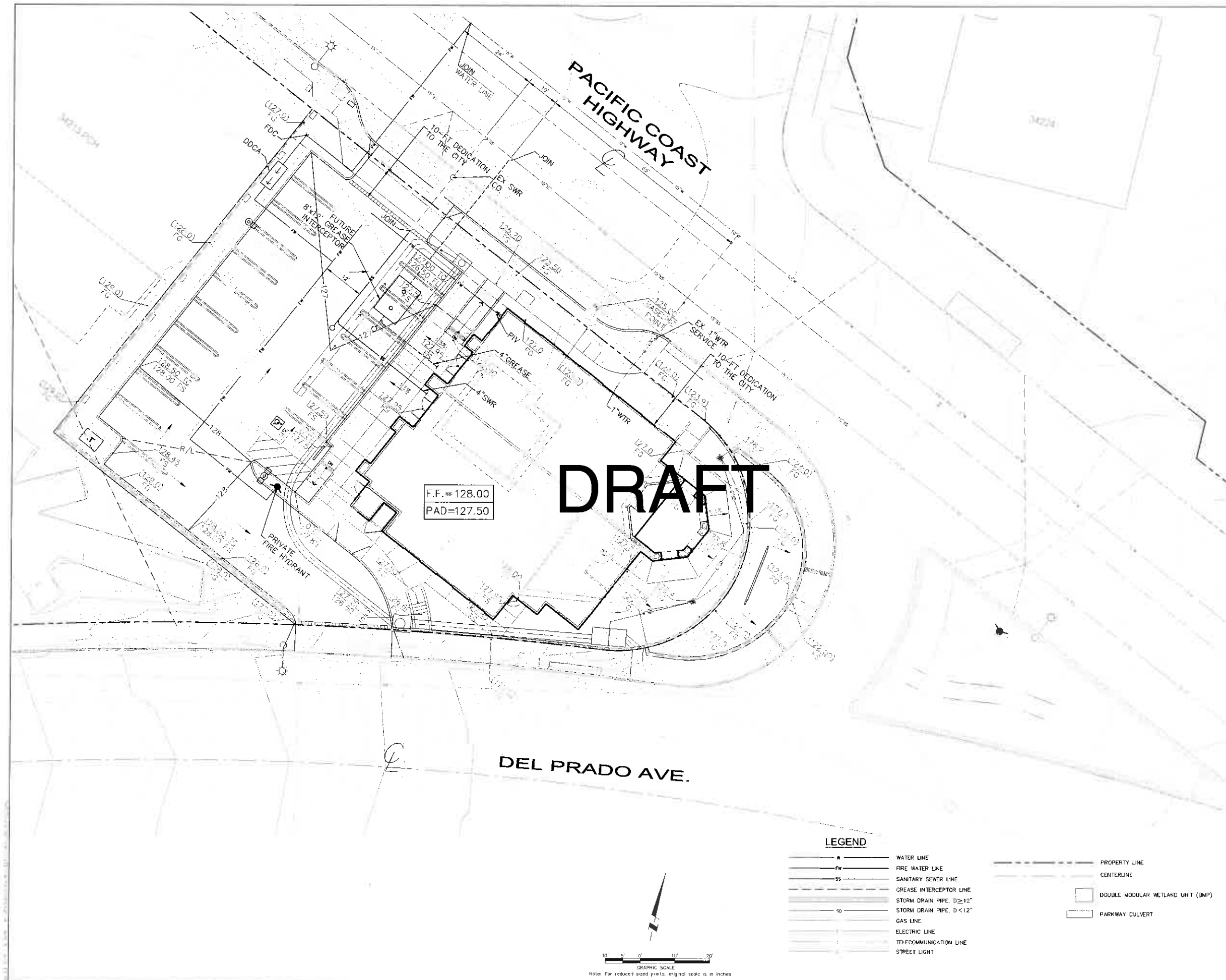
34215 Pacific Coast Highway
Dana Point, CA 92629

Date	Description
05/15/14	1ST CUP SUBMITTAL
09/04/14	2ND CUP SUBMITTAL
10/17/14	3RD CUP SUBMITTAL

LEA V. 12/08
Sheet Scale: AS SHOWN
Drawn:
Checked:

**CONCEPTUAL
COMPOSITE
UTILITY PLAN**

C2.0

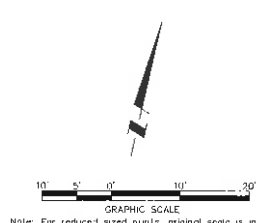


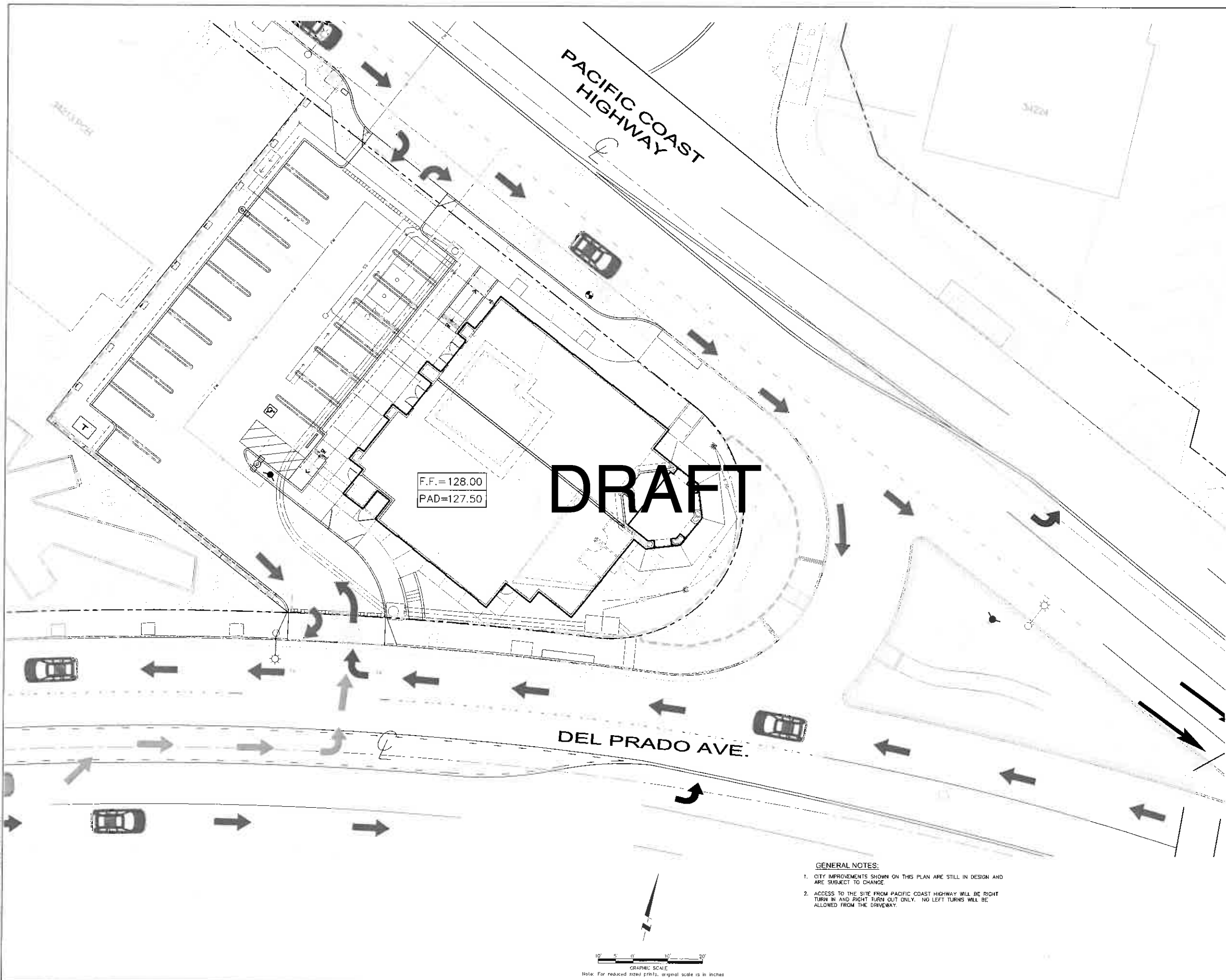
F.F.=128.00
PAD=127.50

DRAFT

LEGEND

- W — WATER LINE
- FW — FIRE WATER LINE
- SS — SANITARY SEWER LINE
- GI — GREASE INTERCEPTOR LINE
- SD ≥12" — STORM DRAIN PIPE, D ≥ 12"
- SD <12" — STORM DRAIN PIPE, D < 12"
- G — GAS LINE
- E — ELECTRIC LINE
- T — TELECOMMUNICATION LINE
- SL — STREET LIGHT
- - - - - PROPERTY LINE
- C — CENTERLINE
- DOUBLE MODULAR WETLAND UNIT (BMP)
- ▭ PARKWAY CULVERT

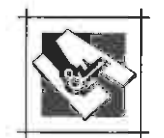
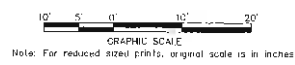




DRAFT

F.F.=128.00
PAD=127.50

- GENERAL NOTES:**
1. CITY IMPROVEMENTS SHOWN ON THIS PLAN ARE STILL IN DESIGN AND ARE SUBJECT TO CHANGE.
 2. ACCESS TO THE SITE FROM PACIFIC COAST HIGHWAY WILL BE RIGHT TURN IN AND RIGHT TURN OUT ONLY. NO LEFT TURNS WILL BE ALLOWED FROM THE DRIVEWAY.



**Lundstrom
& ASSOCIATES
ARCHITECTS**

9 Corporate Park, Suite 250
Irvine, CA 92606
P 949.250.1772
F 949.250.0207
www.lundstromarch.com

PSOMAS

3 HUTTON CENTRE DRIVE, SUITE 200
SANTA ANA, CA 92707
(714) 284-1212 Fax (714) 545-6533



**PATTERSON
DEVELOPMENT**

107 San Nicolas Drive, Suite 201
Hagler Beach, CA 92617

**DANA POINT
RETAIL**

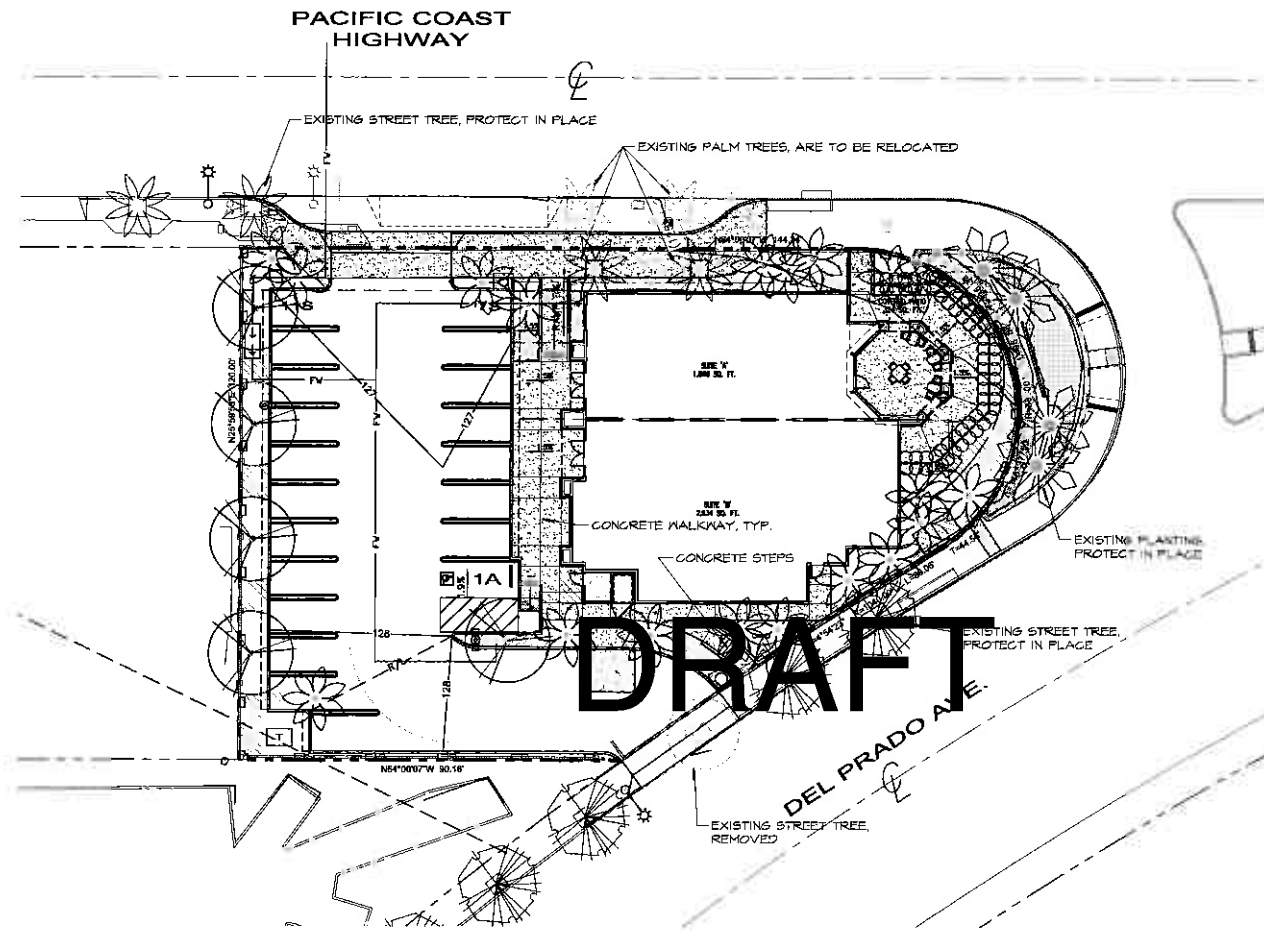
34115 Pacific Coast Highway
Dana Point, CA 92629

Date	Description
08/10/14	1st CLIP SUBMITTAL
09/04/14	2nd CLIP SUBMITTAL
12/23/14	3rd CLIP SUBMITTAL

L&A #: 1529
Sheet Scale: AS SHOWN
Drawn:
Checked:

**DRIVEWAY
ENTRY PLAN**

C3.0



CONCEPT PLANT SCHEDULE

	PARKING LOT TREE ARBUTUS X 'MARINA' / ARBUTUS STANDARD	7
	VERTICAL ACCENT TREE ARCHONTOPHOENIX CUNNINGHAMIANA / MULTI-TRUNK KING PALM SYAGRUS ROMANZOFFIANA / QUEEN PALM	20
	FLOWERING ACCENT TREE MELALEUCA NESOPHILA / PINK MELALEUCA MULTI-TRUNK	2
	LOW FLOWERING HEDGE CALLISTEMON VIMINALIS 'LITTLE JOHN' / DWARF WEeping BOTTLEBRUSH	66
	ACCENT SHRUB MASSING DIANELLA TASMANICA 'VARIEGATA' / FLAX LILY HEMEROCALLIS X 'YELLOW' / DAYLILY TULBAGHIA VIOLACEA 'VARIEGATA' / STRIPED CAPE GARLIC	638 SF
	FLOWERING GROUNDCOVERS LONICERA JAPONICA 'HALLIANA' / HALLS HONEYSUCKLE FLOWERING VINE MYOPORUM PARVIFOLIUM / TRAILING MYOPORUM ROSA X 'FLOWER CARPET PINK' / ROSE ROSA X 'FLOWER CARPET RED' / ROSE	739 SF

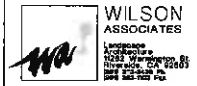
MAXIMUM APPLIED WATER ALLOWANCE

$$43.2 \text{ ETo} \times 0.7 \times 3337 \text{ SF} \times 0.62 = 62,565 \text{ GAL/YEAR}$$



**Lundstrom
& ASSOCIATES
ARCHITECTS**

3 Corporate Park, Suite 250
Irvine, CA 92618
P 949.250.1772
F 949.250.0207
www.lundstromarch.com



**WILSON
ASSOCIATES**
Landscape Architects
1025 Wilshire Blvd, Suite 200
Beverly Hills, CA 90210
Tel 310.274.1234



**PATTERSON
DEVELOPMENT**

37 San Nicolas Drive, Suite 200
Newport Beach, CA 92660

**DANA POINT
RETAIL**

34215 Pacific Coast Highway
Dana Point, CA 92629

Revision	Date	Description
05/12/14		1ST CIP SUBMITTAL
08/04/14		2ND CIP SUBMITTAL
11/17/14		3RD CIP SUBMITTAL

LAA #: 1329
Sheet Scale: AS SHOWN
Drawn:
Checked:

**CONCEPTUAL
LANDSCAPE**



SCALE: 1" = 16'



PARDES & STEIN APC

ATTORNEYS AT LAW

December 4, 2014

RECEIVED

DEC 04 2014

**CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT**

City of Dana Point
33282 Golden Lantern
Suite 209
Dana Point, CA 92629

RE: Project Numbers: CDP14-0014, V14-0002, SDP14-0017 and CUP14-0004(M)
Project Location: 34215 Pacific Coast Highway
Applicant: Patterson Development Company LLC

Dear City:

I am the owner of the commercial office building located at 34211 Pacific Coast Highway, Dana Point, California with an existing single-story building encompassing 1,584 square feet.

While I agree with the unsightly boat storage unit being demolished, I do oppose the variance to locate parking facilities within 40 feet of PCH. There is not enough parking for a new commercial property.

My building provides for eight people working on the premises. I have only four regular and one handicap parking spaces. Street parking was designated for my overflow parking pursuant to my building permit issued ten years ago. At that time, there was adequate street parking. The City has changed this condition with the commencement of two-way traffic on PCH **which eliminated 17 street parking spaces**. This is a very material change of circumstances.

Prior to the commencement of two-way traffic there were six overflow street parking spaces available on the south-side of PCH. Now however, the street conversion eliminated all south-side PCH parking spaces. Said elimination requires my employees, tenants and customers to park across PCH on the already congested residential streets, to use the pedestrian traffic signal and to walk more than 100 yards to the entrance of my building. The few parking spaces nearest to my property are designated 2-hour parking to accommodate the commercial businesses on the north-side of PCH thus forcing daily parking further away into the residential streets.

Further complicating the parking issue is the use of the PCH on-street parking by the Sundara Salon directly across the street from me. Their employees also use the PCH parking across the street from my building and the proposed site. The Advanced Dermatology Building directly southeast of my office will also use the street parking across PCH when they are fully operational.

TEL 949 443 3400 • FAX 949 443 3601

fred@pardesandstein.com • matt@pardesandstein.com

34211 PACIFIC COAST HWY • SUITE 103 • DANA POINT, CA 92629

ATTACHMENT #5

City of Dana Point
December 4, 2014
Page Two

A critical on street parking space shortage exists in the residential streets across from the boat storage property as evidenced by the current parking dilemma. A variance would eliminate all parking spaces for my customers, employees and tenants. Any further designated use of the residential street parking spaces within 40 feet of PCH and the subject property is simply not feasible and of great prejudice to the existing businesses. Therefore, I formally object to the proposed variance to locate parking facilities within 40 feet of PCH as proposed by the Patterson Development Company, LLC's.

Removal of the south side PCH parking spaces between Golden Lantern and Copper Lantern have placed a tremendous burden upon my tenants, customers and employees. I take this opportunity to request the City to find a solution to the parking catastrophe they unilaterally placed upon my commercial building, tenants and customers.

I strongly urge you to deny the proposed variance.

Respectfully,

A handwritten signature in black ink, appearing to read "Fred S. Pardes", with a long, sweeping flourish extending to the right.

Fred S. Pardes



NEW
JEDDY'S HOME
949-340-9388

Sunshine

Sunshine