

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

DATE: FEBRUARY 22, 2016

TO: DANA POINT PLANNING COMMISSION

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

SUBJECT: VESTING TENTATIVE PARCEL MAP VTPM15-0002, COASTAL DEVELOPMENT PERMIT CDP14-0012, VARIANCE V14-0003, SITE DEVELOPMENT PERMIT SDP14-0014 AND SIGN PROGRAM PERMIT SPP16-0001 TO ALLOW THE DEMOLITION OF AN EXISTING COMMERCIAL STRUCTURE AND THE CONSTRUCTION OF A NEW, THREE-STORY MIXED-USE STRUCTURE ON LAND LOCATED WITHIN THE CITY'S LANTERN DISTRICT/TOWN CENTER AT 34175 PACIFIC COAST HIGHWAY (PCH). A VESTING TENTATIVE PARCEL MAP IS REQUESTED TO MERGE TWO LOTS AND TO ALLOW INDIVIDUAL OWNERSHIP OF THE PROJECT'S COMMERCIAL COMPONENT. A VARIANCE IS REQUESTED TO ALLOW FOR PROPERTY INGRESS AND EGRESS TO BE TAKEN FROM PCH. A SIGN PROGRAM PERMIT IS REQUESTED TO ALLOW THE CREATION OF A SIGN PROGRAM FOR THE PROPERTY.

RECOMMENDATION: That the Planning Commission adopt the attached Draft Resolution approving VTPM15-0002, CDP14-0012, V14-0003, SDP14-0014 and SPP16-0001.

APPLICANT/OWNER: M & A Gabae, LP

OWNER'S AGENT: George Ray (GTR Property Development)

REQUEST: Approval of a Vesting Tentative Parcel Map, Coastal Development Permit, Variance, Site Development Permit and Sign Program Permit for the demolition of an existing, 9,376 square foot commercial structure and the construction of a new, three-story mixed-use structure comprising 8,730 square feet of commercial floor area and 39 residential dwelling units on land located within the City's Lantern District/Town Center. A Vesting Tentative Parcel Map is requested to merge two lots and to allow individual ownership of the project's commercial component. A variance is requested to allow for property ingress and egress to be taken from PCH. A Sign Program Permit is requested to allow the creation of a Sign

Program for the property.

LOCATION:

34175 Pacific Coast Highway
Assessor Parcel Numbers (APNs):
682-322-09 and 682-322-10 (two lots)

NOTICE:

Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius, published within a newspaper of general circulation and posted at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library on February 11, 2016.

ENVIRONMENTAL:

Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorically Exempt per Section 15332 (Class 32 – In-fill Development Projects). Section 15332 (In-fill Development Projects) of the CEQA Guidelines provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources. The proposed project meets the necessary conditions to qualify for this exemption.

The project does not result in any impacts related to land use in that it does not: a) divide an established community, b) conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect and c) conflict with any applicable habitat conservation plan or natural community conservation plan. There will be no impacts to Biological Resources as all the subject sites are currently improved with various structures. A preliminary Water Quality Management Plan (pWQMP) has been prepared for the project. Compliance with the pWQMP will ensure there are no impacts to water quality. The proposed new uses will be required to comply with the City's Noise Ordinance therefore the project will not result in any significant or potentially significant Noise impacts.

The traffic study, prepared for the adoption of the Mitigated Negative Declaration (MND) for the adoption of Town Center Plan and the Environmental Impact Report (EIR) adopted for the Streetscape Improvements Project for Town Center

anticipated a build out scenario of 237 residential units, 81,224 square feet of office space and 192,165 square feet of retail/restaurant uses. The two documents concluded no traffic related impacts will occur for the above stated build out scenario with the incorporation of the mitigation measures that have already been implemented. Since the proposed project is below the build-out threshold, the project also will have no significant impacts related to traffic. The project itself does not directly cause air quality impacts other than air quality impacts associated with vehicle emissions related to traffic and any construction related impacts. The project is conditioned to comply with the Air Quality related mitigation measures as stipulated in the MND adopted for the Town Center.

Even were this project not Categorically Exempt under Section 15332, a Mitigated Negative Declaration (MND) was prepared for the Town Center Plan, and the Majestic Project is within the scope of that MND. There are no substantial changes in the project that was evaluated in the MND or in the circumstances under which the Majestic project would be undertaken that would require major revisions in the MND due to new significant impacts or an increase in the severity of previously identified impacts nor has any new information been presented that shows there would be new significant impacts, an increase in the severity of impacts identified that mitigation measures/alternatives previously found to be infeasible are now feasible, or that other mitigation measures/alternatives significantly different than those previously identified would substantially reduce impacts. Consequently, the City cannot require additional CEQA review of this project under Public Resources Code Section 2116 and 14 Cal. Code of Regulations Section 15162.

ISSUES:

- Project consistency with the development standards of the Dana Point General Plan, Town Center Plan and Municipal and Zoning Codes (DPZC).
- Project satisfaction of all findings required pursuant to the Dana Point Municipal and Zoning Codes for approval of a Vesting Tentative Parcel Map (VTPM), Coastal Development Permit (CDP), Variance (V), Site Development Permit (SDP) and Sign Program Permit (SPP).

- Project compatibility with and enhancement of the project site and surrounding neighborhood.

BACKGROUND: The subject project proposes the demolition of an existing 9,376 square foot commercial building and the construction of a new, mixed-use building comprising three-stories, 8,730 square feet of ground-floor commercial floor area and 36,475 square feet of residential floor area in the form of 39 residential dwelling units, on two contiguous lots located within the City's Lantern District/Town Center area. A Vesting Tentative Parcel Map is proposed to merge the two lots into one, as well as to subdivide and allow individual ownership of the commercial and residential components of the project. A Variance is proposed to allow property ingress and egress to be taken from Pacific Coast Highway (PCH). A Sign Program is proposed and which details the location, type and lighting schemes for onsite signage.

The subject properties, located at the intersection of PCH, Golden Lantern and San Juan Avenue, comprise a combined 26,588 square feet (.61 acres) and are presently developed with a three-story commercial structure approximately 31 feet tall. Surrounding development is varied in both form and scale and includes a mixture of office, restaurant retail and residential uses. The properties themselves are relatively flat, with a differential of roughly two feet between PCH at the higher elevation and the lower San Juan street property-line. Existing landscaping is minimal and limited to scattered hedges and other groundcover surrounding the property's parking lot and vehicular entryways.

The subject properties are located within the boundaries of the City's Lantern District/Town Center, subject to development standards enumerated in the Dana Point Zoning Code ("DPZC"). The Dana Point Town Center Plan is Appendix E of the DPZC and therefore part of the DPZC. For the sake of clarity, references to applicable standards in the Town Center Plan will hereafter reference the Town Center Plan (the "Plan") and references to Chapters 9.01 through 9.77 will hereafter reference the DPZC. The lots are located within the City's Coastal Overlay District, but outside of the Appeals Jurisdiction of the California Coastal Commission.

DISCUSSION: Pursuant to the Plan and DPZC, the following entitlements are required for the subject project's proposed scope of work:

- *Vesting Tentative Parcel Map VTPM15-0002: Proposed merger of two lots into one and subdivision (to allow separate ownership) of the project's commercial and residential components (but not individual ownership of individual commercial or residential units).*
- *Coastal Development Permit CDP14-0012: For development proposed within the City's Coastal Overlay District.*
- *Variance V14-0012: To allow property ingress and egress (a new driveway) to be taken from PCH.*

- *Site Development Permit SDP14-0014: For non-residential development over 2,000 square feet in area as well as for proposed multi-family residential dwelling units.*
- *Sign Program Permit SPP16-0001: Proposed signage for a new center with two or more tenants.*

The subject project proposes the demolition of all existing development and the construction of a new mixed-used building with residential units above ground-floor commercial space. Parking for the project would be contained entirely within the footprint of the proposed building, with stalls located inside a three-level subterranean parking structure. Table 1 on the following page provides a breakdown of each level of the project. A description of proposed uses and a summary of the structure's compliance with pertinent standards and goals contained within the Plan and DPZC follows.

TABLE 1: PROJECT AREA BREAKDOWN BY FLOOR

Level/Floor	Use of Level/Floor	Area (Square footage) of Level/Floor
(Lowest) Subterranean parking structure (Level P3):	20 parking stalls (residential exclusive use)	N/A
(Middle) Subterranean parking structure (Level P2):	43 parking stalls (residential exclusive use)	N/A
(Highest) Subterranean parking structure (Level P1):	2 parking stalls (residential exclusive use)	N/A
	28 parking stalls (commercial exclusive use)	
First Floor (Ground Level):	Retail Suite	2,940 square feet
	Café Suite	1,200 square feet
	Restaurant Suite	2,760 square feet
	Service Area	1,040 square feet
	Parking Access	790 square feet
	Residential Lobby	850 square feet
	12 parking stalls (commercial exclusive use)	N/A
Mezzanine Level:	5 residential units	9,545 square feet
Second Floor:	19 residential units	13,346 square feet
Third Floor:	15 residential units	13,584 square feet
TOTAL AREA (SQUARE FOOTAGE) OF PROJECT:		46,055 square feet

Commercial Component

The subject project proposes 8,730 square feet of commercial floor area at the building's ground-floor that would front Golden Lantern and PCH. Areas are proposed for outdoor dining set amongst planter boxes or other landscaped areas and the facades of all suites feature abundant glass stretching from grade to near ceiling height. Pursuant to the standards and goals of the Plan, minimum floor-to-floor heights for the interior of each suite allow for the provision of the aforementioned commercial storefronts with opportunities for display of retail wares. Trash, service entries and general "back of house" areas are provided within dedicated enclosures, viewed and accessible only from within the interior of the building's parking structure. Approval for service has been obtained from trash collection company CR&R, Inc. to allow pick-up and removal of waste to occur exclusively within a dedicated loading space along San Juan Avenue.

Vehicular access to the site is proposed to occur at driveways fronting PCH and San Juan Avenue. The access off San Juan Avenue is consistent with the access standards of the Plan. In an effort to encourage a pedestrian focus for commercial uses along PCH and Del Prado, the Plan prohibits new driveways/vehicular access points. The purpose of this prohibition on these streets is to create continuous storefronts, enhancing the pedestrian experience, and increase the desire to stroll, shop and dine. However, this corner site is constrained as the Public Works/Engineering Department has determined that, due to utility and transit impacts, the project will not be allowed vehicular access from Golden Lantern. Given the long-term nature of the transition to a pedestrian-friendly environment, staff and the Applicant have worked to develop an interim access solution. The project is designed so that as the area transitions to a higher level of pedestrian activity that supports the commercial uses, the driveway access from PCH can be eliminated and replaced by additional commercial space. The onsite circulation can be modified to accommodate the closure of the driveway access from PCH. The project is designed with an excess of 5 parking spaces beyond what the DPZC requires for the amount of commercial and residential development proposed. This excess can accommodate approximately 1,100 square feet of additional commercial space, depending on use. Condition No. 24 in the project's attached Draft Resolution requires that the driveway be closed upon redevelopment of the adjacent properties at 34171 - 34173 PCH. This interim access plan will serve to improve the short-term viability of the new commercial uses while accommodating the long-term focus on a pedestrian environment for the Lantern District.

Residential Component

Thirty-nine residential units are proposed to include studios, one and two bedrooms – a mixture compliant with the standards of the Plan. Table 2 on the following page provides a breakdown of the number of each type of floorplan and its location within the proposed structure.

TABLE 2: FLOOR-PLAN DETAILS	
FLOORPLAN TYPE	NUMBER PROPOSED
Studio	7
One-bedroom	24
Two-bedroom	4
Townhouse (two bedrooms)	4

The studio, one and two bedroom floor-plans are single-floor units while the townhouses incorporate two levels of living space for each unit. The square footages of the individual floor-plans range from 475 square feet for proposed studio units to 1,033 square feet for the largest two-bedroom, two-level townhouses. While the units are proposed to be constructed to condominium standards, at this time no subdivision to allow individual ownership is proposed.

Access to proposed residential units from both the project's subterranean parking structure and externally from the street level would be provided by two elevators, located within enclosed lobbies fronting San Juan Avenue and PCH. While the residential elevator off San Juan would provide travel from the bottommost level of the parking structure to the third floor of the building, the elevator fronting PCH would travel only to the first floor.

Pursuant to standards, private open space is provided for units in the form of balconies projecting outward from the building's façade, in addition, 250 cubic feet of individual private storage provided via communal bike lockers. Finally, a central, landscaped courtyard, various "amenity rooms" and dining/lounge and view decks are located throughout the building's floorplan and provided for exclusive use by residents.

Building Height

Pursuant to the Plan, overall building height shall be measured from a baseline (starting point) at the level of the sidewalk at the midpoint of the front property-line. Maximum height for a proposed structure shall be 40 feet. As applied to the subject project, the baseline for measurement of building height shall be the sidewalk centerline at the property's PCH frontage. As proposed, the building will stand a maximum of 40 feet tall, in compliance with the aforementioned standard.

The Plan allows for certain elements of a building's architecture to project above the maximum structure height – including access ways to the roof as well as screening for mechanical equipment. The proposed design would locate the building's heating, ventilation and air conditioning (HVAC) condensers on the roof of the building, hidden from view by fixed screens. The screens would be constructed of metal and project above the rooftop's surrounding parapets (the highest point of the building's roof) by a maximum of three feet (36 inches), complying with standards that rooftop screening not

exceed the 40 foot height limit by more than 42 inches. The only other projection above the prescribed height limit is a single stairway extending 4.5 feet above surrounding parapets. The stairway would be enclosed within colored and decorative metal coils and provide access (for maintenance purposes) to the roof. No roof deck is proposed as part of the building's design and no direct elevator access is provided to the rooftop.

Parking

While mixed-use parking standards have been approved by the City, they have not been certified by the California Coastal Commission and therefore; parking standards for development proposed within the Lantern District are contained within the DPZC. The minimum number of required parking stalls is calculated separately for proposed commercial and residential uses, with the latter further subdivided by the proposed number of bedrooms within each proposed floorplan. In summary, the subject project provides an additional nine parking stalls above the minimum number required by Code. The additional parking spaces will support the future expansion of the commercial space when the proposed PCH vehicular access way is replaced with additional pedestrian focused commercial uses. Tables 3, 4 and 5 provide a breakdown of the minimum parking standards required for both the residential and commercial components of the subject project (as stipulated in Section 9.35.080 of the DPZC) and the project's compliance with those standards.

TABLE 3: COMMERCIAL PARKING

Use Type	Area	Required Parking Ratio	Required Number of Stalls	Total Required Stalls	Total Provided Stalls
Retail/Restaurant **	4,320 square feet	One stall/220 square feet of floor area	19.6 parking stalls	38.2 parking stalls - 8 percent (3 stalls) *** equals 35 stalls	40 parking stalls
Restaurant > 20% of GFA	1,380 square feet	One stall/100 square feet of floor area	13.8 parking stalls		
Café ("Dine-in" restaurant)	1,200 square feet	One stall/250 square feet of floor area	4.8 parking stalls		

** Restaurant square footage equals 20 percent of gross floor area (GFA - Section 9.35.080 of Dana Point Zoning Code)

*** Eight percent reduction permitted where an equivalent number of bicycle stalls are provided (Section 9.35.080 of Dana Point Zoning Code)

TABLE 4: RESIDENTIAL PARKING

Floor-plan	Number of Bedrooms	Required Parking Ratio	Proposed Number of Units	Required Number of Stalls	Total Required Stalls	Total Provided Stalls
Studio/One-Bedroom	Maximum 1 bedroom	1.7 stalls/unit	31	52.7	70.3 - 8 percent (5.6 stalls) ** equals 65 stalls	65
Two Bedrooms/Townhouses	Maximum 2 bedrooms	2.2 stalls/unit	8	17.6		

** Eight percent reduction permitted where an equivalent number of bicycle stalls are provided (Section 9.35.080 of Dana Point Zoning Code)

TABLE 5: PARKING SUMMARY

Total Number of Required Parking Stalls for Residential and Commercial Uses (after 8 percent reduction for provision of bicycle racks **):	100 stalls
Total Number of Required Parking Stalls Provided:	105 stalls

** Section 9.35.080 of the Dana Point Zoning Code

As stated, all parking would be located within a three-level, subterranean parking structure with vehicular access taken from San Juan Avenue and PCH. Residential and guest parking would be segregated from that provided for commercial uses and separated by a mechanical gate.

Setback and Build-to Lines

The policies and standards of the Plan seek the creation of a pedestrian-focused district with a diversity of potential areas for patrons to gather, dine and recreate. While buildings are permitted to be located close to property-lines, inclusion of plazas and other open areas are encouraged, and standards dictate that continuous building facades be broken through articulation to allow for visual interest and variety in form. As applied to the subject property, the first 80 feet of continuous façade along the front property-line (PCH) must be followed by a minimum 10 foot building setback for the following 20 feet of frontage. The property's setback from San Juan Avenue (the rear property-line) shall be five feet, with no building setback required from side property-lines (Golden Lantern and the adjacent property located at 34173 PCH).

While a 10 foot step-back is prescribed for the third story or portions of the building above 20 feet, pursuant to the Plan's Design Guidelines (Architectural Character and Massing) section, flexibility and variety in the application of these standards are encouraged. As an alternative to providing a uniform and continuous step-back at the uppermost level of the building, the total area (square footage) of the required setback may be apportioned as varied articulation, resulting in parts of the building as vertically flush, while providing deeper compensatory step-backs elsewhere along the facade. Application of the standard in this manner avoids the potential creation of a "wedding cake" form, instead providing diversity in building mass, satisfying a key goal of the Plan to create a unique and architecturally interesting district for both residents and visitors. The proposed design complies with both the standards and the intent of the Plan, providing varied step-backs at the upper levels of the building, including portions that are vertically stacked coupled with deep setbacks and/or breaks in the façade through inclusion of resident amenities such as view/lounge decks.

Architecture

The overall style of the proposed building is thoroughly modern/contemporary and utilizes a variety of materials, forms and subtle colors throughout the facade. The Applicant has described the architecture as "casual coastal". While the Plan doesn't mandate a particular architectural theme or style, authentic and quality construction materials are strongly encouraged, as is faithfulness to the details and authenticity of a chosen architectural style. In compliance with the guidelines, natural materials including stone and wood are used in the building's trim, with painted zinc shingles, concrete and colored metals used throughout the façade. As stated, proposed restaurant and retail spaces front PCH and Golden Lantern and feature abundant storefront glass for display of wares – contributing to the desired pedestrian-focused experience. Outdoor sitting and dining areas are proposed as accessories to the project's restaurant and café spaces, providing amenities to the building's residents and further promoting walking and window shopping.

REQUESTED/ REQUIRED DISCRETIONARY ENTITLEMENTS: The subject project requires approval of the following entitlements:

Vesting Tentative Parcel Map VTPM15-0002

The subject application proposes subdivision and separate ownership of the residential and commercial components of the project and so requires approval of a Tentative Parcel Map. The application further requests that said map be recorded as "vesting" and so conferring a vested right to proceed with development as approved for a period of one year beyond the recording of the project's final subdivision map. The proposed subdivision does not propose or authorize individual ownership of the project's three commercial/restaurant suites, nor it does it allow individual (condominium) ownership of the project's 39 residential units – rather splits the two components of the project (commercial and residential) into two "blocks," and allowing separate ownership of each. Standards as pertain to vesting tentative maps are enumerated in Dana Point Municipal Code Section (DPMC) 7.03.070. Staff's review of submitted materials finds that the request complies with the standards of the referenced section.

Section 7.05.060 of the DPMC stipulates 11 findings in order to approve a requested subdivision of land, requiring that a tentative map:

1. *Be consistent with the City's General Plan;*
2. *That the design and improvement of the proposed subdivision is consistent with the City's General Plan;*
3. *That the site is physically suitable for the proposed type of development;*
4. *That the requirements of the California Environmental Quality Act have been satisfied;*
5. *That the site is physically suitable for the proposed density of development;*
6. *That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat;*
7. *That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems;*
8. *That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones*

previously acquired by the public;

9. *That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations pursuant to Section 7.05.055;*
10. *That the subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required;*
11. *That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services.*

Staff's recommended findings to approve the VTPM request are enumerated in the project's draft resolution.

Coastal Development Permit CDP14-0012

The subject property is located within the City's Coastal Overlay, but outside of the appeals jurisdiction of the California Coastal Commission. Pursuant to Section 9.69.040 of the DPZC, development (including most structures and all subdivisions of land) proposed in this area shall require approval of a Coastal Development Permit (CDP).

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

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

Variance V14-0012

To encourage a transition to a more pedestrian-focused environment, the Town Center Plan stipulates that driveways are not permitted to be located on PCH or Del Prado street frontages, but does allow corner lots to take vehicular access from side streets. As applied to the subject property, while a driveway is not allowed on PCH, one would be permitted on Golden Lantern. That said, a driveway on Golden Lantern has the potential to disrupt an existing bus-stop as well as to impair utilities and other infrastructure beneath the Golden Lantern right-of-way. Given these constraints, the Public Works/Engineering Department cannot allow an encroachment permit/driveway off Golden Lantern. The removal of a driveway option in this area denies the subject property a privilege enjoyed by other properties in the vicinity and creates a unique hardship to the subject property. The allowance of a driveway off San Juan Avenue and PCH meets the intention of the Plan to encourage revitalization of the Lantern District while balancing pedestrian and vehicle access and circulation patterns.

Pursuant to Section 9.67.050 of the DPZC, a variance from standards may be granted by the Planning Commission where up to nine specific findings can be made. Eight of these findings are applicable to the subject project and are listed below.

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's recommended findings to approve the Variance request are enumerated in the project's draft resolution.

Site Development Permit SDP14-0014

Pursuant to Section 9.71.020 of the DPZC, all non-residential development exceeding 2,000 square feet as well as residential development other than single-family detached structures shall require approval of a Site Development Permit. The subject project proposes the construction of a multi-story, mixed-use development with 6,900 square feet of commercial floor area and 39 dwelling units. Section 9.71.050 of the DPZC stipulates four findings that must be made to approve 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's recommended findings to approve the SDP request are enumerated in the project's draft resolution.

Sign Program Permit SPP16-0001

Lastly, the subject application proposes a Sign Program for the property which would create standards for the type, number, location and lighting scheme for all new signage. Pursuant to Section 9.37.070 of the DPZC, the purpose and intent of a Sign Program is to integrate proposed signage with building and landscape design, creating a unified architectural statement. Sign Programs shall be required when any of the following occur:

- *Any new or upgrading center with two or more tenants;*
- *Any new or upgrading single enterprise which proposes three or more signs;*
- *For any new multiple-unit residential project proposing two or more signs;*
- *For any sign proposal deemed necessary by the Director of Community Development and in the interest of the public health, safety and general welfare.*
- *Proposed total signage area exceeding 100 square feet.*

The Sign Program includes 18 signs for a proposed mixed-use "center" and so requires approval of a Sign Program Permit (SPP). These new signs would be attached to the proposed mixed-use building at multiple locations and would comprise three distinct types, broken down below as listed in the attached, draft Sign Program:

- *Address Signage:* *Sign Type AN*
- *Parking/ Way-Finding Signage:* *Sign Types PCS, PW, PB, PE and PX*
- *Tenant Identification:* *Sign Types: TWS 1, TWS 2, TCS1, TCS 2, TCS 3, TPS, TMS and TSWS*

The building's proposed address sign (Type AN) will be single-sided, comprised of aluminum and mounted atop a light-bar attached to the façade of the building's residential lobby.

Parking and way-finding signage (Types PCS, PW, PB, PE and PX) comprise a mixture of façade-mounted and projecting sign types, all constructed of aluminum, internally illuminated, and with the intended purpose of providing guidance to vehicular entryways and parking for the property.

Tenant identification signs (Types TWS1 and 2, TCS1 – 3, TPS, TMS and TSWS) comprise a mixture of façade-mounted and projecting sign types, constructed of aluminum and both internally and externally illuminated. Signs of this type will be

mounted both to the façade of the building (projecting signs) with the majority atop mounting brackets that create the appearance that the signs are freestanding.

Follows below is a breakdown of the sizes of the proposed signs (as listed in the attached, draft Sign Program):

TABLE 6: PROJECT SIGNAGE			
Sign Description	Sign Program ID	Quantity of Signs	Signage Area
Address Signage	AN	1	9 square feet
Parking/ Way-finding Signage	PCS, PW, PB, PE and PX	7	44 square feet
Tenant ID Signage	TWS 1, TWS 2, TCS1, TCS 2, TCS 3, TPS, TMS and TSWS	10	247 square feet
			Total Area: 300 square feet

Mirroring standards of the DPZC, the permitted sizes of proposed storefront signage would adhere to a standard of “one square foot of sign for each linear foot of façade width.” While the total square footage of all proposed signs would exceed the maximum 100 square feet permitted (without approval of a Sign Program), the signs will serve to clearly identify the entry and egress to and from the subject properties and in doing so, allow safer and more orderly movement of vehicles and pedestrians through its interior. The number and types of signs mounted to the building are appropriate in that they provide guidance to both vehicles and pedestrians without cluttering the façade of the building.

Two findings are required in order to approve a Sign Program Permit (SPP), requiring that:


1. *That the design, placement, size, and content of the proposed signage is compatible with the project architecture in that the signs will be finished in materials and colors and appropriately sized to complement existing development and the broader project sites. New signage will serve to facilitate efficient and safe entry and egress from the properties without cluttering the property or confusing patrons.*
2. *That the Sign Program substantially complies with the Permitted Sign Types detailed in the City of Dana Point Zoning Code. Adjustments to these standards are permitted with approval of this Sign Program and are justified based on the unique and complex access patterns of the subject properties.*

Staff’s recommended findings to approve the SPP request are enumerated in the project’s draft resolution.

CORRESPONDENCE: To date, no correspondence has been received regarding this project.

CONCLUSION: Staff finds that the subject project is consistent with the standards and policies of the Town Center Plan and Dana Point Municipal and Zoning Codes. As the project has been found to comply with all standards of development and findings can be made for approval of all requests, staff recommends the Planning Commission adopt the attached resolution, approving Vesting Tentative Parcel Map VTPM15-0002, Coastal Development Permit CDP14-0012, Variance V14-0003, Site Development Permit SDP14-0014 and Sign Program Permit SPP16-0001.


Evan Langan, AICP
Associate Planner


Ursula Luna-Reynosa, Director
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 16-02-22-xx

Supporting Documents

2. Vicinity Map
3. Site Photos
4. Project Plans (architectural only)
5. Draft Sign Program
6. Vesting Tentative Parcel Map VTPM15-0002
7. Link to Fly-Through Video of Proposed Project

RESOLUTION NO. 16-02-22-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA APPROVING VESTING TENTATIVE PARCEL MAP VTPM15-0002, COASTAL DEVELOPMENT PERMIT CDP14-0012, VARIANCE V14-0003, SITE DEVELOPMENT PERMIT SDP14-0014 AND SIGN PROGRAM PERMIT SPP16-0001 TO ALLOW THE DEMOLITION OF AN EXISTING COMMERCIAL STRUCTURE AND THE CONSTRUCTION OF A NEW, THREE-STORY MIXED-USE STRUCTURE ON LAND LOCATED WITHIN THE CITY'S LANTERN DISTRICT/TOWN CENTER AT 34175 PACIFIC COAST HIGHWAY (PCH). A VESTING TENTATIVE PARCEL MAP IS REQUESTED TO MERGE TWO LOTS AND TO ALLOW INDIVIDUAL OWNERSHIP OF THE PROJECT'S COMMERCIAL COMPONENT. A VARIANCE IS REQUESTED TO ALLOW FOR PROPERTY INGRESS AND EGRESS TO BE TAKEN FROM PCH. A SIGN PROGRAM PERMIT IS REQUESTED TO ALLOW THE CREATION OF A SIGN PROGRAM FOR THE PROPERTY.

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

WHEREAS, M & A Gabae, LP (the "Applicant") is the owner of real property commonly referred to as 34175 Pacific Coast Highway (APNs 682-322-09 and 682-322-10) (the "Property"); and

WHEREAS, the Applicant filed a verified application for a Vesting Tentative Parcel Map, Coastal Development Permit, Variance, Site Development Permit and Sign Program Permit to allow the demolition of existing development and the construction of a new, mixed-use development at the Property; and

WHEREAS, said verified application constitutes a request as provided by Titles 7 and 9 of the Dana Point Municipal Code; and

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

WHEREAS, the Property is located within the Town Center Plan area as defined in the Town Center Plan, Appendix "E" of the Dana Point Zoning Code (the "TCP"); and

WHEREAS, the Planning Commission did, on the 22nd day of February, 2016 hold a duly noticed public hearing as prescribed by law to consider said requests; and

WHEREAS, at said public hearing, upon considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Vesting Tentative Parcel Map VTPM15-0002, Coastal Development Permit CDP14-0012, Variance V14-0003, Site Development Permit SDP14-0014 and Sign Program Permit SPP16-0001.

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

- A. 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 VTPM15-0002, CDP14-0012, V14-0003, SDP14-0014 and SPP16-0001 subject to conditions:

Findings:

Vesting Tentative Parcel Map VTPM15-0002

1. That the proposed map is consistent with the City's General Plan in that **the map has been reviewed by City staff and found to be consistent with the design standards of Title 7 (Subdivisions) of the Dana Point Municipal Code (the implementing document of the City's General Plan) and further, that the map would further the Goals of the Land Use section of the City's adopted TCP by ultimately permitting development of "a diversity of retail, office and/or residential uses that would establish the Town Center (Lantern District) as a major center of social and economic activity" (Policy 1.1).**
2. That the design and improvement of the proposed subdivision is consistent with the City's General Plan in that **the proposed vesting tentative parcel map has been reviewed by City staff and found consistent with the design requirements of Title 7 (Subdivisions) of the Dana Point Municipal Code and further; would satisfy Policy No. 6.2 of the Land Use Element of the General Plan by "encouraging retail businesses and mixtures of land uses that help to generate positive pedestrian activity in the area" and Policy No. 6.3 by ultimately establishing "patterns of land use and circulation that promote the desired pedestrian character of the area."**
3. That the site is physically suitable for the proposed type of development in that it is of a reasonable shape, size, and topography to accommodate the proposed mixed-use structure and on-site parking facilities consistent with the requirements of the TCP.
4. That the requirements of the California Environmental Quality Act have been satisfied in that Pursuant to the California Environmental Quality Act (CEQA), staff finds the project is Categorical Exempt per Section 15332 (Class 32 – In-fill Development Projects). Section 15332 (In-fill Development Projects) of the CEQA Guidelines

provides that projects that are in-fill development projects be located on lots that are five acres or less, be surrounded by urban uses, do not have significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources. The proposed project meets the necessary conditions to qualify for this exemption.

The project does not result in any impacts related to land use in that it does not: a) divide an established community, b) conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect and c) conflict with any applicable habitat conservation plan or natural community conservation plan. There will be no impacts to Biological Resources as all the subject sites are currently improved with various structures. A preliminary Water Quality Management Plan (pWQMP) has been prepared for the project. Compliance with the pWQMP will ensure there are no impacts to water quality. The proposed new uses will be required to comply with the City's Noise Ordinance therefore the project will not result in any significant or potentially significant Noise impacts.

The traffic study, prepared for the adoption of the Mitigated Negative Declaration (MND) for the adoption of the TCP and the Environmental Impact Report (EIR) adopted for the Streetscape Improvements Project for Town Center anticipated a build out scenario of 237 residential units, 81,224 square feet of office space and 192,165 square feet of retail/restaurant uses. The two documents concluded no traffic related impacts will occur for the above stated build out scenario with the incorporation of the mitigation measures that have already been implemented. Since the proposed project is below the build-out threshold, the project also will have no significant impacts related to traffic. The project itself does not directly cause air quality impacts other than air quality impacts associated with vehicle emissions related to traffic and any construction related impacts. The project is conditioned to comply with the Air Quality related mitigation measures as stipulated in the MND adopted for the Town Center.

Even were this project not Categorically Exempt under Section 15332, a Mitigated Negative Declaration (MND) was prepared for the TCP, and the Majestic Project is within the scope of that MND. There are no substantial changes in the project that was evaluated in the MND or in the circumstances under which the Majestic

project would be undertaken that would require major revisions in the MND due to new significant impacts or an increase in the severity of previously identified impacts nor has any new information been presented that shows there would be new significant impacts, an increase in the severity of impacts identified that mitigation measures/alternatives previously found to be infeasible are now feasible, or that other mitigation measures/alternatives significantly different than those previously identified would substantially reduce impacts. Consequently, the City cannot require additional CEQA review of this project under Public Resources Code Section 2116 and 14 Cal. Code of Regulations Section 15162.

5. **That the site is physically suitable for the proposed density of development in that the proposed project is designed within the appropriate residential unit mix type and maximum floor area ratio (FAR) identified in the TCP.**
6. **That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife habitat in that the subject site is located within a built-out urban environment, containing little vegetation or water sources that would potentially support fish or wildlife habitat.**
7. **That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems in that the proposed merger of two lots and subdivision to allow individual ownership of the commercial and residential components of the subject project have been reviewed by City staff and found to comply with the design standards of Title 7 (Subdivisions) of the Dana Point Municipal Code. Standard conditions of approval and review for compliance with requirements of the California Building and other Codes prior to issuance of building permits will ensure that the project (including the subdivision of land and all real development) do not result in serious health problems for persons or property.**
8. **That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones previously acquired by the public in that no easements of record exist or have been established by**

court judgment or acquired by the public at large for access through or use of property within the proposed subdivision.

9. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations in **that the subdivision and associated mixed-use project has been designed in conformance with the TCP (which contains the zoning regulations for the subject property) and the design of the proposed structure associated with the subdivision is suitable for the proposed uses (mixed-use – commercial/residential) which are desired uses within the boundaries of the TCP.**
10. That the subdivision is not located in a fee area, or if located in a fee area, the subdivider has met the requirements or payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required in **that all applicable fees will be collected prior to issuance of permits and/or certificates of occupancy in accordance with Condition of Approval No. 64 enumerated herein.**
11. That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services in **that the Applicant has received will-serve letters from the sewer, water, and power (electricity) utility providers and the project has been reviewed and given conditional approval from the Orange County Fire Authority.**

Coastal Development Permit CDP14-0012

1. That the proposed development 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 California Code of Regulations/13096) in **that, the proposed project is designed in compliance with the Land Use Goals of the adopted TCP (which contains the applicable provisions of the Local Coastal Program for the site), resulting in development that encourages retail businesses and a mixture of land uses that help to generate positive pedestrian 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 Coastal Act.**
3. That the proposed development conforms with Public Resources Code Section 21000 (the California Environmental Quality Act) **in that the project is Categorically Exempt per Section 15332 of the California Environmental Quality Act (CEQA - Class 32 – In-Fill Development Projects) as enumerated herein under Finding No. 4 for the project’s Vesting Tentative Parcel Map (VTPM15-0002).**
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 site neither contains nor is located adjacent to any parks and recreation areas containing environmentally sensitive habitats and therefore no buffer area is required.**
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 although the proposed project will significantly alter the existing landform to create on-site parking facilities, the site is located within an urbanized area surrounded by similar development and the project has been preliminarily reviewed from a geologic standpoint and conditioned to require a design level geotechnical report prior to issuance of requisite grading permits; and that the site is not located in a special flood hazard area and would not be subject to erosional forces from flooding. The project has been reviewed and conditionally approved by the Orange County Fire Authority (OCFA) thereby reducing risks from fire 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 project will result in the demolition of older development and construction of a modern and aesthetically pleasing mixed-use structure comprised of a variety of high quality materials, complimentary to surrounding structures in compliance with the goals and standards of the TCP.**

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 the Planning and Building/Safety Division staffs and the Public Works/Engineering Department, and found to conform to applicable requirements of the TCP, which serves as General Plan, Zoning Code, and Local Coastal Program for the property.**

Variance V14-0003

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 in that **application of the right for vehicular access to be taken from (side street) Golden Lantern would potentially result in adverse impacts to existing utilities/infrastructure as well as an existing mass transit facility. These potential impacts negate the possibility of permitting access from this street and accordingly result in a practical difficulty (reduced options for vehicular access to the subject property) inconsistent with the objectives of the City's adopted TCP and Zoning Code. While the TCP calls for a transition to a pedestrian-focused environment, this change will occur over time with new development. The current project is designed such that as the transition occurs, the vehicular access off PCH can be eliminated in favor of additional commercial space serving the community and supporting the pedestrian focus of the Lantern District (Condition of Approval No. 24 contained herein).**
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 corner lot where strict application of the development standards only allow vehicular access to be taken from San Juan Avenue and Golden Lantern, and where inefficient or unsafe conditions for vehicles and pedestrians in the area may occur. This (corner lot) condition is atypical of others within the Town Center and elsewhere in the City and accordingly, application of the standard to the unique circumstances and conditions of the subject property results in a unique hardship.**

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 in that numerous other properties in the vicinity are developed with driveways fronting Pacific Coast Highway. Strict interpretation and enforcement of the specified regulation (denial of a driveway in this area) would accordingly deny the Applicant of privileges enjoyed by owners of other properties in the same zoning district with similar constraints. The TCP will result in a transition to a pedestrian-focused environment will occur over time. The design of the proposed project will accommodate a future closing of the driveway fronting PCH once the commercial viability/pedestrian-focus of the Lantern District is better established, such that reducing vehicular access to a single point off San Juan Avenue will not be detrimental to the viability of the commercial uses included in the project.
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 in that the subject property is a corner lot, uniquely located and configured within the Town Center that when development standards that pertain to location of permitted vehicular access are applied, the Property is denied development potential that would otherwise be available to other properties in the vicinity under identical zoning. The requested relief from the standard would accordingly not constitute a grant of special privilege, rather result in development of the property in a manner that is consistent with others in the vicinity.
5. That the Variance request is made on the basis of a hardship condition and not as a matter of convenience in that the unique location and configuration of the subject property as a corner lot results in a practical difficulty and hardship when the development standards of the TCP are applied. Relief from the standard disallowing vehicular access to the property from Pacific Coast Highway will result in development of the subject property that is consistent with others in the vicinity under identical zoning.
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 relief from the standard allows the provision of efficient vehicular entry to the subject property (satisfying the intent of the TCP) while maintaining the aforementioned infrastructure and minimizing potential for

disruption of an existing transit route.

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 the project proposes construction of a new, mixed use development which is permitted in the Lantern District/Town Center with appropriate conditions of approval to protect surrounding properties.**
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 **in that there will be no impacts to coastal access, public recreation opportunities or coastal resources as the project site is an already developed property that does not contain coastal access, recreation opportunities or coastal resources and so none would be impacted with implementation of the proposed project.**

Site Development Permit SDP14-0014

1. That the site design is in compliance with the development standards of the TCP **in that the subject project proposes the construction of a new, mixed-use development, which is found to be in compliance with applicable standards of development.**
2. That the site is suitable for the proposed use and development **in that all proposed development is permitted within the TCP, subject to approval of this SDP and other entitlements detailed herein.**
3. That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines **in that the subject project has been reviewed by City staff and found to be in compliance with standards of development enumerated in the General Plan and Design Guidelines.**
4. That the site and structural design is appropriate for the site and function of the proposed use, without requiring a particular style or type of architecture **in that the design and function of the development complies with and follows the TCP design guidelines and development standards.**

Sign Program Permit SPP16-0001

1. That the design, placement, size, and content of the proposed signage is compatible with the project architecture in that **the signs will be finished in materials and colors and appropriately sized to complement proposed development. New signage will serve to facilitate efficient and safe entry and egress from the properties without cluttering the property or confusing patrons.**
2. That the Sign Program substantially complies with the Permitted Sign Types detailed in the City of Dana Point Zoning Code. **Adjustments to these standards are permitted with approval of this Sign Program and are justified based on the unique and complex access patterns of the subject development.**

Conditions:

A. General:

1. Approval of this application permits the demolition of all onsite development and the construction of a new mixed-use structure comprising 8,730 square feet of commercial floor area and 39 residential dwelling units, a Vesting Tentative Parcel Map to merge two lots and to allow individual ownership of the project's commercial component and a variance to allow for property ingress and egress (a new driveway) to be taken from PCH on land located at 34175 Pacific Coast Highway (PCH). 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 TCP and Dana Point Zoning Code.
2. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or 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 alteration to the appearance or use of any structure, an amendment

to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development 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 plot plan, he/she may approve the amendment without requiring a new public hearing.

4. 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.
5. 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. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.
6. 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 offers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.
7. The Applicant and their 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. The Applicant shall be responsible for coordination with San Diego Gas and Electric (SDG&E), AT&T California, South Coast Water District, Southern California Gas Company and Cox Communication for the provision of all utility services. This coordination with the various utility agencies/entities may be significant and accordingly, coordination to determine the feasibility, timeline, and cost of relocating existing utilities should begin as soon as possible.
10. All utilities proposed within the project and on adjacent public rights-of-way shall be installed underground.
11. An Encroachment Permit shall be obtained prior to any work within the public right-of-way. Any proposed permanent encroachments within public rights-of-way shall require the granting of an easement by the City.
12. Any private improvements proposed to remain within public rights-of-way shall require approval of a Removal and Maintenance Agreement or an easement by the City Engineer
13. All improvements within public rights-of-way shall be constructed per Town Center Public Works Construction Details and are subject to approval by the City Engineer.
14. Building materials, unlicensed vehicles, construction equipment, portable toilets, and construction-related items shall not be placed in the public right-of-way unless otherwise approved by the City Engineer.
15. The Applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The Applicant shall provide erosion control measures and temporary desiltation/detention basins as required. The Applicant shall maintain the temporary basins and erosion control devices until the Director of Public Works approves of the removal of said facilities. Failure to do so may result in fines for illicit discharge and shall obligate the City to repair/replace as appropriate and charge the Applicant.
16. A Water Quality Management Plan (WQMP) is required for all phases of this project.

17. All plans shall be in conformance with the TCP, Lantern District/Town Center Standards and Construction Details and the PCH/Del Prado Ultimate Plan. Any required alterations to submitted plans shall be made at the expense of the Applicant.
18. Any damage to public property or facilities and/or adjacent private property shall be repaired or replaced to the satisfaction of the City Engineer.
19. In the event of a cessation of construction activities for a period of exceeding one month, additional landscaping and/or screening may be required and/or installed by the City of Dana Point at the Applicant's expense.
20. All above-grade utility enclosures (including power transformers) shall be located outside of the building on private property, and screened from public rights-of-way. Should adequate clearance and screening not be provided, additional architectural plan changes shall be required.
21. All fire service structures and utility meters located within public rights-of-way shall be screened with landscaping to the satisfaction of the Director of Public Works.
22. The Architectural and Grading Plans submitted for permit issuance shall show all signal interconnects so the scope of any relocation of the interconnect infrastructure may be assessed.
23. A separate agreement (between property owners or with the City of Dana Point as applicable) shall be required for any potential construction operations on or operational impacts to the adjacent property at 34171/34173 Pacific Coast Highway. If requested or required, the agreement shall be submitted as a part of the project's Grading Permit application.
24. The vehicular accessway (including new curb-cut and driveway) approved via Variance V15-0004 shall be removed with redevelopment of the adjacent properties located at 34171 and 34173 Pacific Coast Highway or when PCH is reconstructed to the ultimate configuration approved by the City's Town Center Street Widening Plan. At that time, the area formerly utilized as a driveway from PCH into the interior of the property shall be redeveloped into commercial floor-area, designed and built in compliance with standards of the TCP and Dana Point Zoning Code.

25. To permit the PCH accessway location authorized by Variance V15-0004, the Applicant shall obtain an Encroachment Permit and enter into a Removal and Maintenance Agreement with the Public Works/Engineering Department to memorialize that the vehicular accessway shall be removed in accordance with Condition of Approval No. 24 above. The Applicant shall record the Removal and Maintenance Agreement at his or her expense with the County of Orange Records Office.
26. A Final Landscaping Plan shall be submitted for review and approval by the Planning Division and Public Work/Engineering Department. The Final Landscaping Plan shall specifically include landscaping along Golden Lantern Street, with the type and location of landscaping subject to review and approval by the Directors of Community Development and Public Works/Engineering.
27. The Applicant shall provide written approval from the Orange County Transit Authority (OCTA) regarding final relocation for the existing transit stop located on Golden Lantern at the subject property.

B. Prior to Approval of a Final Map

28. The Final Map shall be subject to review and approval by the City Council in accordance with submittal and approval processes enumerated in Title 7.24.030 of the Dana Point Municipal Code.
29. A Final Map shall be submitted for review and approval in accordance with requirements of the Public Works/Engineering and Community Development Departments. The Final Map shall be in substantial compliance with approved Vesting Tentative Parcel Map VTPM15-0002/Vesting Tentative Parcel Map 2015-171, as determined by the Directors of the Community Development and Public Works/Engineering Departments as well as the City Engineer.
30. Any and all required taxes and fees shall be paid to the County of Orange and; the County Treasurer-Tax Collector's Certificate shall be signed.
31. All existing and proposed easements, their location, dimensions, ownership and any proposed to be vacated, relocated or released shall be clearly illustrated and listed on the Final Map. A copy of the recorded easements shall be included along with any plan submittals made for review by the City Engineer.

32. Utility easements shall be provided to the specifications of the appropriate utility companies and are subject to review and approval by the Director of Public Works/Engineering.
33. The Applicant shall submit the Final Map to the County of Orange for review and approval. A copy of the approval shall be submitted to the Public Works/Engineering Department.
34. The Final Map shall clearly state that the subdivision is for condominium purposes. The number of condominiums shall be indicated on the Map.
35. The Applicant shall provide a current title report dated not more than six months old, in addition to any other survey documentation as relates to the proposed subdivision.
36. The Applicant shall submit a copy of the proposed Covenants Codes and Restrictions (CC&Rs) as well as the Articles of Incorporation of the Owners' Association for review and approval by the Directors of the Public Works/Engineering and Community Development Departments, the City Engineer and City Attorney. The CC&Rs shall be recorded with the Final Map and shall include:
- *A statement that prohibits amendment of the document without review and approval by the City Attorney, the Director of Public Works and Community Development, and the City Engineer at any time prior to or preceding recordation of the Final Parcel Map.*
 - *A method to ensure resolution of any disputes regarding maintenance of any commonly held portions of the site, any common walls, or disputes regarding the maintenance of the residential versus retail portions of the building shall be included in CC&R's.*
 - *Reflect common access easements, and maintenance responsibility of all recreation areas, common walls, access ways, parking areas, landscaping and grounds by the parties common to the CC&Rs.*
 - *An acceptable means for maintaining the easements within the subdivision and to distribute the cost of such maintenance in an equitable manner among the owners of the units within the subdivision.*

- *Provisions which prohibit any obstructions within any fire protection access easement and shall also require approval of the Orange County Fire Authority for any modifications.*
 - *An acceptable means for the separation of ownership for the residential and commercial components of the project.*
 - *Clearly delineate the maintenance responsibility of all commercial tenants, commercial common walls, commercial access ways, commercial parking areas, landscaping and grounds by the parties' common to the CC&Rs and lease agreements.*
 - *Clearly assign maintenance responsibility of the Homeowners' Association for landscaping, irrigation and other improvements installed on City property (if any) for the benefit of the Project.*
 - *Include the Final Water Quality Management Plan (WQMP), which will be recorded as part of the CC&R's.*
 - *Implement conditions on and maintenance provisions for all structural and non-structural improvements and Best Management Practices (BMPs) indicated in the Final WQMP.*
37. The Applicant/owner shall submit a preliminary Condominium Map to the Public Works Department and Community Development Department for review and approval with the CC&Rs.
38. The Applicant shall be responsible for the payment of any fees as relate to the City's review and approval of the proposed CC&Rs.
39. The Applicant shall submit documentation (evidence) of the availability of an adequate water supply for review and approval by the Orange County Fire Authority (OCFA). A copy of this documentation shall be submitted to the Public Works/Engineering Department.
40. The Applicant shall submit "will serve" letters from applicable, local water and sewer districts to the Building/Safety Division and/or Public Works Department as requested/required.
41. The approved Fire Master Plan shall be submitted to the City of Dana Point Public Works/Engineering Department.

42. A note shall be placed on the project's Final Map stating that all residential structures shall be protected by an approved automatic fire sprinkler system.
43. All monuments shall be set (or a security deposit provided to ensure all monuments will be set) in accordance with County of Orange and City of Dana Point standards.
44. The Applicant shall enter into a Subdivision Improvement Agreement, subject to review and approval by the City Engineer, for the design, construction, and installation of proposed private and public improvements. A security deposit to guarantee the performance of work described in the Subdivision Improvement Agreement will be required.

C. Prior to Issuance of a Permit for Rough Grading

45. The Applicant shall submit an application 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 the Public Works/Engineering Department and City Engineer. The Applicant shall include all plans and documents in their submittal as required pursuant to the plan-check policies of the Public Works/Engineering Department. All grading work must be completed in compliance with the approved Grading Plan and to the satisfaction of the Director of Public Works/Engineering and the City Engineer and conform to the ultimate PCH/Del Prado Street Plan.
46. The Grading plans shall include any ramp locations, temporary drainage during excavation, bicycle/pedestrian path of travel on adjacent Golden Lantern (including temporary barriers, i.e. k-rail), temporary fencing, existing topo at adjacent properties, call-outs of existing improvements to be protected in place, etc.
47. A design-level geotechnical report shall be prepared and submitted for review and approval by the City Engineer. The geotechnical report shall specifically include the following information:
 - *Additional subsurface exploration to enable geologic mapping in order to observe/measure the geologic strata that will be exposed by the excavations for the proposed subterranean parking levels for the structures, and substantiate the structural characterization of the bedrock underlying the site.*

- *Laboratory testing as necessary to substantiate the values used in the engineering analysis for surcharge pressures, based on the results of the additional geologic exploration/mapping and the ultimate lithology exposed.*
 - *A discussion of the potential impact of the geologic structure on the proposed foundation/shoring/retaining system, and provide recommendations (geologic surcharge, etc.) to address geologic conditions as necessary.*
48. Along Golden Lantern, there is existing traffic signal conduit, fiber optic and electrical lines underneath the sidewalk. The proposed extension of the underground parking onto the Golden Lantern public right of way will conflict with these utilities. The relocation of these utilities shall be included in the grading and shoring plans submitted for review and approval by the Public Works/Engineering Department.
49. The Applicant shall apply for all separate Building Permits as relate to excavation and shoring of the subject property and include in submittals made to the City, all documents and information as required by the Public Works/Engineering Department and Building/Safety Division.
50. The subject project shall require permits for shoring from the Building/Safety Division and/or the Public Works/Engineering Department. The application for this permit shall include any traffic control measures and/or protective barriers to be installed between the pedestrian path of travel and vehicular travel lanes.
51. A separate surety of an amount up to the equivalent of 100 percent of the cost of the project shall be posted to the satisfaction of the City Engineer and the City Attorney and to guarantee the completion of project shoring and protection of neighboring property and neighboring improvements.
52. Grading permit, temporary and permanent shoring permits (as necessary), retaining wall permits, and any necessary Building permits for structural components of the rough grading shall be obtained concurrently.
53. The Applicant shall submit a haul route plan and secure approval from the Public Works/Engineering Department before any trucking commences on the Project.

54. A separate Encroachment Permit and agreement shall be obtained to address temporary pedestrian access along PCH, Golden Lantern, and San Juan Avenue during construction of the approved project. Traffic control to address pedestrian access shall be per the City's Standard Encroachment Permit Conditions and shall be reviewed/approved by the City Engineer.

D. Prior to issuance of a Permit for Precise Grading

55. The Applicant shall apply for a Precise Grading Permit. The application will include a grading plan and soils report, in compliance with City standards, for review and approval by the Director of Public Works/Engineering. The Applicant shall include all plans and documents in their submittal as required by Public Works/Engineering Department 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.

56. To meet current water quality regulations including but not limited to, submittal of a WQMP, a Storm Water Pollution Prevention Program - and all other required water quality-related reports/actions - the Applicant shall prepare and submit all necessary reports and shall implement all required actions (as stipulated by these and other documents) for each phase of the project.

57. Concurrent with the Precise Grading Plans (showing street improvements on all adjacent streets), the Applicant shall submit street improvement plans. All planned improvements shall conform and integrate with the City's ultimate PCH/Del Prado Streetscape Improvement Plan as required by the City Engineer. The street improvement plans shall detail the proposed improvements and adhere to City standards and conditions of approval as stipulated in the City's Standard Encroachment Permit Conditions.

58. Due to the completion of the City Lantern District improvements, all streets are under a moratorium per the Dana Point Municipal Code. All disturbance and trenching within a moratorium street shall require additional paving and additional approval from the City Engineer beyond the City's Standard Encroachment Conditions.

59. The Applicant shall protect in place, all newly paved street/right-of-way and related improvements within the Lantern District. Any damage to existing public or adjacent private property facilities shall be repaired or replaced to the satisfaction of the City Engineer.
60. The precise grading plan shall include a Final Utility Plan as approved by South Coast Water District, San Diego Gas and Electric, and all other utilities identifying all improvements, including off-site improvements, required to provide adequate services to the proposed development, for each phase.
61. The Final Utility Plan shall include the final approved location of all meters, backflow prevention devices, vaults, and other associate equipment for all utilities and fire prevention, for all phases. All fire prevention equipment, utility meters, utility equipment, etc., servicing the development (each phase) shall be within the proposed development and not in the public right-of-way unless previously approved by the Director of Public Works and the City Engineer.
62. No direct connections to catch basins will be allowed in Final Utility Plan. All storm drainage shall be directed to an approved outlet, subject to approval by the City Engineer.
63. Surety of an amount 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) to guarantee the completion of project grading and drainage improvements, including erosion control.

E. Prior to issuance of a Building Permit

64. The Applicant and Applicant's successors in interest shall be responsible for the payment of the Lantern District Development Impact Fee ("Impact Fee"), adopted pursuant to Ordinance 14-03 and Government Code Sections 66000-66025 ("The Mitigation Fee Act"). The fee shall be collected prior to or upon issuance of a building permit. If the building permit is issued during calendar year 2016 the fee shall be \$84,135.59. If the building permit is issued during a subsequent calendar year the fee shall be calculated pursuant to Section 14.30.040 of the Dana Point Municipal Code. This condition shall serve as notice that the date of imposition of the Impact Fee is the date the City approves the project. Any appeal of the imposition of the Impact Fee shall be undertaken pursuant to section 14.30.050 of the Dana Point Municipal Code.

65. The Applicant shall submit to the Public Works/Engineering Department and Planning Division, a copy of the recorded Final Map (as approved by the City Council and recorded with the Office of the County Recorder).
66. 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 (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.
67. A licensed land surveyor shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer and the Director of Community Development. The civil engineer and/or surveyor shall specifically certify in writing that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.
68. The Applicant shall submit a Geotechnical rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the geotechnical engineer (the City's standard Geotechnical Engineer's Certification Form for Rough Grading) shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.
69. An as-graded geotechnical report and certification will be prepared by the project geotechnical consultant following grading of the subject site. The report will include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site.
70. Sufficient underground clearance (5 feet minimum) shall be provided between the sidewalk/public right-of-way and the top of the parking structure to support public utilities and any future public utility infrastructure.

71. Sufficient lighting for the safety of public sidewalk, plaza and other gathering areas shall be provided and with the type, location and ultimate brightness (foot-candles) subject to review and approval by the Directors of the Public Works/Engineering and Community Development Departments.
72. The Applicant shall enter into an agreement with the City's waste collection franchise holder to ensure that trash collection services shall include moving of all trash containers and/or bins to the truck and return of containers and/or bins to the inside of the designated trash areas. At no time shall containers and/or bins be stored on the sidewalk. All collection activities shall be done at a time approved by the Applicant and City of Dana Point.
73. The developer shall coordinate with San Diego Gas and Electric (SDG&E) for approval of the cement board fence & gate in front of the property's proposed transformer. The finish surface for the transformer room, landscaping (or other screening) as well as the sidewalk within the 10 foot easement fronting PCH shall be reviewed and approved by City of Dana Point.
74. The Applicant shall be responsible for irrigation of any proposed parkway landscaping. Such shall be a part of an Irrigation Plan (submitted for review and approval by the Public Works/Engineering Department and Planning Division) and which shows connection points and all related infrastructure proposed within rights-of-way.
75. The Applicant shall indemnify the City for any proposed above-ground landscaping, planters and trees.

F. Prior to issuance of a Certificate of Occupancy

76. 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.*

77. Prior to commencement of framing, the Applicant shall submit a foundation certification, by survey that the structure will be constructed in compliance with the dimensions shown on plans, as approved by the Planning Commission and including finish floor elevations and setbacks to property lines. The City's standard "Line & Grade Certification" form shall be obtained from the Project Planner at time of permit issuance, prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval.
78. 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 is in compliance with plans approved by the Planning Commission. The City's standard "Height Certification" form shall be obtained from the Project Planner at time of permit issuance, 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.
79. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
80. A written certification per City standards and approval by the Geotechnical Engineer approving the grading as being substantially in conformance with the approved precise grading plan.
81. A written certification per City standards and approval by the Civil Engineer approving the grading as being substantially in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.
82. All work proposed in the right-of-way shall be completed in conformance with the project's approved Encroachment Permit, the TCP and the related Town Center Standards and Construction Details as well as the (in-progress) design documents for the PCH/Del Prado Street Ultimate Plan. All work shall be completed to the satisfaction of the City Engineer.
83. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.

84. Any and all outstanding fees associated with any part of the project shall be paid to all applicable City departments.
85. All permanent Best Management Practices (BMP's) shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
86. The Applicant shall obtain all required approvals from all utility agencies and shall furnish evidence of these approvals to the City upon request.
87. All improvements as outlined in the project's Subdivision Improvement Agreement shall be completed to the satisfaction of the City of Dana Point.
88. The Applicant shall provide a full Water Quality Management Plan (WQMP) which:
- *Demonstrate that all structural and non-structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.*
 - *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 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 22nd day of February, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

April O'Connor, Chairperson
Planning Commission

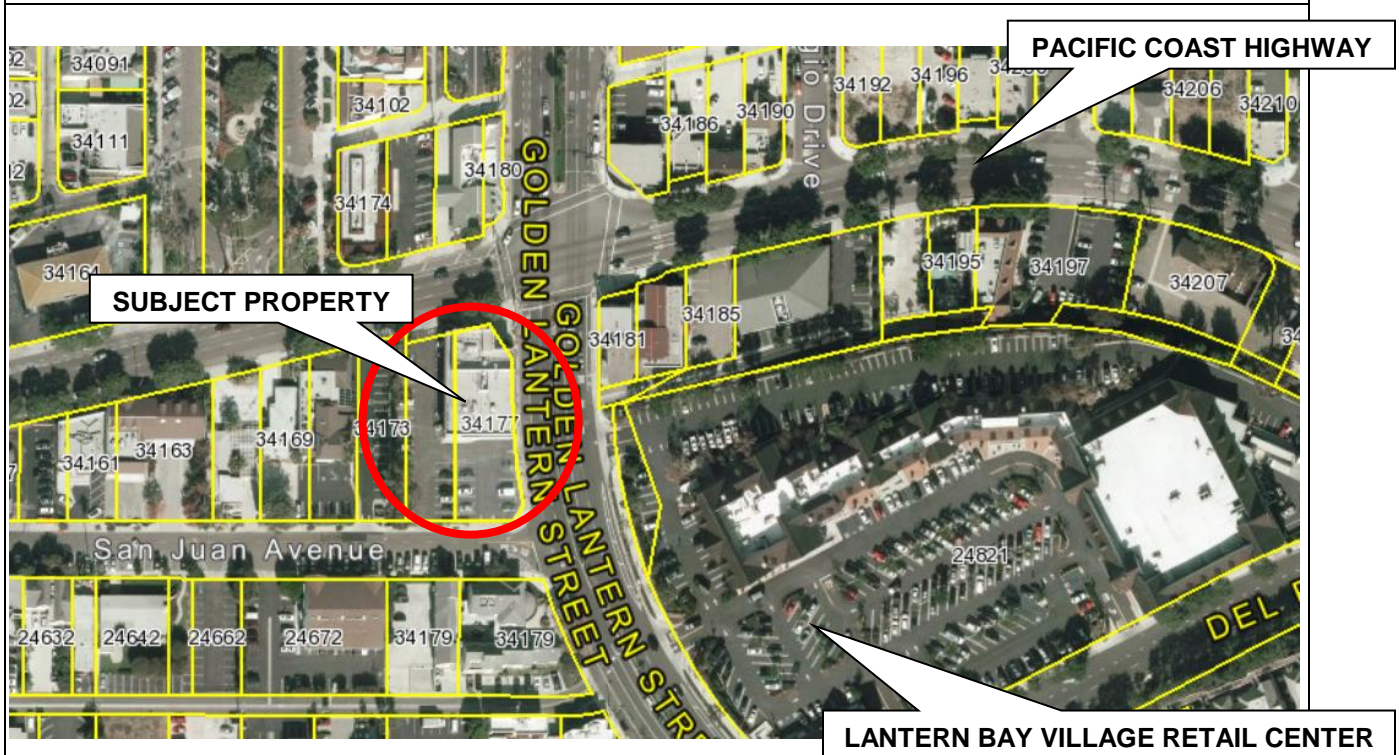
ATTEST:

Ursula Luna-Reynosa, Director
Community Development Department



City of Dana Point
VTPM15-0002, CDP14-0012, V14-0003, SDP14-0014 and SPP16-0001
Evan Langan, AICP, Associate Planner
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629-1805

VICINITY MAP



Project : *VTPM15-0002, CDP14-0012, V14-0003, SDP14-0014 and SPP16-0001*

Project Applicant: *M & A Gabae, LP*

Location: *34175 Pacific Coast Highway*





SW view toward site



SE view toward site



NE view toward site



NW view toward site

Supporting Doc #3

Existing Conditions

Existing Conditions



NW view from site



North view from site



NE view from site



NE view from site



South view from site



West view from site



SE view from site



Adjacent property to west

PCFH & Golden Lantern

DANA POINT

MASTER SIGN PROGRAM & TENANT SIGNAGE CRITERIA

February 03, 2016

Supporting Doc #5



PROJECT DIRECTORY

OWNER: Charles Company
 9034 W Sunset Boulevard
 West Hollywood, CA 90069
 ph: 310.247.0900
 Contact: Roland Lo

PROJECT ARCHITECT: Studio One Eleven
 at Perkowitz + Ruth Architects
 111 West Ocean Boulevard, 20th Floor
 Long Beach, CA 90802
 ph: 562.901.1500
 Contact: Michael Bohn

SIGNAGE CONSULTANT: Signage Solutions
 2231 S. Dupont Drive
 Anaheim, CA 92806
 Contact: Chris De Ruyter
 ph: 714.491.0299
 fx: 714.491.0439

CITY PLANNING: City of Dana Point
 Planning Department
 33282 Golden Lantern
 Dana Point, CA 92629
 ph: 949.248.3500

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There is a formal process for the creation, review and approval of Tenant signs for Town Center at Dana Point. All Tenant's signage is subject to the Owner's, or his managing agent (hereinafter referred to as "Owner"), written approval. Approval will be granted based on the following:

1. Design, fabrication and method of installation of all signs shall conform to this sign program.
2. Proposed signage is in harmony with adjacent signage conditions and conforms with the design standards for Town Center at Dana Point.

A. SUBMITTAL TO OWNER:

Tenant shall submit three (3) copies of detailed shop drawings to Owner for approval prior to sign fabrication. Sign drawings are to be prepared by a California licensed sign contractor. All signs must conform to the city requirements of The City of Dana Point Planning Department.

Submittals shall include the following:

1. STOREFRONT ELEVATION:

Scaled elevation of Tenant's storefront depicting the proposed sign design and all the dimensions as they relate to the Tenant's storefront.

2. SHOP DRAWINGS:

Fully dimensioned and scaled shop drawings specifying exact dimensions, copy layout, type styles, materials, colors, means of attachment, illumination, electrical specifications, and all other details of construction. Section through letter and/or sign panel showing the dimensioned projection of the face of the letter or sign panel and the illumination.

3. SAMPLE BOARD:

Provide a sample board showing colors, materials, including building fascia, letter faces, trim cap, returns, and other details.

If shop drawings are denied, Tenant must resubmit revised plans until Owner's approval is obtained. Request to implement signs that vary from the provisions of this sign program will be submitted to the Owner for approval and then submitted to the City of Dana Point, CA for approval. The Owner may approve signs that depart from the specific provisions and constraints of this sign program in order to:

- a. Encourage exceptional design.
- b. Accommodate imaginative, unique and tasteful signs that capture the spirit and intent of this sign program.
- c. Mitigate problems in the application of this sign program.

B. SUBMITTAL TO CITY:

A full set of plans must be approved and stamped by the Owner prior to permit application. Tenant or his sign contractor must submit to the City of Dana Point, CA, and will be responsible for all applicable applications, permit fees for the Planning Departments.

Tenant and his Sign Contractor will not be permitted to commence installation of the exterior sign unless all of the following conditions have been met:

1. A stamped set of final drawings reflecting the Owner's, and City's approvals shall be on file in the Owner's office.

C. TENANT'S RESPONSIBILITY:

1. All Sign Contractors must be fully insured and approved by landlord prior to installation. Landlord must receive the Sign Contractor's Certificate of Insurance.
2. The Owner must be notified 48 hours in advance prior to sign installation.

3. Tenant's Sign Contractor shall install required signage within 45 days after approval of shop drawings. If signage is not in place by that date, Owner may order sign fabrication and installation on Tenant's behalf and at the Tenant's expense.
4. The Owner may, at his sole discretion and at the Tenant's expense, correct, replace, or remove any sign that is installed without written approval and/or that is deemed unacceptable pertaining to this sign program.
5. If the Tenant chooses to change his exterior sign at anytime during the term of his lease, then Tenant must comply with the requirements set forth herein and any future modifications, revisions or changes which have been made to this sign program for this center after the execution of his lease agreement.
6. Tenant shall be ultimately responsible for the fulfillment of all requirements and specifications, including those of the Owner, Governing Agency, City, UL and the Uniform Electrical Code.
7. Tenant shall be responsible for the following expenses relating to signage for his store:
 - Design consultant fees (if applicable).
 - 100% of approval and permit processing costs and application fees.
 - 100% of costs for sign fabrication and installation including review of shop drawings and patterns.
 - All costs relating to sign removal, including repair of any damage to the building.
 - Tenant to provide wiring, power and final hook-up from Tenant's house panel to j-box.

DESIGN GUIDELINES FOR TENANTS

The purpose of establishing these design guidelines is to ensure that each Tenant sign will contribute to the center's success. High quality signage, which reflects the integrity of the architecture, will be encouraged. Tenant individual signs should incorporate a diversity of sign styles, icons and materials to create "retail drama" for the restaurant, entertainment and retail visitors. Encouraged sign treatments include:

A. MIXED MEDIA FORMS AND EMBELLISHMENTS

- Dimensional, geometric shapes or Icon representing a tenant's product or service.
- Sculpted wood, metal or Sign foam forms.
- Painted, polished, etched, or abraded metals.
- Screens grids or mesh.
- Cut steel or fabricated steel.
- Dimensional letterforms with seamless edges.
- Faux stone effect finish.
- Gold, silver or copper leaf or metallic paint finish.
- Oxidized and patina finishes.

B. ILLUMINATION

Tenant signage must incorporate one or more of the following acceptable lighting methods subject to owner, and City approval:

- Reverse/halo channel letters.
- Silhouette illumination.
- Custom light fixtures and/or seamless opaque faces with "backed up" or "push thru" letters.
- L.E.D.

All front lighting should be baffled and obscured in channels where possible. Any exposed fixtures, shades or other elements should be designed to contribute to the design of the storefront.

C. SIGN COLORS AND FINISHES

All Tenants' colors must be approved by the Owner, Governing Agencies and City prior to fabrication. To assist in achieving a harmonious blend of color throughout the center, the following guidelines are

to be adhered to:

- Sign colors should be selected to provide sufficient contrast against building background colors and be compatible with them.
- Colors within each sign should be compatible.
- Sign colors should provide variety and excitement.

D. TYPE STYLES AND LOGOS

The use of logos and distinctive typestyles is encouraged for all tenant signs. Tenants may adapt established typestyles, logos and/or icons that are used on similar locations operated by them in California and/or the U.S. These images must be architecturally compatible and approved by Owner. Type may be arranged in one (1) or two (2) lines of copy and may consist of upper and/or lower case letters.

E. SIZES AND QUANTITIES

Sizes and quantities for tenant signs shall be outlined in this criteria for each sign type. Notwithstanding the maximum square footage specified for copy area allowances, adequate amounts of visual open space shall be provided around wall signs so that they appear balanced and in scale in relation to their backgrounds.

F. MISCELLANEOUS SIGNAGE

- Signage shall be fixed to window only.
- No more than three signs shall be allowed per business.
- No more than 25 percent of exposed window area (per suite/business) shall be covered by signage.
- Approved signs shall complement the building and existing, permanent signage. The use of fluorescent, day-glo, and neon colors shall be limited.
- Permanent window signage shall be included in the maximum aggregate area allowed for the business.
- Text of permanent window signage shall be limited to business name and brief message identifying the product or service or pertinent information.



REVERSE HALO ILLUMINATION



EXPOSED NEON ILLUMINATION



INTERNAL & UPLIGHT ILLUMINATION



REVERSE HALO ILLUMINATION

PROHIBITED SIGNS:

Only those signs types provided herein and specifically approved in writing by the Owner, and City will be allowed. The following signs are prohibited:

- Outdoor advertising or advertising structures including A-frame signs or billboards.
- Roof Signs.
- Freestanding signs, except as provided in this text.
- Animated, audible or moving signs: Signs which move, swing, rotate, flash, except as provided in this text.
- Vehicle Signs: Signs affixed or on trucks, automobiles, trailers and other vehicles which advertise, identify or provide direction to a use or activity not related to its rightful use, are prohibited.
- Off premise signs: (other than directional signs) installed for the purpose of advertising a project, event, person or subject not related to the premises upon which said sign is located. Such sign may be allowed upon Owner approval.
- No billboard signs.
- Exposed conduits and raceways.
- Front lighting fixtures that compete with storefront design. (Except as noted in this criteria).
- Illuminated trim capped acrylic faces.
- Exposed neon



FABRICATION REQUIREMENTS:

The fabrication and installation of all signs shall be subject to the following restrictions:

- A. All signs shall be fabricated and installed with UL approved components in compliance with all applicable building and electrical codes.
- B. Sign manufacture shall supply a UL label, if required by local authorities, in an inconspicuous location. In no case shall any manufacture's label be visible from the street from normal viewing angles.
- C. Sign permit stickers shall be affixed to the top edge of signs or letters, and only that portion of the permit sticker that is legally required to be visible shall be exposed.
- D. Signs shall be made of durable rust inhibited materials that are appropriate and complementary to the building.
- E. All formed metal (i.e. letterforms) shall be fabricated using full weld construction.
- F. All signs shall be fabricated and installed with no visible screws, seams, rivets, or fastening devices. Finished surfaces shall be free from "oil canning" or warping.
- G. Separate all ferrous and non-ferrous metals. Stainless steel fasteners shall be used to secure ferrous to non-ferrous metals.
- H. Threaded rods or anchor bolts shall be used to mount sign letters that are spaced off from the wall or background. Mounts consist of all thread post and spacer sleeves for consistency. Spacers painted to match

building color. All bolts and mounting devices shall consist of porcelain finished iron, stainless steel, aluminum or carbon bearing steel with painted finish. No black iron will be permitted. Angle clips attached to letter sides will not be permitted.

- I. Paint colors and finishes must be reviewed and approved by the Owner. Color coatings shall match exactly the specified colors on the approved plans.
- J. Surfaces with color hues prone to fading (e.g., pastels, fluorescent, intense reds, yellows and purples) shall be coated with ultraviolet inhibiting clear coat in a matte, gloss or semi-gloss finish.
- K. All sign finishes shall be free of dust, orange peel, drips, and runs. Finishes should have uniform coverage and be of the highest quality (e.g., Matthews Paint Company (800) 323-6593).
- L. Surface brightness of all illuminated materials shall be consistent in all letters and components of the sign. Light leaks will not be permitted.

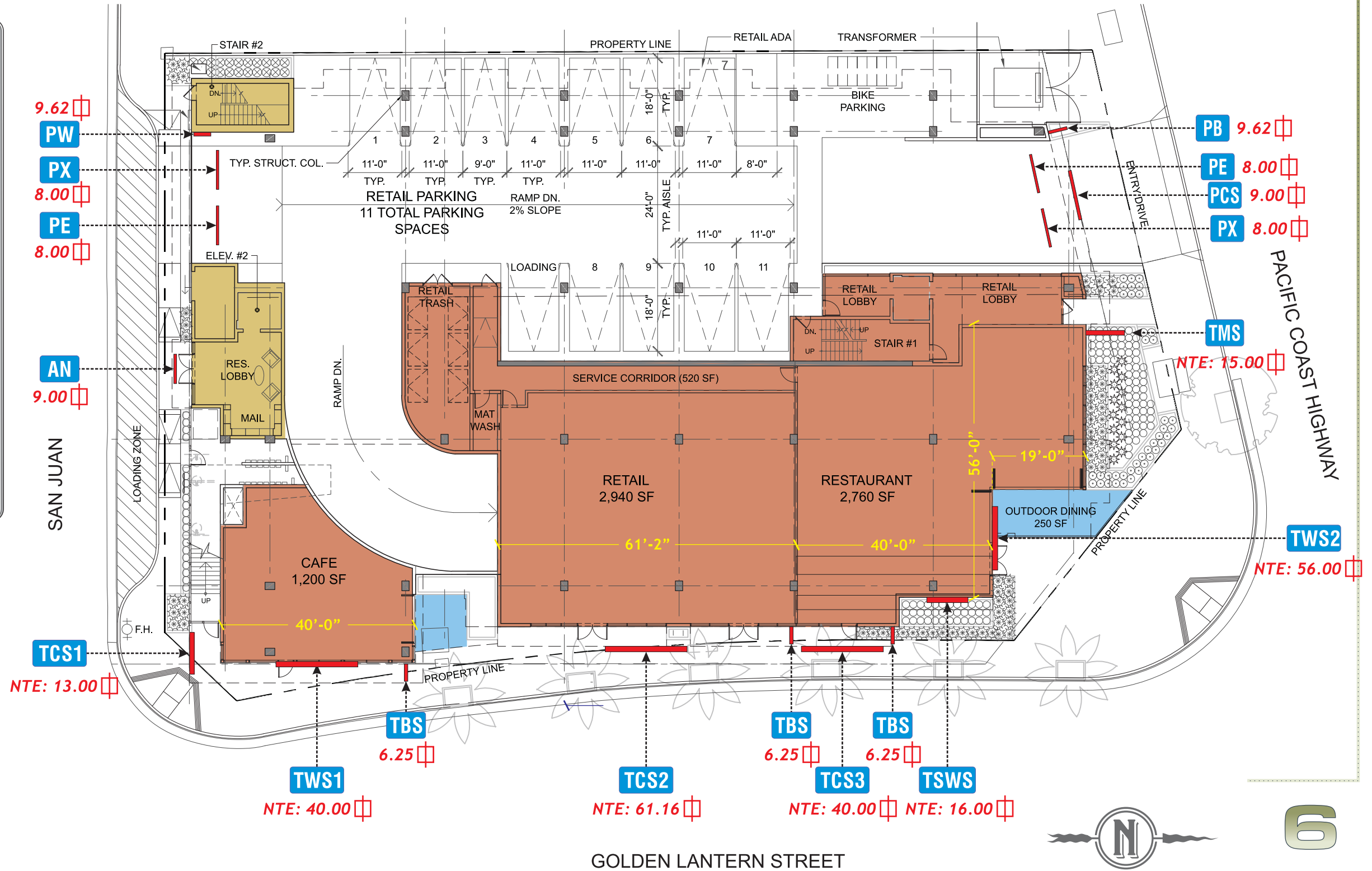


REVERSE HALO ILLUMINATION



REVERSE HALO & PUSH THROUGH ILLUMINATION

SCOPE OF WORK				
Sign type	Description	Qty	Sq Ft	Page
AN	Address Numeral	1	9.00	11
PCS	Parking Canopy Sign	1	9.00	12
PW	Parking Wall Sign	1	9.62	13
PB	Parking Blade Sign	1	9.62	14
PE	Parking Entrance Sign	2	8.00	15
PX	Parking Exit Sign	2	8.00	15
TWS1	Tenant Wall Sign	1	NTE 40.00	16
TWS2	Tenant Wall Sign	1	NTE 56.00	16
TCS1	Tenant Canopy Sign	1	NTE 13.00	17
TCS2	Tenant Canopy Sign	1	NTE 61.16	17
TCS3	Tenant Canopy Sign	1	NTE 40.00	17
TPS	Tenant Planter Sign	1	NTE 15.00	18
TMS	Tenant Marquee Sign	3	6.25	19
TSWS	Tenant Secondary Wall Sign	1	16	20



TCS1

- Max Length = 8'-0"
- Max predominate letter height = 18"
- If Sign less than 3'-6" long, predominate letter = 24" max
- Max thickness = 3"

TWS2 & TCS3

- Max Length = 12'-0"
- Max predominate letter height = 18"
- Sign less than 3'-6" long, predominate letter = 24" max
- Max thickness = 3"

TSWS

- 16 SF Max
- 4' Max in any direction
- Background surface must be opaque w/routed or push-thru letters/logo
- Creative shapes encouraged
- Sign must be located within zone as per elevation below
- Sign shall have a background panel or other design to minimize holes in wall surface.



1 EAST ELEVATION - GOLDEN LANTERN

SCALE: 1/16" = 1'-0"



TWS2

- Max Length = 12'-0"
- Max Letter height = 24" (predominant letters)
- If sign is less than 3'-6" long, predominant letter height max = 30"
- Max letter thickness = 3"

TPS

- Max Length = 10'-0"
- Max height to top of sign = 4'-0"
- Max letter height = 18"
- Max letter height = 24" if sign is less than 3'-6" long
- Sign must be legible on both sides



TWS2

Sign area NTE: 56.00

TMS

Sign area NTE: 15.00'

PCS

9.00

PB

9.62

2 NORTH ELEVATION - PACIFIC COAST HIGHWAY

SCALE: 3/32" = 1'-0"

TCS1

- Max Length = 8'-0"
- Max predominate letter height = 18"
- If Sign less than 3'-6" long, predominate letter = 24" max
- Max thickness = 3"



PW

9.62

PX

8.00

PE

8.00

AN

9.00

SIGN AREA

TCS1

Sign area NTE: 13.00

3

SOUTH ELEVATION - SAN JUAN

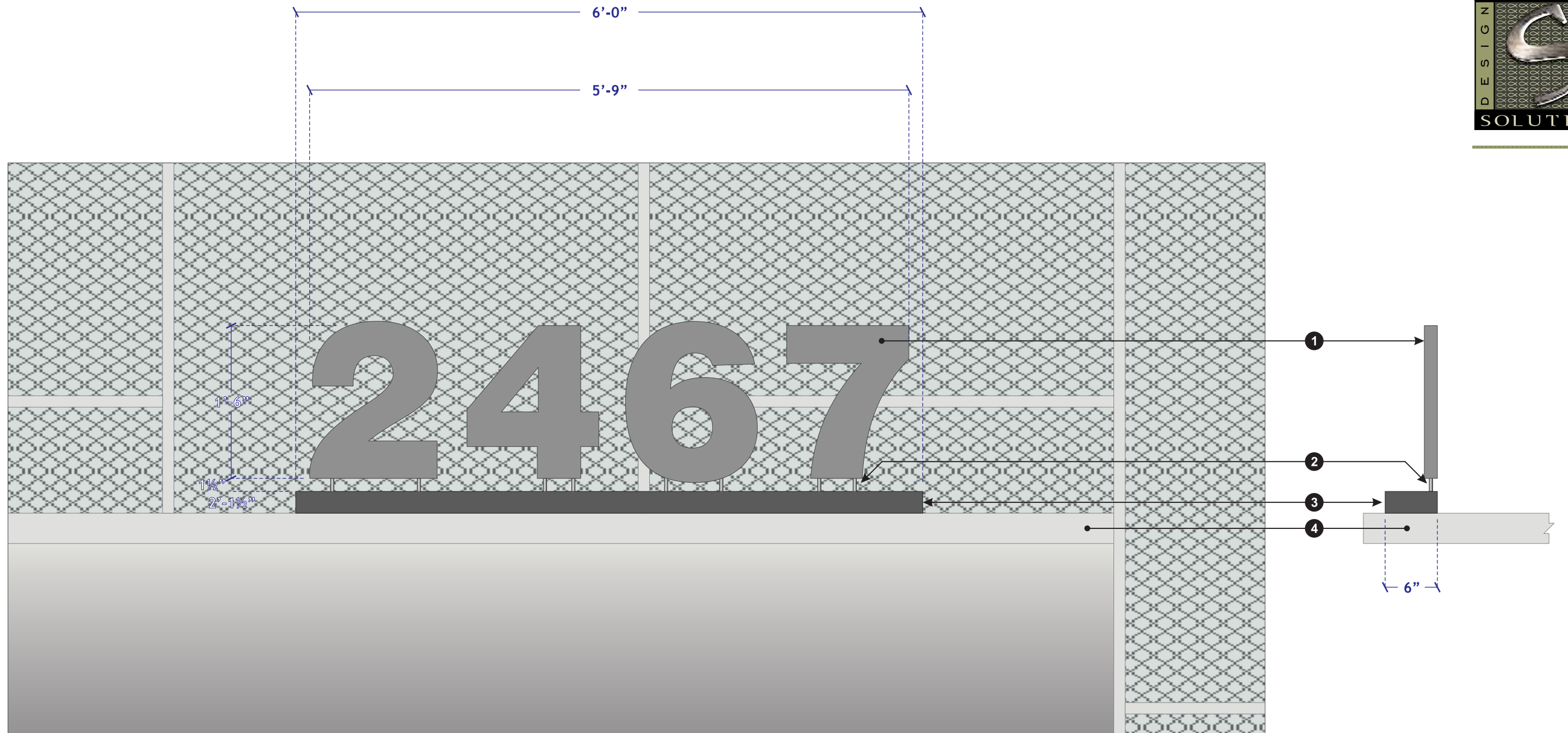
SCALE: 3/32" = 1'-0"



PB
9.62

4 WEST ELEVATION

SCALE: 1/16" = 1'-0"

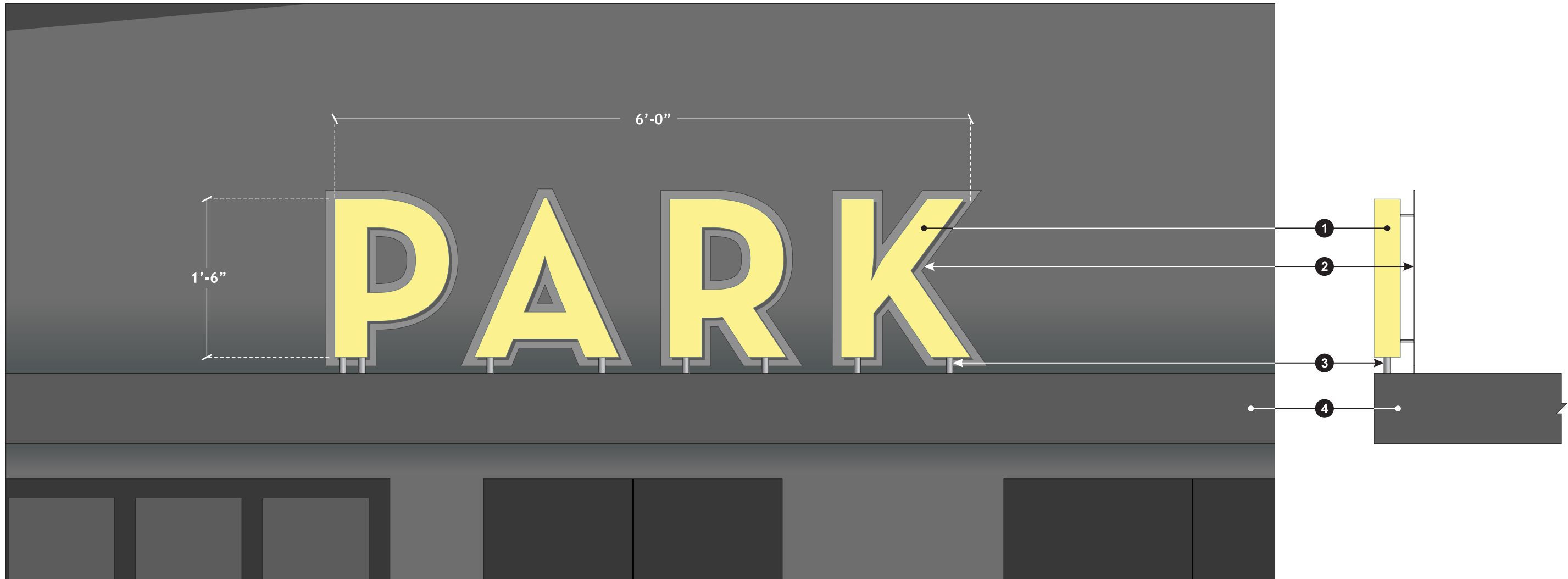


AN EXTERNALLY ILLUMINATED PROJECT ADDRESS NUMERALS
One unit required


Sign area: 9.00
Scale: 1" = 1'-0"

1 PROFILE
Scale: 1" = 1'-0"

1. 1½" deep fabricated aluminum letter painted to match PMS 430C. Letters to be illuminated via light sconce below.
2. 3/8" diameter threaded rod attachment.
3. Custom fabricated internally illuminated light sconce/mounting bar painted to match PMS 432C. Internal illumination to be provided by white LED modules located on equal centers for even lighting. LED power supply to be self-contained.
4. Building structure.

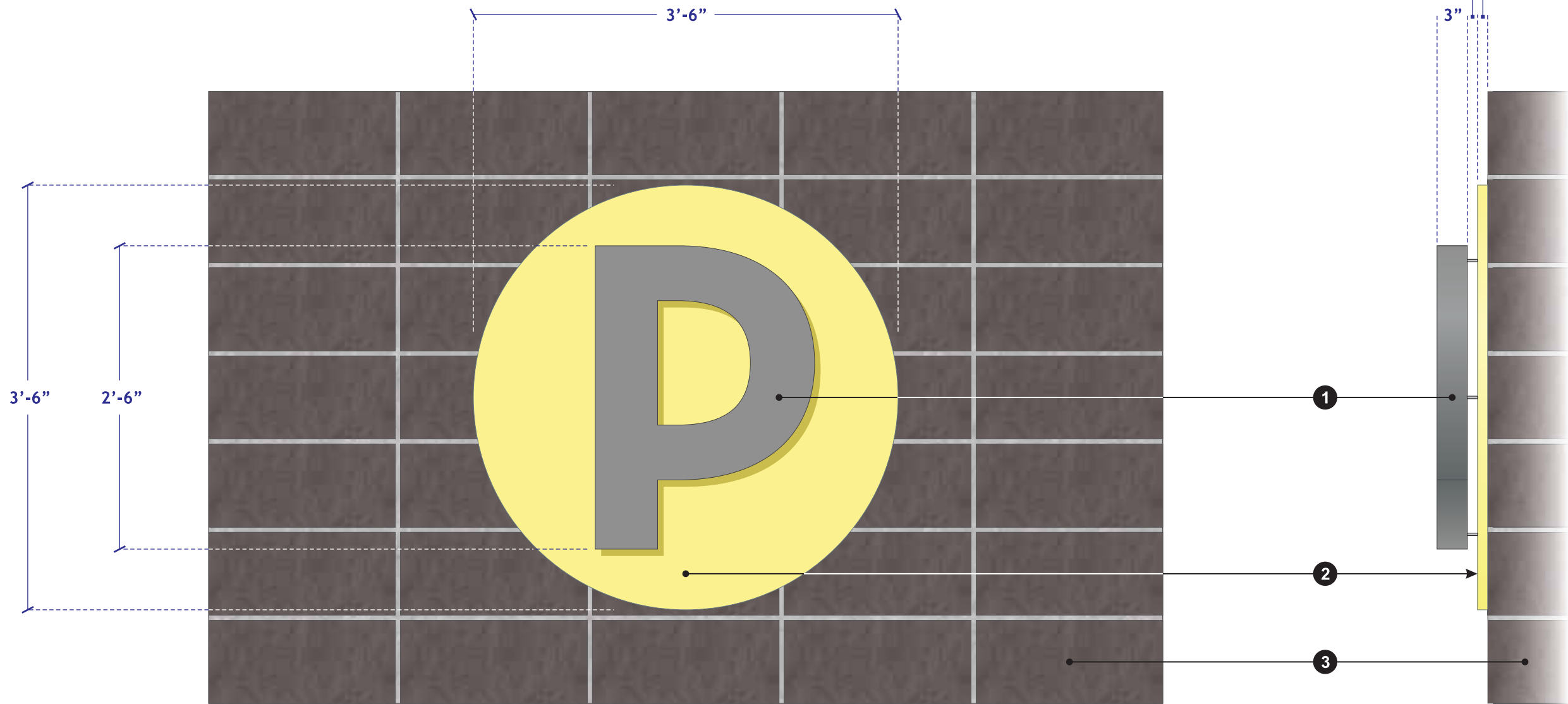


PCS HALO-ILLUMINATED PARKING GARAGE SIGN
One unit required

Sign area: 9.00 
Scale: 1" = 1'-0"

1 PROFILE
Scale: 1" = 1'-0"

1. 3" deep reverse aluminum channel letter painted to match PMS 396C.
Internal illumination to be provided by white LED modules located on equal centers for even lighting.
LED power supply to be remote.
2. .125" aluminum contoured reflecting panel painted to match PMS 430C.
3. 3/4" diameter riser/wireway.
4. Building structure.

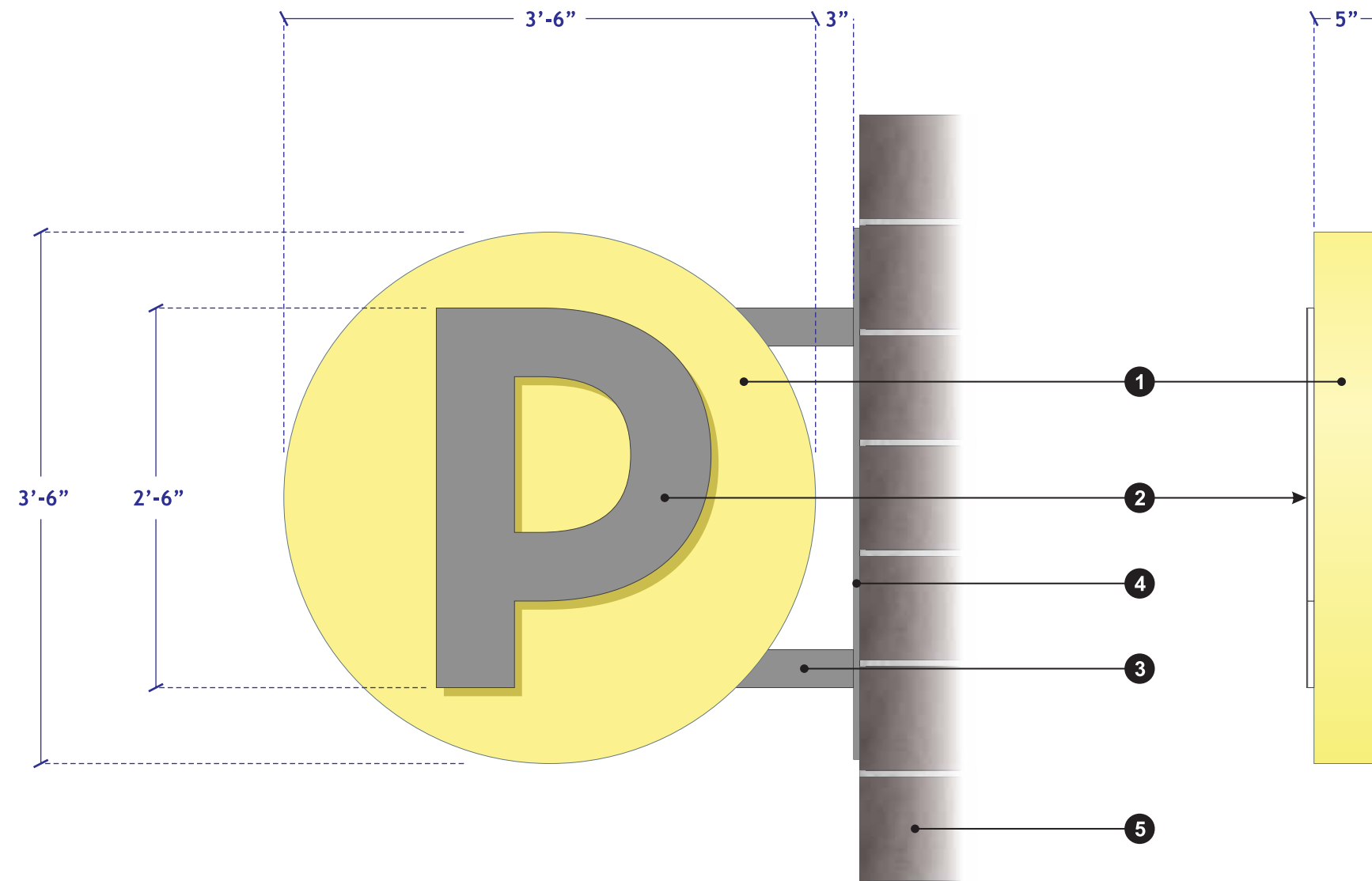


PW INTERNALLY ILLUMINATED WALL SIGN
One unit required

Sign area: 9.62 \square
Scale: 1" = 1'-0"

1 PROFILE
Scale: 1" = 1'-0"

1. 3" deep reverse aluminum channel letter painted to match PMS 430C.
Letter to be mounted 1" from background surface.
Internal illumination to be provided by white LED modules located on equal centers for even lighting.
LED power supply to be remotely located.
2. 1" deep custom fabricated aluminum background painted to match PMS 396C.
3. Finished wall surface

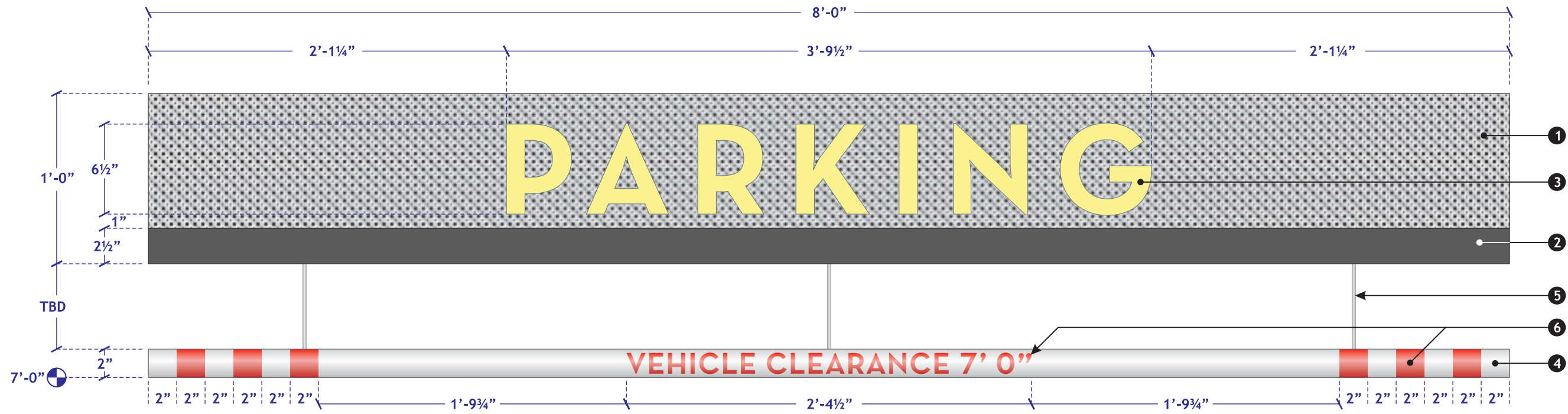


PB INTERNALLY ILLUMINATED D/F BLADE SIGN
One unit required

Sign area: 9.62 \square
Scale: 1" = 1'-0"

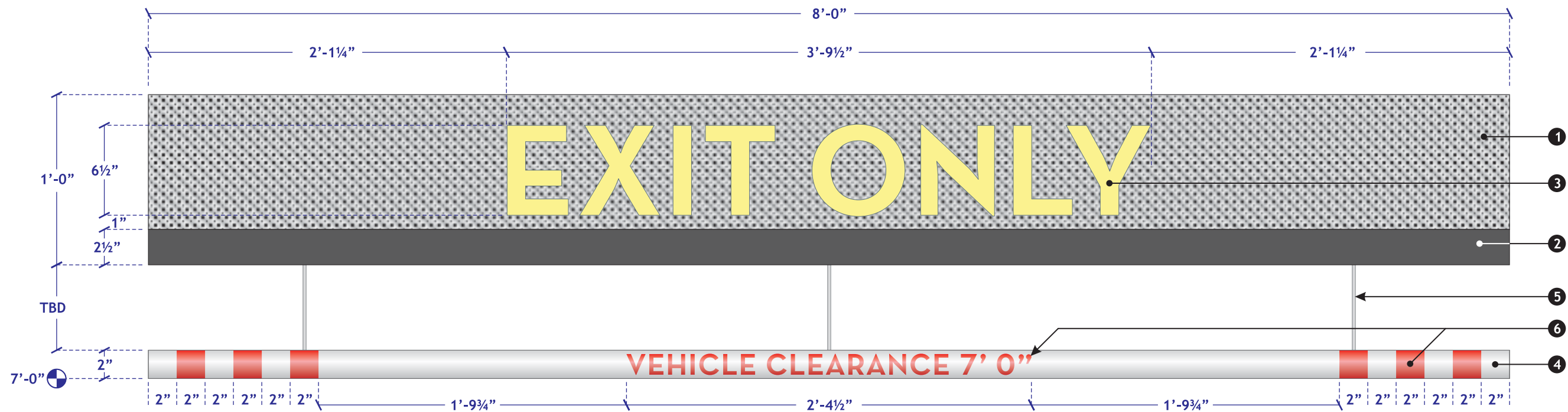
1 END VIEW
Scale: 1" = 1'-0"

1. 5" deep custom fabricated aluminum sign cabinet painted to match PMS 396C.
Internal illumination to be provided by white LED modules located on equal centers for even lighting.
LED power supply to be self contained.
2. 1/2" thick clear acrylic push through letter with .080 aluminum laminate PMS 430C.
3. 3" aluminum square tube attachment bracket painted to match PMS 430C.
4. 1/2" thick aluminum anchor plate painted to match PMS 430C.
5. Finished wall surface



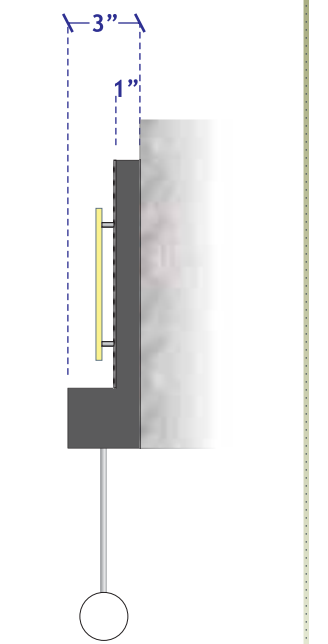
PE AVAILABLE CLEARANCE GARAGE WALL SIGN
Two units required

Sign area: 8.00
Scale: 1/2" = 1'-0"



PX AVAILABLE CLEARANCE GARAGE WALL SIGN
Two units required

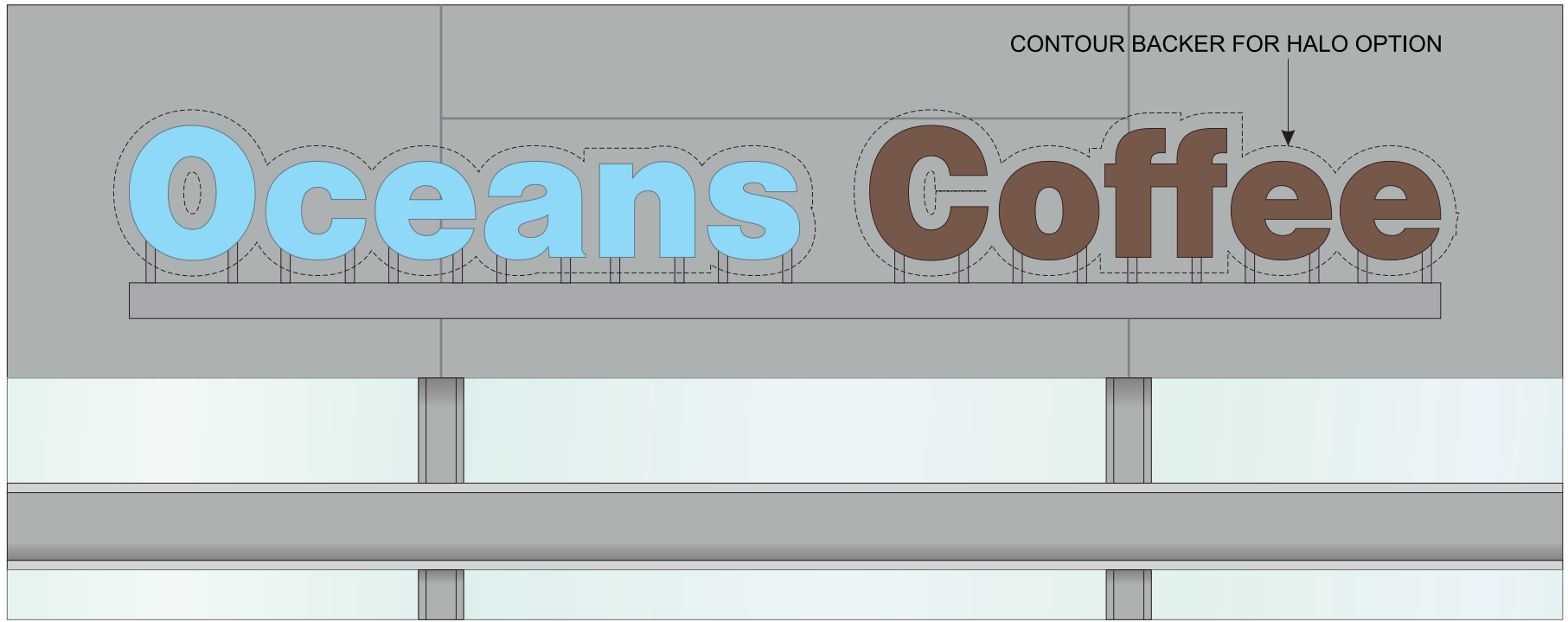
Sign area: 8.00
Scale: 1/2" = 1'-0"



1 PROFILE

1. Custom fabricated aluminum sign cabinet with perforated aluminum background painted Matthews "Brushed Aluminum".
2. Aluminum light scone painted to match PMS 432C. Scone to house white LED modules to illuminate plate letters above.
3. 1/4" FCO aluminum plate letters painted to match PMS 396C. Letters to be pin-mounted 1/2" from background
4. 2" diameter aluminum tube.
5. 3/16" diameter stainless steel aircraft cable with clear plastic coating (finished diameter to be 1/4").
6. Die-cut reflective Red vinyl overlay. Horizontal seam of stripes to be on back of tube.

* Artwork as shown is fictitious and is for sizing and construction method purposes only.

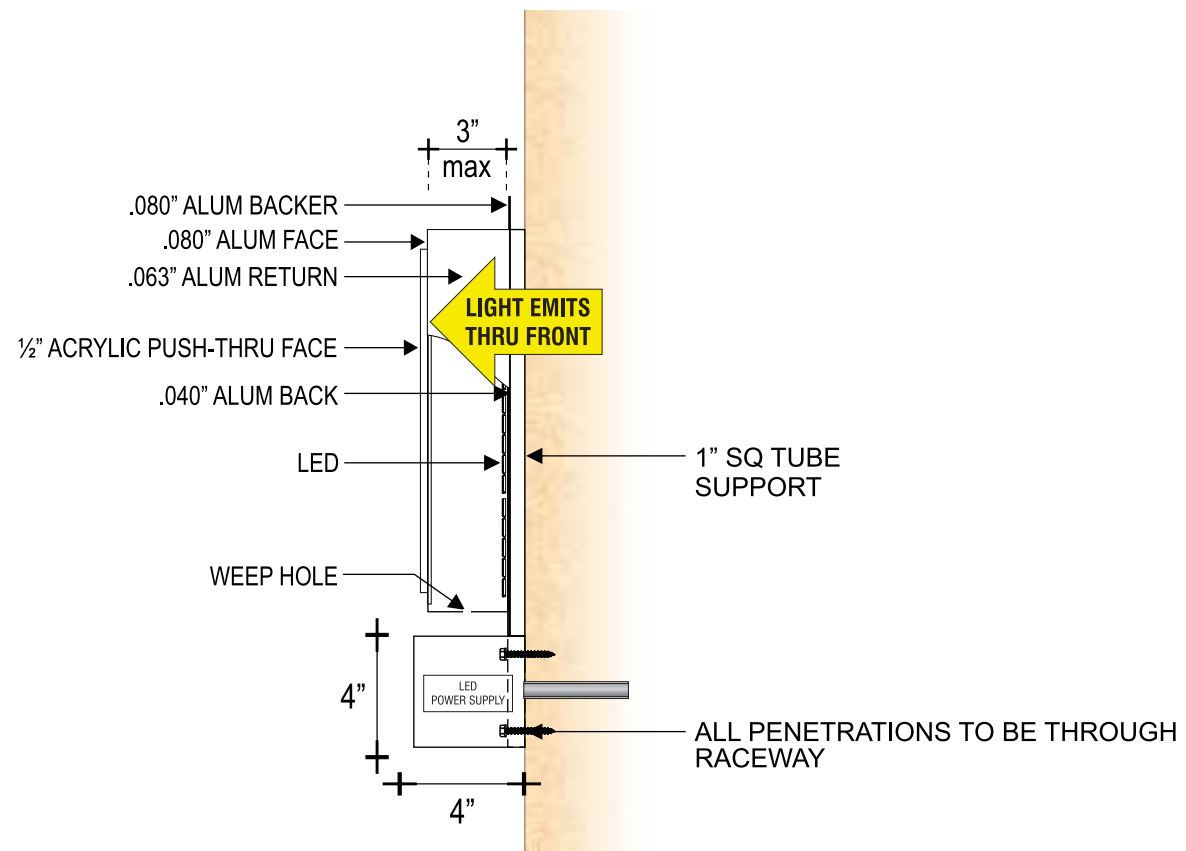


SIGNAGE CRITERIA:

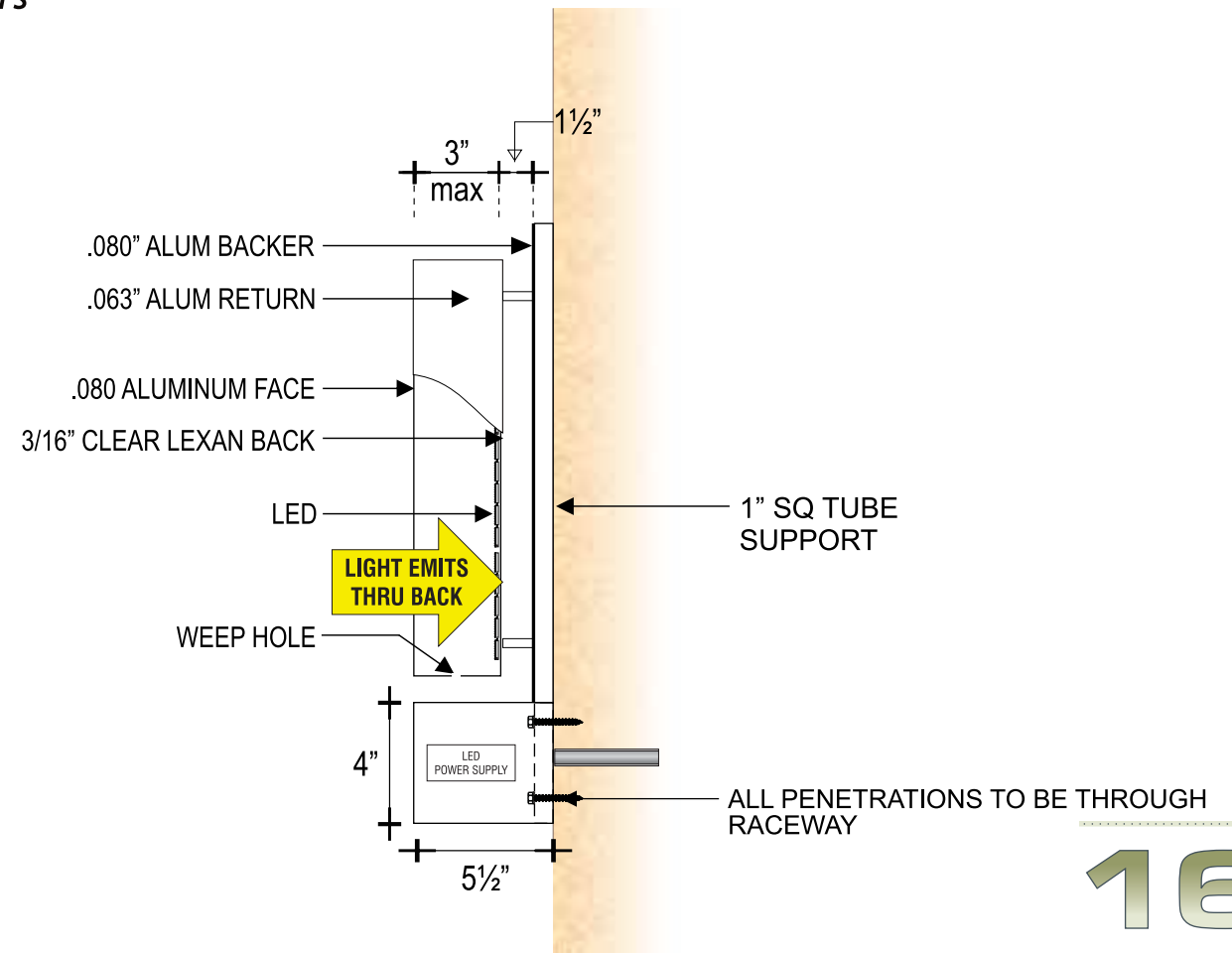
SIGN AREA:	1 square foot per lineal foot of lease frontage.
MAX. WIDTH:	75% of lease frontage.
MAX HEIGHT:	24" letter height.
MAX NUMBER:	1 sign per building face, not to exceed 2 signs.

TWS INTERNALLY ILLUMINATED TENANT WALL SIGN

NTS



1 PUSH-THROUGH INDIVIDUAL ILLUMINATED CHANNEL LETTERS:



2 INDIVIDUAL HALO-ILLUMINATED CHANNEL LETTERS:

* Artwork as shown is fictitious and is for sizing and construction method purposes only.

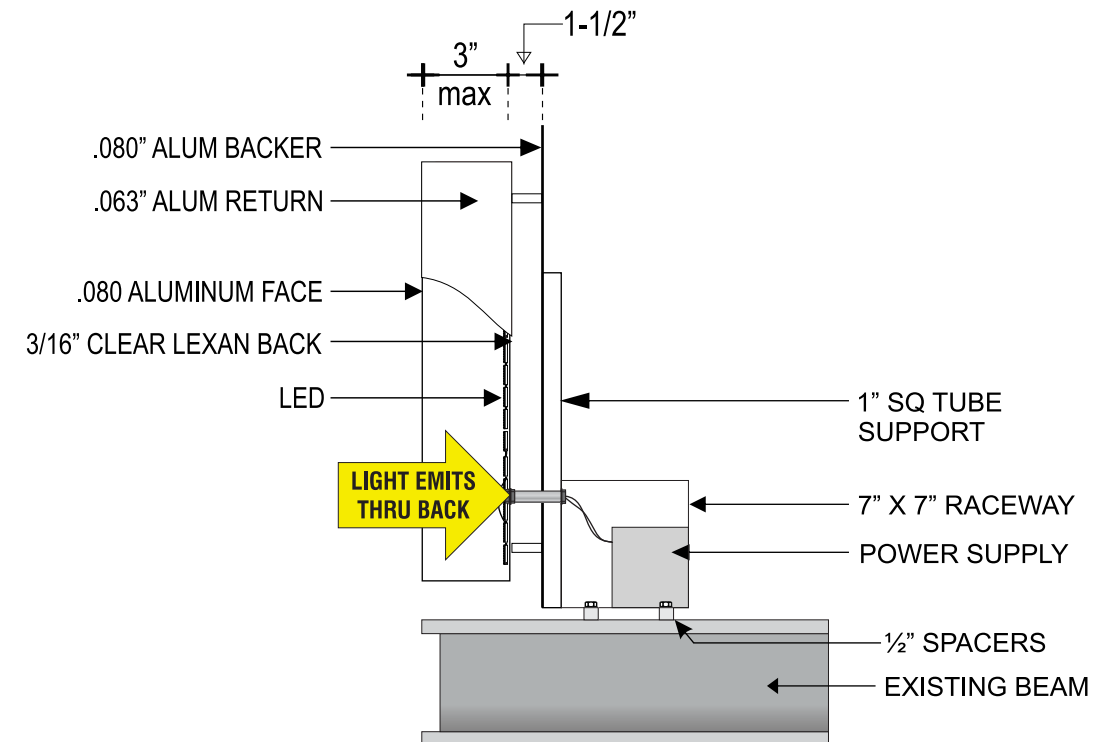
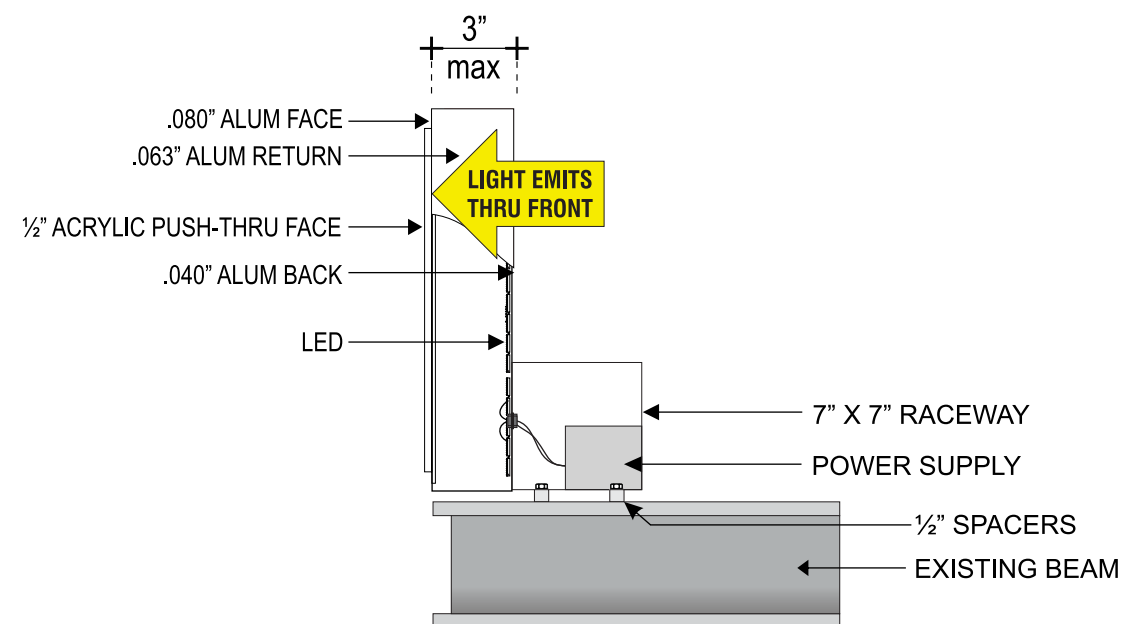


SIGNAGE CRITERIA:

SIGN AREA:	1 square foot per lineal foot of lease frontage.
MAX. WIDTH:	75% of lease frontage.
MAX HEIGHT:	24" letter height.
MAX NUMBER:	1 sign per building face, not to exceed 2 signs.

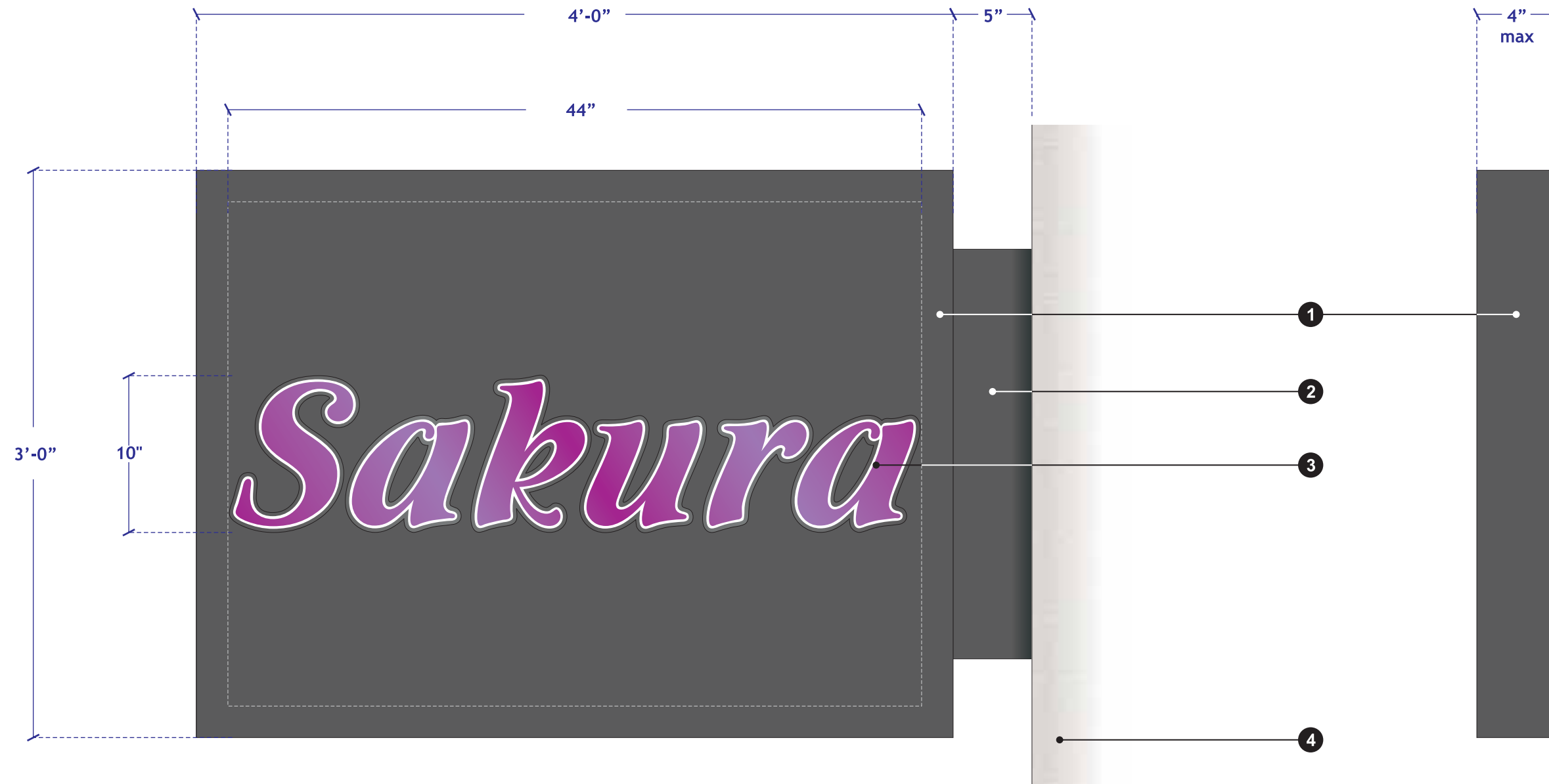
TCS INTERNALLY ILLUMINATED TENANT CANOPY SIGN

NTS



1 PUSH-THROUGH ILLUMINATED CHANNEL LETTERS:

2 HALO-ILLUMINATED CHANNEL LETTERS:



TMS EXTERNALLY ILLUMINATED D/F MARQUEE SIGN
Quantity One

Sign area: 15' □
Scale: 1½" = 1'-0"

1 END VIEW
Scale: 1½" = 1'-0"

1. 4" deep custom fabricated aluminum sign cabinet painted to match PMS 432C. External Illumination.
2. 3" deep aluminum attachment bracket painted to match PMS 432C.
3. .080 aluminum panel with digitally printed vinyl graphic overlay.
4. Finished wall surface

Note: Creative shapes & brackets encouraged

* Artwork as shown is fictitious and is for sizing and construction method purposes only.



TBS ILLUMINATED D/F BLADE SIGN
Three units required

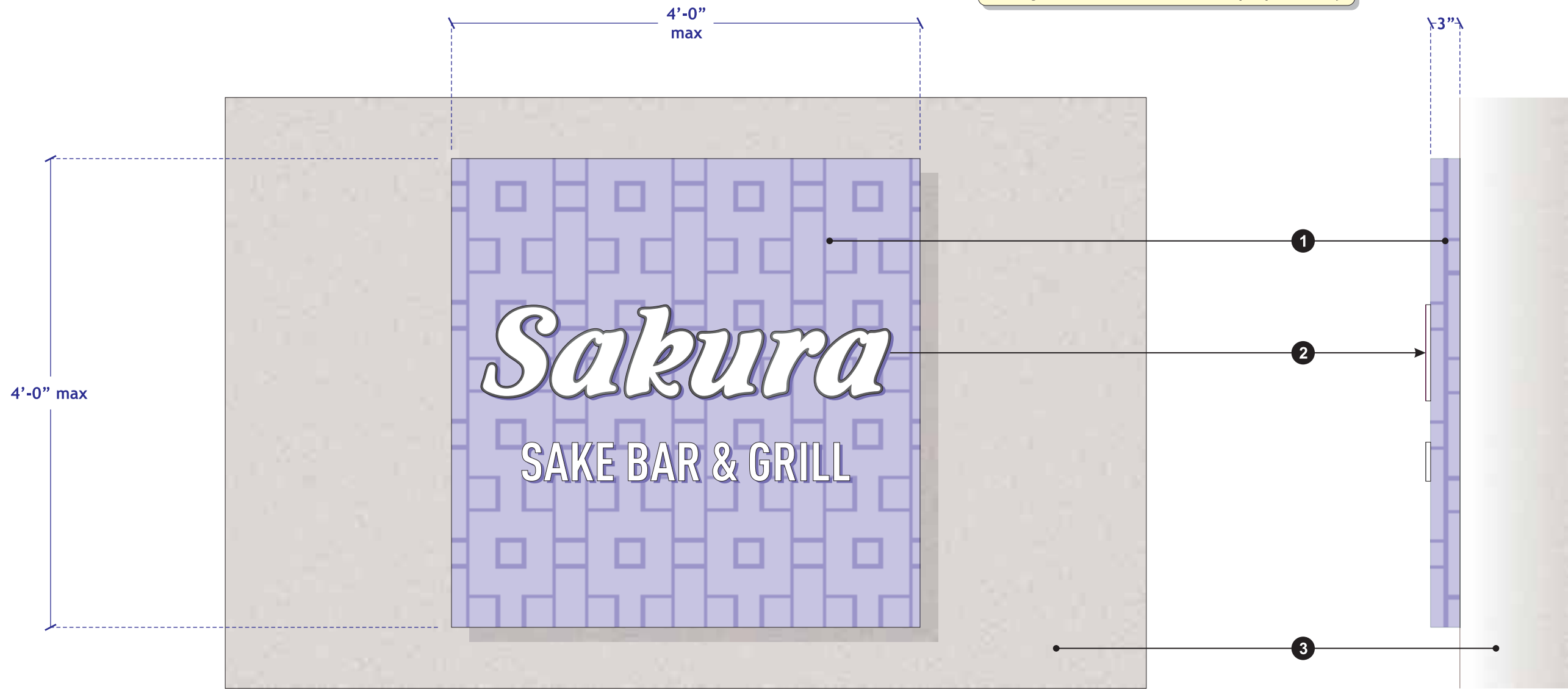
Sign area: 6.25' □
Scale: 1½" = 1'-0"

1 END VIEW
Scale: 1½" = 1'-0"

1. 5" deep custom fabricated aluminum sign cabinet painted to match PMS 432C.
Illumination to be provided by white LED modules located in perimeter scone around image area.
LED power supply to be self contained.
2. 3" deep aluminum attachment bracket painted to match PMS 432C.
3. .080 aluminum panel with digitally printed vinyl graphic overlay.
4. Finished wall surface

Note: Creative shapes & brackets encouraged

* Artwork as shown is fictitious and is for sizing and construction method purposes only.



TSWS TENANT SECONDARY INTERNALLY ILLUMINATED WALL SIGN
One unit required

Sign area NTE: 16.00' □
Scale: 1" = 1'-0"

1 PROFILE
Scale: 1" = 1'-0"

1. 3" deep internally illuminated aluminum sign cabinet.
Face to be routed to accommodate push through copy and graphics.
Internal illumination to be provided by white LED modules located on equal centers for even lighting.
LED power supply to be remotely located.
2. ½" thick clear acrylic push through copy and graphics with translucent colored vinyl overlay.
3. Finished wall surface, Sign shall have a background panel or other design to minimize holes in wall surface.

VESTING TENTATIVE PARCEL MAP NO. 2015-171

IN THE CITY OF DANA POINT,
COUNTY OF ORANGE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 10 AND A PORTION OF LOT 11, BOTH OF BLOCK P, TRACT NO. 573, FILED IN BOOK 20 PAGE 29 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA.

FOR CONDOMINIUM PURPOSES
FOR THE PURPOSE OF CREATING AIRSPACE OWNERSHIP OF COMMERCIAL DEVELOPMENT FROM RESIDENTIAL SEPARATE FROM THE PROJECT'S TOWN HOME RESIDENTIAL COMPONENT

RECORD OWNER
M & A GARAGE, A CALIFORNIA LIMITED PARTNERSHIP

PROPERTY ADDRESS
34175-34177 PACIFIC COAST HIGHWAY, DANA POINT, CA

CONTACT PERSON:
GEORGE RAY
CHARLES COMPANY
3034 W. SUNSET BOULEVARD
HOLLYWOOD, CA 90029
(818) 218-8498

ASSESSOR PARCEL NO.
662-322-09 & 10

TITLE INFORMATION
THE TITLE INFORMATION SHOWN HEREON IS PER PRELIMINARY REPORT NO. 0180-03817 DATED OCTOBER 20, 2015 AS PREPARED BY STEWART TITLE, GLENDALE, CA [TITLE OFFICER: LARRY MCGUIRE, TELEPHONE: (818) 562-2723]. NO RESPONSIBILITY OF CONTENT, COMPLETENESS OR ACCURACY OF SAID COMMITMENT IS ASSUMED BY THIS MAP OR THE SURVEYOR.

LEGAL DESCRIPTION
PARCEL 1:
LOT 10, BLOCK P, TRACT NO. 573, IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20 PAGE 29 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA.

PARCEL 2:
LOT 11, BLOCK P, TRACT NO. 573, IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20 PAGE 29 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 11; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, SOUTH 79°49'00" WEST, 94.88 FEET; THENCE SOUTH 51°55'00" EAST, 64.01 FEET; THENCE SOUTH 11°17'38" EAST, 86.59 FEET TO THE EASTERLY LINE OF SAID LOT 11; THENCE ALONG SAID EASTERLY LINE, NORTH 0°10'00" EAST, 119.53 FEET TO THE POINT OF BEGINNING, AS COMEASURED BY THE COUNTY OF ORANGE FOR PUBLIC STREET AND HIGHWAY PURPOSES BY TRIAL ORDER OF CONDEMNATION RECORDED FEBRUARY 23, 1971 IN BOOK 8551 PAGE 818 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL STANDING, FLOWING, PERCOLATING OR OTHER WATERS NOW AND/OR HEREAFTER IN OR UNDER SAID LAND, TOGETHER WITH THE RIGHT TO REMOVE THE SAME THROUGH UNDERGROUND CHANNELS OF THE SAME MEANS OF WELLS OR TUNNELS ON OTHER PROPERTY.

ALSO EXCEPTING THEREFROM ALL RIPARIAN WATER RIGHTS FOR THE USE AND BENEFIT OF SAID RIPARIAN LAND.

TITLE EXCEPTIONS AND EASEMENTS
A-C TAXES

1 AN EASEMENT GRANTED TO THE STATE OF CALIFORNIA BY DOCUMENT RECORDED IN BOOK 554 PAGE 209 OF DEEDS AND RECORDED JANUARY 21, 1928 IN BOOK 125 PAGE 83, OF OFFICIAL RECORDS.
(DOCUMENT AFFECTS - NOT PLOTTABLE)

2 COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH IN INSTRUMENT RECORDED MAY 11, 1929 IN BOOK 285 PAGE 493 AND RECORDED MAY 24, 1932 IN BOOK 550 PAGE 403, BOTH OF OFFICIAL RECORDS.
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [A])
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [B])

3 AN EASEMENT IN FAVOR OF TITLE INSURANCE AND TRUST COMPANY FOR POLE LINES AND RIGHTS INCIDENTAL, RECORDED IN BOOK 285 PAGE 493 OF OFFICIAL RECORDS, AND RECORDED MAY 24, 1932 IN BOOK 550 PAGE 403, OF OFFICIAL RECORDS.
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [A])
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [B])

4 AN UNRECORDED LEASE RECORDED MARCH 8, 1974 IN BOOK 11091 PAGE 863, OFFICIAL RECORDS.
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [C])

5 AN EASEMENT IN FAVOR OF THE COUNTY OF ORANGE FOR STREET AND HIGHWAY PURPOSES AND RIGHTS INCIDENTAL THEREON, RECORDED JULY 2, 1974 IN BOOK 11187 PAGE 344, OFFICIAL RECORDS.
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [C])

6 AN EASEMENT IN FAVOR OF THE COUNTY OF ORANGE FOR STREET AND HIGHWAY PURPOSES AND RIGHTS INCIDENTAL THEREON RECORDED JULY 3, 1974 IN BOOK 11188 PAGE 348, OFFICIAL RECORDS.
(DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [D])

7 AN UNRECORDED LEASE RECORDED SEPTEMBER 4, 1974 IN BOOK 11236 PAGE 1, OFFICIAL RECORDS.

8 AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC, A CORPORATION FOR ELECTRICAL FACILITIES AND RIGHTS INCIDENTAL THEREON RECORDED SEPTEMBER 14, 1974 IN BOOK 11238 PAGE 35, OFFICIAL RECORDS.
(DOCUMENT AFFECTS - NOT PLOTTABLE)

9 DEED OF TRUST RECORDED JANUARY 26 1987 AS INSTRUMENT NO. 87-040724, OF OFFICIAL RECORDS.
A REASSIGNMENT OF SAID DEED RECORDED APRIL 27, 2010 AS INSTRUMENT NO. 2010000186387, OF OFFICIAL RECORDS.

10 TERMS AND PROVISIONS OF A SUBLEASE, A MEMORANDUM OF WHICH IS RECORDED NOVEMBER 4, 1988 AS INSTRUMENT NO. 19880257500, OFFICIAL RECORDS.

THE MATTERS CONTAINED IN AN INSTRUMENT ENTITLED "NON-DISTURBANCE AND ATTORNEY AGREEMENT (SITE 102 07134)" RECORDED JULY 22, 1987 AS INSTRUMENT 19870348475, OFFICIAL RECORDS.

11 AN EASEMENT IN FAVOR OF CITY OF DANA POINT, A MUNICIPAL CORPORATION, FOR TEMPORARY CONSTRUCTION AND RIGHTS INCIDENTAL THEREON, RECORDED MARCH 13, 2012 AS INSTRUMENT NO. 2012000144098, OF OFFICIAL RECORDS.
DOCUMENT AFFECTS - DENOTED HEREON AS SYMBOL [E]

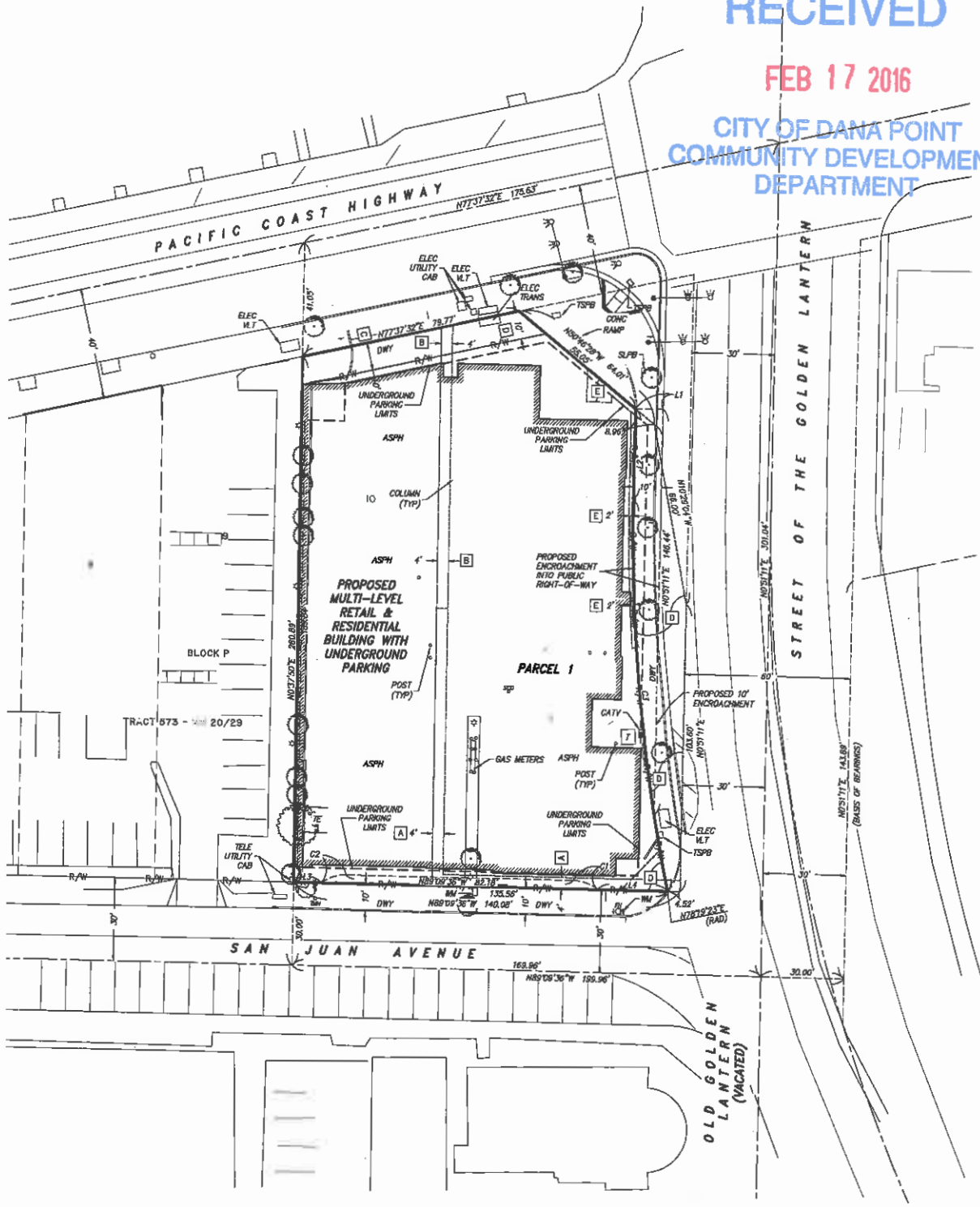
TITLE EXCEPTIONS AND EASEMENTS (CONT.)
12 DEED OF TRUST RECORDED APRIL 1, 2013 AS INSTRUMENT NO. 2013000183016, OF OFFICIAL RECORDS.
AN ASSIGNMENT OF RENTS AND LEASES, RECORDED APRIL 1, 2013 AS INSTRUMENT NO. 2013000183017, OF OFFICIAL RECORDS.

13-14 TITLE COMPANY STATEMENT.

ABBREVIATIONS
ASPH/AC ASPHALT
CAB CABINET
CONC CONCRETE
DWM DRIVEWAY
ELEC ELECTRIC
EY ELECTRIC VAULT
FH FIRE HYDRANT
FL FLOWLINE
CATV CABLE TELEVISION BOX
SCD SEWER CLEAN OUT
SLPB STREET LIGHT PULL BOX
TC TOP OF CURB
TELE TELEPHONE
TMH TELEPHONE MANHOLE
TSPB TRAFFIC SIGNAL PULLBOX
TYP TYPICAL
VLT VAULT
WM WATER METER

SYMBOL LEGEND
MISCELLANEOUS
+ FIRE HYDRANT
* LIGHT POLE
- SIGN
○ TREE
-/- TRAFFIC SIGNAL WITH ARM
-/- TRAFFIC SIGNAL ON POLE
□ TRANSFORMER

LINE LEGEND
PROPERTY LINE
CENTER LINE
EASEMENT
PROPOSED BUILDING
RIGHT-OF-WAY
UNDERGROUND PARKING LIMITS



RECEIVED
FEB 17 2016
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

BENCHMARK
THE ELEVATIONS SHOWN HEREON ARE BASED ON THE FOLLOWING BENCHMARK:
BM No.: M-1415 ELEV.: 138.550' (COUNTY OF ORANGE BENCHMARK)
DATE: 11/10/88
DESCRIPTION: DESCRIBED BY OCS 3003 - FOUND 3 1/4" NGS BRONZED DISK STAMPED "M 1415 1988", SET IN THE NORTHWESTERLY CORNER OF A 1 FT. BY 4 FT. CONCRETE CATCH BASIN MONUMENT IS LOCATED IN THE SOUTHERLY PORTION OF THE "T" INTERSECTION OF NORTHBOND PACIFIC COAST HIGHWAY AND EL ENCANTO, 1 FT. WESTERLY OF THE CENTERLINE OF EL ENCANTO PROLONGED TO THE SOUTH AND 21.7 FT. SOUTHWESTERLY OF THE CENTERLINE OF NORTHBOND PCH. MONUMENT IS SET LEVEL WITH THE SIDEWALK.

BASIS OF BEARINGS
THE BEARINGS OF THE LINES SHOWN HEREON ARE BASED ON A PORTION OF THE NORTHERLY SEGMENT OF THE WESTERLY TRACT BOUNDARY OF TRACT NO. 11153, FILED IN BOOK 502, PAGES 13 THROUGH 19 OF MISCELLANEOUS MAPS, 12/05/11'E.

AREA
PARCEL 1 GROSS LAND AREA IS: 26587 SF / 0.61 ACRES

COVENANTS, CONDITIONS, & RESTRICTIONS NOTE
1. THIS PROJECT WILL PROCESS AND RECORD COORDINATES FOR THE MAINTENANCE AND COST SHARING RESPONSIBILITY OF THE FUTURE COMMON UTILITY FACILITIES SERVING THIS SITE, INCLUDING BUT NOT LIMITED TO PRIVATE WATER, FIBER, IRRIGATION, SEWER, DRAINAGE, ETC.

PERMITS
COASTAL DEVELOPMENT PERMIT: CD14-0012
SITE DEVELOPMENT PERMIT: SD14-0014
VARIANCE PERMIT: V15-0003

SURVEYOR'S STATEMENT
THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

PASCAL R. APONTE, PLS 7734
EMAIL: paponter@prc-eng.com
PRC ENGINEERING, INC.
100 S. OLD SPRINGS ROAD
SUITE 210
ANNHEIM, CA 92806
PHONE: (714) 685-6889
FAX: (714) 685-6891



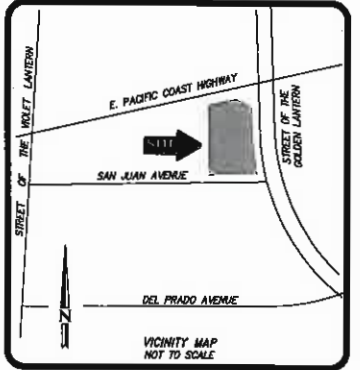
01/26/2016
DATE

LINE TABLE

LINE	BEARING	LENGTH
L1	N88°08'49"W	10.00'
L2	N05°11'E	32.86'
L3	N69°09'36"W	9.99'
L4	N89°09'36"W	25.40'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	38°52'12"	15.00'	9.85'
C2	38°52'12"	15.00'	9.85'
C3	123°1'48"	650.00'	142.15'



VESTING TENTATIVE PARCEL MAP NO. 2015-171
34175-34177 PACIFIC COAST HIGHWAY
DANA POINT, CALIFORNIA

NO./REVISION	DATE	ISSUE
1	12/09/2015	FINAL
2	12/17/2015	
3	01/26/2016	

PROJECT NO: 13-301
SHEET NUMBER: 1
OF 1 SHEET
SCALE: 1" = 20'

PRC ENGINEERING, INC.
Civil Engineering/Land Surveying/Lead Planning
100 S. Old Springs Road, Ste. 210
Annheim, California 92806
(714) 685-6889

Supporting Doc #6

SUPPORTING DOCUMENT NO. 7

“PCH & GOLDEN LANTERN” FLY-THROUGH VIDEO

Please follow the link to access the video:

<https://youtu.be/E3ebneUBj2U>