

**CALIFORNIA COASTAL COMMISSION**  
 South Coast Area Office  
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Filed:  
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 180<sup>th</sup> Day:  
 Staff:  
 Staff Report:  
 Hearing Date:  
 Commission Action:

June 13, 2001  
 August 1, 2001  
 December 10, 2001  
 FSYLB FSY  
 July 19, 2001  
 August 7-10, 2001



**Tues 7i**

**RECORD PACKET COPY**

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-01-156  
**APPLICANT:** Casablanca Court LTD LP, Soto Kafetzopoulos  
**AGENT:** James Lindenberger  
**PROJECT LOCATION:** 1601 and 1615 North El Camino Real, City of San Clemente (Orange County)

**PROJECT DESCRIPTION:** Construction of a new 20' x 40' swimming pool and a 10' x 20' pergola with associated hardscape and landscape area, renovation of the top floor of an existing office building to provide nine (9) additional guestrooms to the adjacent forty-two (42) room motel and conversion of one (1) existing room in the motel into a data port center. There will be 250 cubic yards of excavation for pool construction that will be exported to an area outside of the Coastal Zone.

**SUMMARY OF STAFF RECOMMENDATION:**

The major issue of this staff report is parking. Staff recommends the Commission **APPROVE** the proposed development with two (2) special conditions. Special Condition 1 is a future improvements special condition. Special Condition 2 requires submittal of revised plans showing the location of the proposed data port center.

**LOCAL APPROVALS RECEIVED:** Approval in Concept from the Department of Community Development of the City of San Clemente dated April 19, 2001 and Approval of Conditional Use Permit 00-140 (Resolution No. PC 01-27) from the Planning Commission of the City of San Clemente dated April 3, 2001.

**SUBSTANTIVE FILE DOCUMENTS:** City of San Clemente Certified Land Use Plan (LUP) and Geotechnical Investigation prepared by G. A. Nicoll and Associates (Project No. 5929-04) dated May 16, 2001.

**LIST OF EXHIBITS**

1. Location Map
2. Assessor's Parcel Map
3. Site Plan
4. Project Plans
5. Coastal Access Map

## **STAFF RECOMMENDATION:**

Staff recommends that the Commission APPROVE the permit application with special conditions.

## **MOTION:**

*I move that the Commission approve CDP No. 5-01-156 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. This will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

## **RESOLUTION:**

### **I. Approval with Conditions**

The Commission hereby **approves** a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

### **II. Standard Conditions**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**III. Special Conditions**

**1. Future Improvement/Parking**

This coastal development permit 5-01-156 is only for the development, located at 1601 and 1615 North El Camino Real, in the City of San Clemente, County of Orange, as expressly described and conditioned herein. Any future improvements or development as defined in Section 30106 of the Coastal Act, including an increase in square footage or any other change in the intensity of use of the property, shall require an amendment to this permit or a new coastal development permit from the Coastal Commission or its successor agency.

**2. Revised Plans Showing Data Port Center**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and written approval of the Executive Director, a revised floor plan for the Casablanca Inn (1601 North El Camino Real) which demonstrates the following.

1. The plans shall show the location of a converted guestroom into a data port center within the Casablanca Inn (1601 North El Camino Real).

**B.** The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. LOCATION AND PROJECT DESCRIPTION**

###### **1. Location**

The subject site consists of the properties located at 1601 and 1615 North El Camino Real (within the North Beach Study Area) in the City of San Clemente, Orange County (Exhibits #1-2). The 1615 North El Camino Real property is located one lot north of the Casablanca Inn, which is located at 1601 North El Camino Real. The applicant is the owner of both properties. The project is located in North Beach, within the General Commercial (C-2) zone and the Coastal Zone, but it is not between the first public road and the sea. The surrounding uses are retail and restaurant uses, light industrial and auto repair. North Beach is envisioned as a community- and visitor-serving, pedestrian-oriented area of activity. Lodging uses that are located above lower level commercial uses are encouraged to establish a pedestrian oriented village environment.

###### **2. Project Description**

The proposed project (Exhibits #3-4) will consist of construction of a new 20' x 40' swimming pool and a 10' x 20' pergola with associated hardscape and landscape area, conversion of approximately 5,000 square feet of existing second story office space into nine (9) additional guestrooms for the adjacent forty-two (42) room Casablanca Inn and conversion of one (1) existing room at the Casablanca Inn into a data port center. The project also involves construction of one (1) new sliding glass door and one (1) additional window on the second story office space that is being converted into guestrooms and a five (5) foot wall with one foot of wrought iron on top that will surround the proposed pool. There will be 250 cubic yards of excavation for the pool construction that will be exported to a site outside of the Coastal Zone. The swimming pool and the nine (9) guestrooms are proposed to be added to the existing Casablanca Inn's amenities and resources, some of which are located on the subject site. There are currently thirty-eight (38)-parking spaces available for the office, but the construction of the swimming pool will eliminate nine (9) of those parking spaces and a trash enclosure. Post project, twenty-nine (29)-parking spaces will be available for the office/motel use.

##### **B. NEW DEVELOPMENT/PUBLIC ACCESS**

###### **1. Coastal Act Policies**

As defined by Section 30106 of the Coastal Act, "development" means change in the density or intensity of use of land or construction, reconstruction, demolition, or alteration of the size of any structure. The proposed project involves conversion of existing office space into hotel space and construction of a new pool on a currently occupied lot.

Section 30250 of the Coastal Act states, in pertinent part:

*New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

Section 30252 of the Coastal Act requires that new development maintain and enhance public access to the coast. It states, in relevant part:

*The location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.*

## **2. City of San Clemente Land Use Plan Policies**

Chapter Three of the City of San Clemente Certified Land Use Plan (LUP) contains goals and policies regarding new commercial development. Until such time as the City's Implementation Plan (IP) is approved and the Local Coastal Program (LCP) has been certified by the Commission, the Chapter Three policies of the Coastal Act are applied as the standard of review, but the provisions of the LUP can be used as guidance in interpreting Coastal Act policies.

LUP Policy 302 (B) II.2 states:

*Accommodate the development of a mix of residential and commercial uses in area designated as "MU" in accordance with the density and height standards stipulated in Table 3-1.*

Mirroring Section 30252 of the Coastal Act, Policy 302 (G) VII.1 (b) and (d) states, in relevant part:

*The location and amount of new development should maintain and enhance public access to the coast by ... (d) providing adequate parking facilities or a substitute means of serving the development with public transportation.*

The subject site is designated Mixed Use (MU) in the City's LUP. Table 3-1 of the LUP identifies typical principal uses for this zone as follows:

*Retail commercial, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, **professional offices**, personal services, recreational commercial, **overnight accommodations**, cultural facilities, and similar uses (emphasis added).*

*Residential uses on second floor and higher integrated with commercial, excluding large scale single-use functions (e.g., grocery stores) and provided impacts are mitigated.*

### 3. Parking

#### Office Parking

This component of the proposed development involves conversion of approximately 5,000 square feet of existing second story office (1615 North El Camino Real) space into nine (9) additional guestrooms to the adjacent forty-two (42) room Casablanca Inn (1601 North El Camino Real). The second floor of the subject office building is currently connected to the Casablanca Inn by an existing exterior ramp. The City requires that one (1) parking space be available for each 300 square feet of office building area. The subject building currently provides thirty-eight (38) parking spaces for the office use, even though only thirty-six (36) parking spaces are required. The subject building also houses an existing banquet/meeting facility and fitness center area that are utilized exclusively by the Casablanca Inn guests. No parking resources are provided for these facilities because they are specifically for the Casablanca Inn guests. The proposed conversion of the office space to guestrooms results in a reduction of the site's overall parking requirements from thirty-six (36) to twenty-seven (27). The City requires one (1) parking space per guestroom for hotel uses and one (1) space for a manager's unit. Based on this proposed project, eighteen (18) parking spaces are required for the office/retail uses on the first floor and nine (9) parking spaces are required for the new guestrooms. Thus, a total of twenty-seven (27) parking spaces are required. Twenty-nine (29) parking spaces are being proposed for the site.

Therefore, as proposed the office/motel lot will provide adequate parking. Eighteen (18) parking spaces are required for the office use and nine (9) spaces are required for the motel use. A total of twenty-seven (27) parking spaces are required and twenty-nine (29) spaces are proposed on site.

#### Motel Parking

This component of the proposed development resolves a parking deficiency at the adjacent Casablanca Inn (1601 North El Camino Real) which provides forty-two (42) guestrooms. As currently configured, the motel site is deficient by one (1) parking space. The City requires one (1) parking space per guestroom for hotel uses and one (1) space for a manager's unit. Currently, the motel lot is legal non-conforming use because a manager's parking space is not provided. Presently, the manager is parking in the office building parking lot.

The motel's parking deficiency is resolved through the use of the office parking lot. The office parking lot provides thirty-eight (38) parking spaces, while only thirty-six (36) spaces are required. The manager currently occupies one (1) of the excess parking spaces located on the office building parking lot. This leaves thirty-seven (37) parking spaces available for the office use. The current proposed project states that one (1) existing guestroom at the motel will be converted to a data port center thus reducing the number of guestrooms to forty-one (41). The data port center will have six work stations equipped with dedicated data ports. The forty-one (41) remaining guestrooms on the motel lot will then have forty-two (42) parking spaces available. This would allow the manager to park on the motel parking lot due to the availability one (1) parking space. The manager would not need to park in the office parking lot.

Therefore, as proposed the motel lot will provide adequate parking. Forty-one (41) parking spaces are required for the guestrooms and one (1) space is required for the manager's unit. A total of forty-two (42) parking spaces are required and forty-two (42) spaces exist on site.

#### **Conclusion**

The project as proposed would improve the existing parking conditions on both the motel and office lots, deintensify the use of the existing office building and increase the visitor serving commercial use of the area.

#### **4. Public Access**

The project site is located on the landward side of North El Camino Real and is not located between the first public road and the sea. The nearest coastal vertical access is North Beach, which is located approximately one-half mile away. Vehicular access to North Beach is from El Camino Real to Avenida Estacion or Boca de la Playa where several public-parking areas can be reached (Exhibit #5).

When a new development does not provide adequate on-site parking, users of that development who come by automobile are forced to occupy public parking spaces that might otherwise be used by visitors to the coastal zone. Thus, all new development must provide adequate on-site parking to minimize adverse impacts on public access. The proposed conversion of office space to motel space and the conversion of one guestroom at the motel into a data port center will provide adequate on-site parking for both lots. Consequently, no on-street parking will be affected by the new development.

To assure that no impacts to public access are due to parking inadequacy at the project site, it is necessary to impose two (2) Special Conditions.

Currently, the (1601 North El Camino Real) motel site is deficient in parking. This results in the motel manager parking in the adjacent office building lot (1615 North El Camino Real). The proposed project resolves this by converting one (1) of the existing guestrooms on the motel lot into a data port center, thus providing a parking space for the manager. This would resolve the current inadequate parking status. However, any future improvements or development on the motel lot or office lot, such as a conversion of the data port room back into a guestroom on the motel lot, would require additional parking. This would result once again in an inadequate parking situation. To conform with established parking requirements, Special Condition 1 requires that any future improvements or development as defined in Section 30106 of the Coastal Act, including an increase in square footage or any other change in the intensity of use of the property, shall require an amendment to this permit or a new coastal development permit from the Coastal Commission or its successor agency.

Conversion of one (1) of the existing guestrooms at the motel into a data port center would resolve the current inadequate parking situation. The applicant has stated that the guestroom will be converted into a data port center, but the submitted plans do not locate the new data port center. Thus, in order to verify that no parking inadequacies will

exist with the proposed project, Special Condition 2 requires submittal of revised plans showing the location of the new data port center within the Casablanca Inn that would be replacing an existing guestroom. Therefore, as conditioned, the Commission finds the proposed project consistent with 30252 of the Coastal Act regarding parking.

**F. LOCAL COASTAL PROGRAM**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City submitted a revised IP for Commission review in June 1999. It was subsequently withdrawn in October 2000. The proposed development is consistent with the policies contained in the certified Land Use Plan and in Chapter 3 of the Coastal Act. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

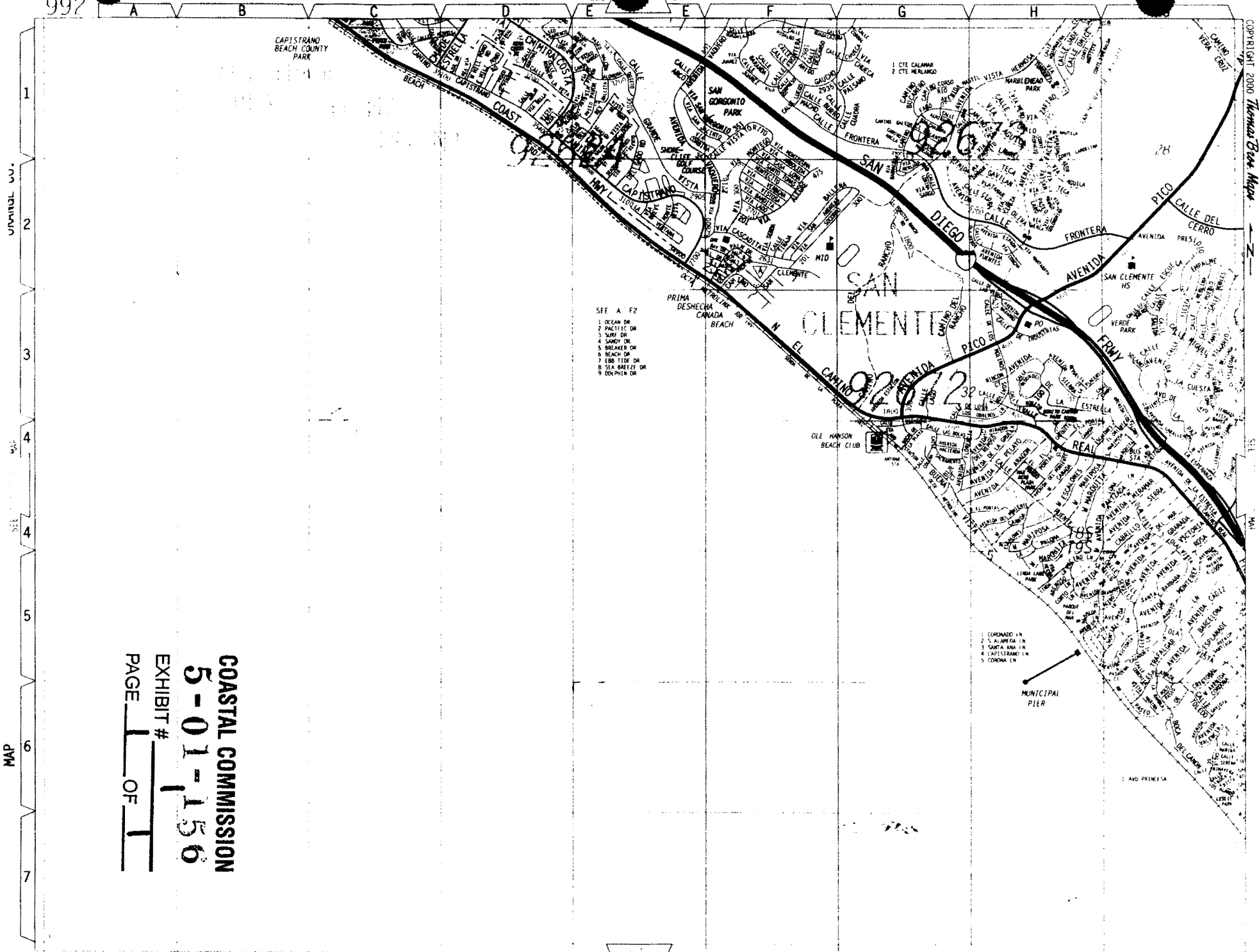
**G. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

Mitigation measures, in the form of special conditions, require 1) an amendment if any future improvements take place and 2) submittal of revised plans showing the location of the proposed data port center. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.



992



- SEE A F2
- 1 OCEAN DR
  - 2 PACIFIC DR
  - 3 SURF DR
  - 4 SANDY DR
  - 5 BREAKER DR
  - 6 BEACH DR
  - 7 EBB TIDE DR
  - 8 SEA BREEZE DR
  - 9 DOLPHIN DR

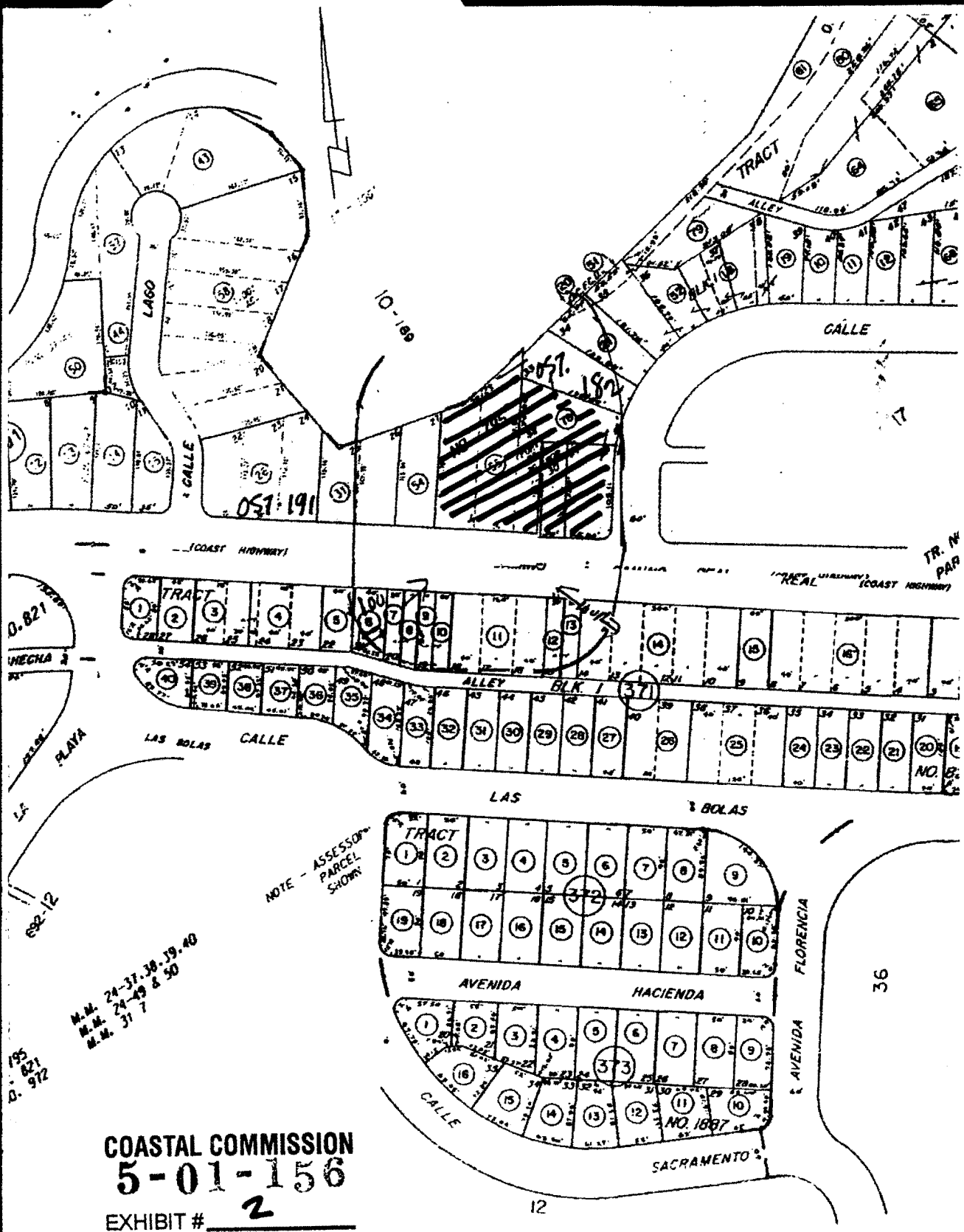
- 1 CORONADO LN
- 2 S ALPARGA LN
- 3 SANTA ANA LN
- 4 CAPISTRANO LN
- 5 CORONA LN

MUNICIPAL PIER

**COASTAL COMMISSION**  
**5-01-156**  
 EXHIBIT # 1  
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MAP

057-19



D. 821  
MECHA  
PLAYA  
LAS BOLAS CALLE  
LAS BOLAS  
FLORENCIA  
SACRAMENTO  
CALLE  
10-189  
17  
12  
36

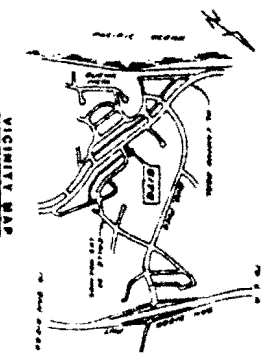
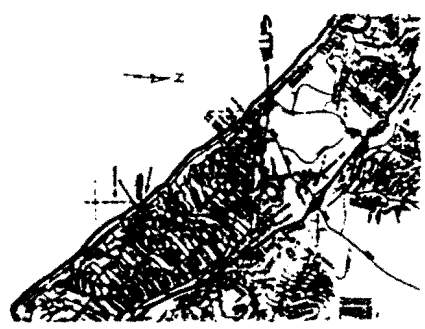
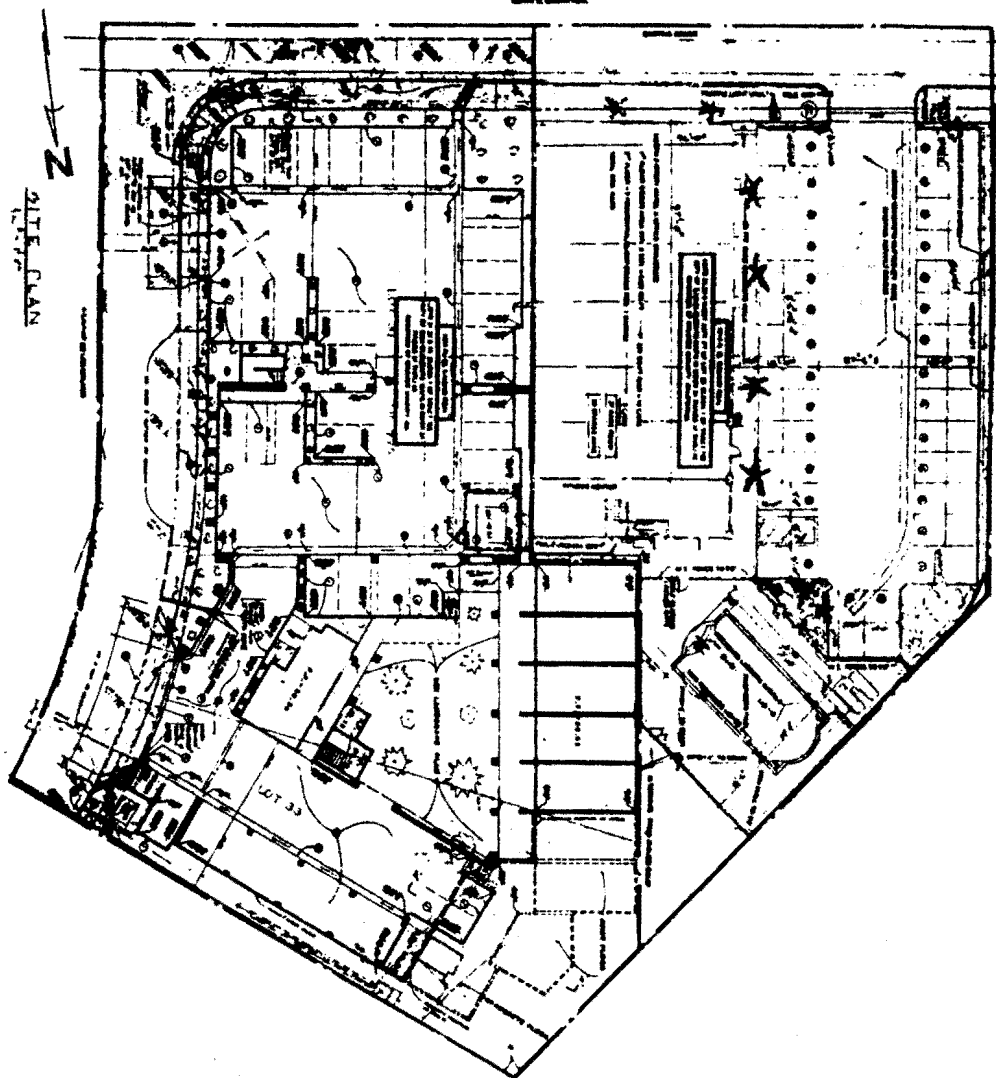
M.M. 24-37-38-39-40  
M.M. 24-49 & 50  
M.M. 31 7

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**5-01-156**  
EXHIBIT # 2  
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NOTE - ASSESSOR'S  
PARCEL  
SHOWN


NOTE ASSESSOR'S BLOCK &  
PARCEL NUMBERS  
SHOWN IN CIRCLES

ASSESS  
BOOK E  
COUNT



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 EXHIBIT # 3  
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SWIMMING POOL  
 AT THE CASABLANCA INN  
 16.4 Acre E.C. 100000.00  
 San Clemente, California 92679


**J.W. LANDMARK ASSOCIATES, INC.**  
 JOHN & LORRAINE LANDMARK  
 100000.00 ACRES OF LAND, 100000.00 ACRES OF WATER  
 100000.00 ACRES OF LAND, 100000.00 ACRES OF WATER

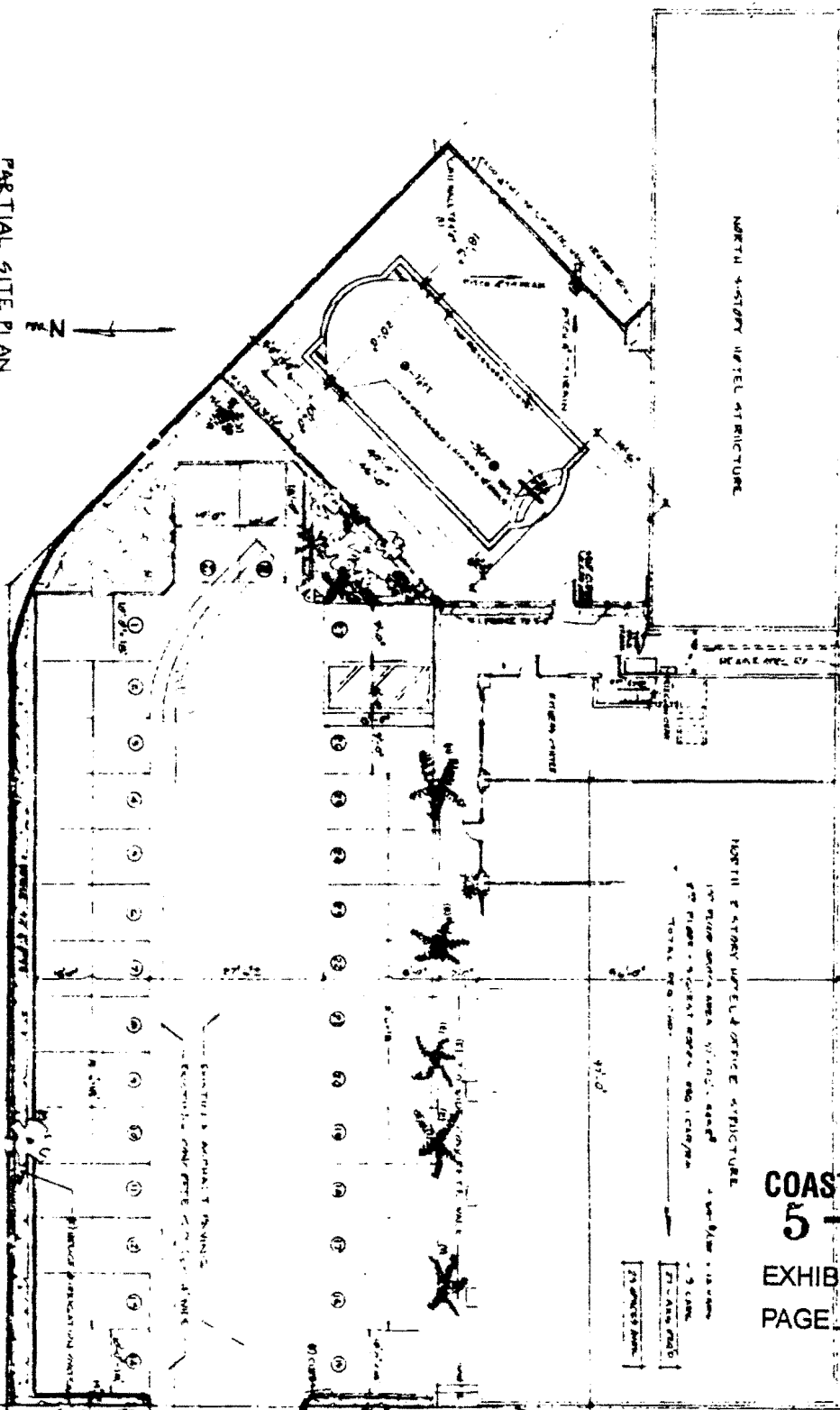
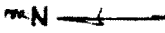
Comments

Prepared under the authority  
 of the Coastal Commission  
 and the State of California  
 Date: 10/10/79

NO.	DATE	DESCRIPTION

ALL RIGHTS  
**SP**

PARTIAL SITE PLAN



COASTAL COMMISSION  
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THE SCOTTSBORO...  
AT THE CAMARANO INN  
1414 NORTH...  
SCOTTSBORO, ALABAMA

AND LANDSCAPE ARCHITECTURE...  
1414 NORTH...  
SCOTTSBORO, ALABAMA

...  
SCOTTSBORO, ALABAMA

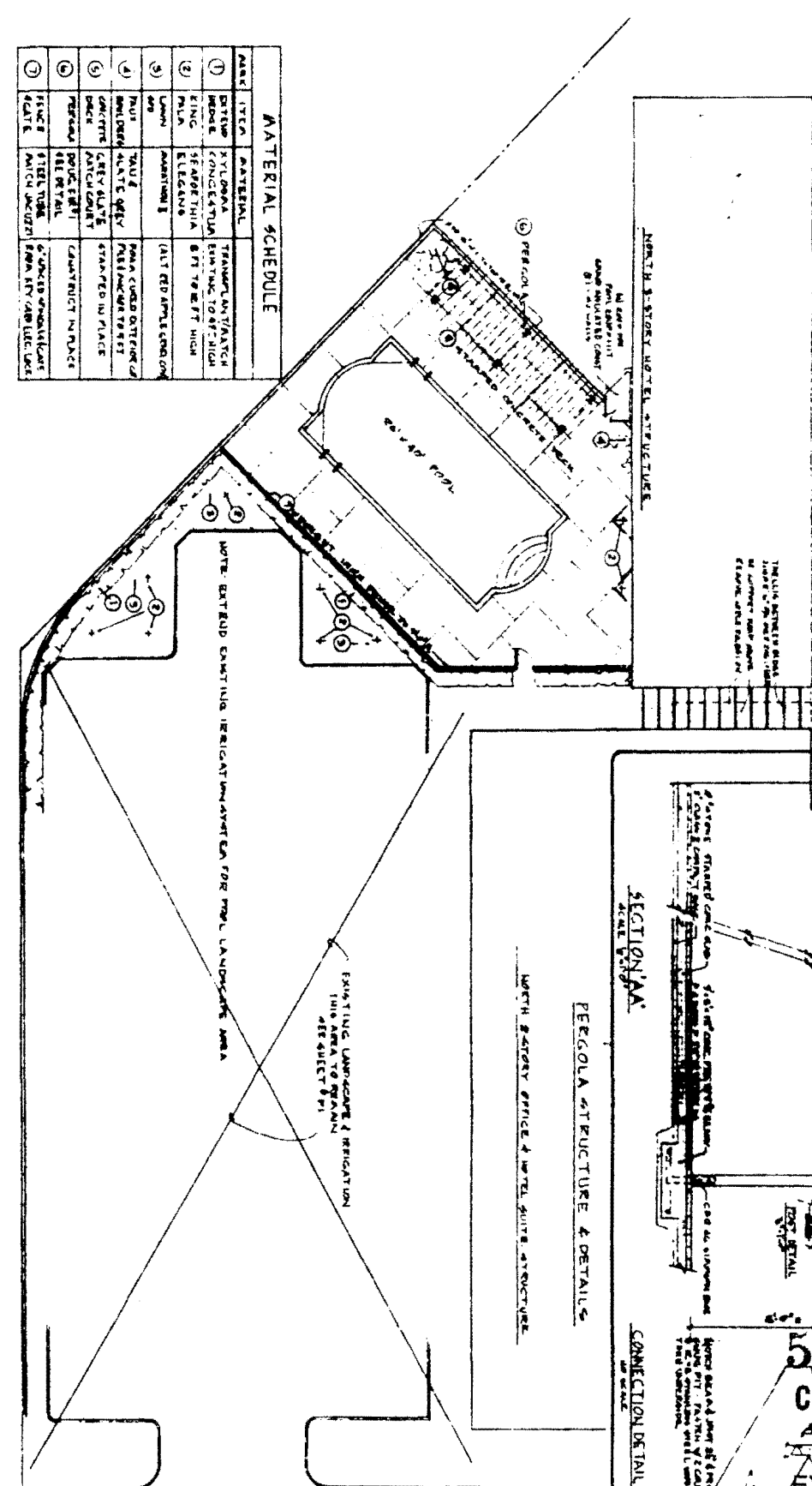
...  
SCOTTSBORO, ALABAMA

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SCOTTSBORO, ALABAMA

...  
SCOTTSBORO, ALABAMA

MATERIAL SCHEDULE		
ITEM	DESCRIPTION	QUANTITY
1	TRAMPOLINE MAT	1000 SQ FT
2	PERGOLA STRUCTURE	1 UNIT
3	PERGOLA SLATS	100 LBS
4	PERGOLA POSTS	100 LBS
5	PERGOLA BRACKETS	100 LBS
6	PERGOLA BOLTS	100 LBS
7	PERGOLA NUTS	100 LBS
8	PERGOLA WASHERS	100 LBS
9	PERGOLA ANCHORS	100 LBS
10	PERGOLA BRACKET	100 LBS
11	PERGOLA SLAT	100 LBS
12	PERGOLA POST	100 LBS
13	PERGOLA BRACKET	100 LBS
14	PERGOLA BOLT	100 LBS
15	PERGOLA NUT	100 LBS
16	PERGOLA WASHER	100 LBS
17	PERGOLA ANCHOR	100 LBS
18	PERGOLA BRACKET	100 LBS
19	PERGOLA SLAT	100 LBS
20	PERGOLA POST	100 LBS

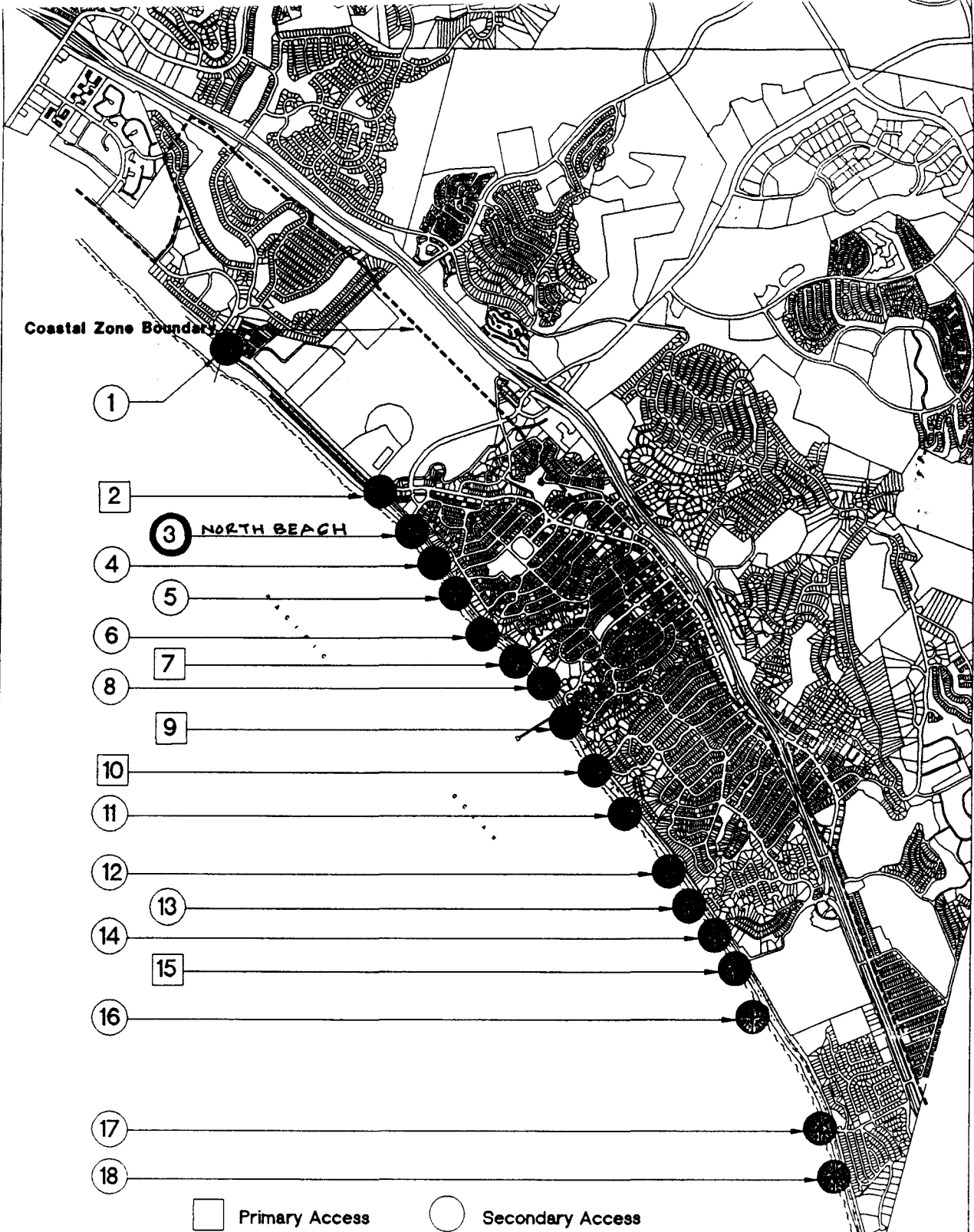
LANDSCAPE PLAN



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**COASTAL COMMISSION**  
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	□ Primary Access	○ Secondary Access
ESTRELLA-NORTH	1 - POCHE	PRESIDIO-CENTRAL
	2 - CAPISTRANO SHORES	10 - T-STREET
	3 - NORTH BEACH	11 - BOCA DEL CANON
PICO-PALIZADA	4 - DUJE COURT	12 - LOST WINDS
	5 - EL PORTAL	13 - RIVERA
	6 - MARIPOSA	14 - MONTALVO
PRESIDIO-CENTRAL	7 - LINDA LANE PARK	15 - AVE CALAFIA
	8 - CORTO LANE	16 - SAN CLEMENTE STATE PARK
	9 - MUNICIPAL PIER	17 - AVE DE LAS PALMERAS
		18 - CALLE ARIANA

**COASTAL COMMISSION**  
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 EXHIBIT **5**  
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**FIGURE 2-5**

**CITY OF SAN CLEMENTE**  
**COASTAL ACCESS POINTS**

