STATE OF CALIFORNIA - THE RESOURCES AGENCY GRAY DAVIS, *Governor*

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
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Filed:	September 16, 2002
49th Day:	November 4, 2002
180th Day:	March 15, 2003
Staff:	ALB-LB-ALB
Staff Report:	November 21, 2002
Hearing Date:	December 11-13, 2002
Commission Action:	

Tu 5a

STAFF REPORT: CONSENT CALENDAR

RECORD PACKET COPY

APPLICATION NUMBER: 5-02-202

APPLICANT: Timothy Imirie

AGENT: Michael Luna, Architect

PROJECT LOCATION: Bordered by Avenida Santa Barbara and Monterey Lane, City of San Clemente, Orange County

PROJECT DESCRIPTION: Construction of a 8,128 square foot, 43' high, split level 4-unit condominium complex ranging from three to six stories in height, with 2,034 square feet of parking garages providing 8 covered spaces (plus 2 uncovered for a total of 10 parking spaces) on a vacant through lot. Approximately 950 cubic yards of grading is proposed (850 c.y. cut and 100 c.y. fill) for site preparation. Excess material will be disposed of at an appropriate site outside the Coastal Zone.

LOCAL APPROVALS RECEIVED: City of San Clemente Planning Commission Approval of Cultural Heritage Permit 01-221 on April 30, 2002 and Planning Division Approval in Concept dated June 12, 2002.

SUBSTANTIVE FILE DOCUMENTS: City of San Clemente Certified Land Use Plan (LUP)

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending **APPROVAL** of the proposed project with two (2) special conditions which 1) inform the applicant that any future height increase or change in the density or intensity of use of the site will require a permit amendment or new permit and 2) require submittal of a drainage and runoff control plan showing runoff filtration prior to off-site discharge. The major issues associated with this development are community character, parking and water quality.

LIST OF EXHIBITS:

1. Location Map
2. Assessor's Parcel Map
3. Pier Bowl Map
4. Project Plans

STAFF RECOMMENDATION:

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

MOTION:

I move that the Commission approve CDP No. 5-02-202 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This will result in 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 coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

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 Development

This permit is only for the development described in Coastal Development Permit No. 5-02-202. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(b) shall not apply to this development governed by Coastal Development Permit No. 5-02-202. Accordingly, any future improvements to the structure authorized by this permit, including but not limited to, repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-02-167 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

2. Drainage and Run-Off Control Plan

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a drainage and runoff control plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants which are non-invasive.

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. PROJECT LOCATION AND DESCRIPTION

The subject site is a steeply sloping, vacant through lot located between Avenida Santa Barbara and Monterey Lane in the City of San Clemente, Orange County (Exhibits 1 & 2). The site is located immediately inland of the City's Pier Bowl District (Exhibit 3). The site is designated Residential High in the City's General Plan and certified Land Use Plan (LUP). The site is located approximately ½ mile from the beach. The nearest coastal access is available via pedestrian walkways at the San Clemente Municipal Pier.

Surrounding development consists of single-family and multi-family residential development. The subject site abuts two locally designated historic structures and is located within 300 feet of seven other historic sites. The height and story levels of surrounding development vary greatly.

The applicant is proposing to construct a 8128 square foot, 43' high, split level 4-unit condominium complex ranging from three to six stories in height, with 2034 square feet of parking garages providing 8 covered spaces (plus 2 uncovered for a total of 10 parking spaces) on a vacant lot (Exhibit 4). The complex will be separated into two buildings to reduce the massing of the development. Approximately 950 cubic yards of grading is proposed (850 c.y. cut and 100 c.y. fill) for site preparation. Excess material will be disposed of at an appropriate site outside the Coastal Zone.

The proposed project is considered infill development within a neighborhood with a variety of densities and building heights. There is a 45' maximum height limit in the subject area. The proposed condominium complex will reach a maximum height of 43'0". Design features have been incorporated to reduce impacts on adjacent historic structures. For example, the upper floors are designed to step back and the majority of building mass exists on a portion of the site located away from and below the abutting historic properties. As such, the project is consistent with the character and scale of the surrounding area as currently proposed. Future modifications and/or additions to the structures must also respect the pattern of development in the surrounding area and avoid adverse impacts to nearby historic structures. No coastal public views will be affected by the proposed project.

The proposed project provides parking that meets the City's parking requirement of 10 off-street spaces (9 spaces to serve the 4 residential units and 1 guest space). Eight (8) spaces will be provided in two-car covered garages and 2 spaces will be uncovered. Within San Clemente's Coastal Zone, the Commission typically applies the City's parking standards.

To address potential water quality impacts, the applicant proposes to direct roof and surface water runoff to a gravel and sand filtration system at the low point of the project site for filtration prior to entering the storm drain system. A drainage plan was submitted on September 16, 2002 in response to a request by staff. However, additional detail regarding filter sizing and maintenance is necessary prior to permit issuance.

B. DEVELOPMENT

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition be imposed. As conditioned, the development conforms with the Chapter 3 policies of the Coastal Act.

C. WATER QUALITY

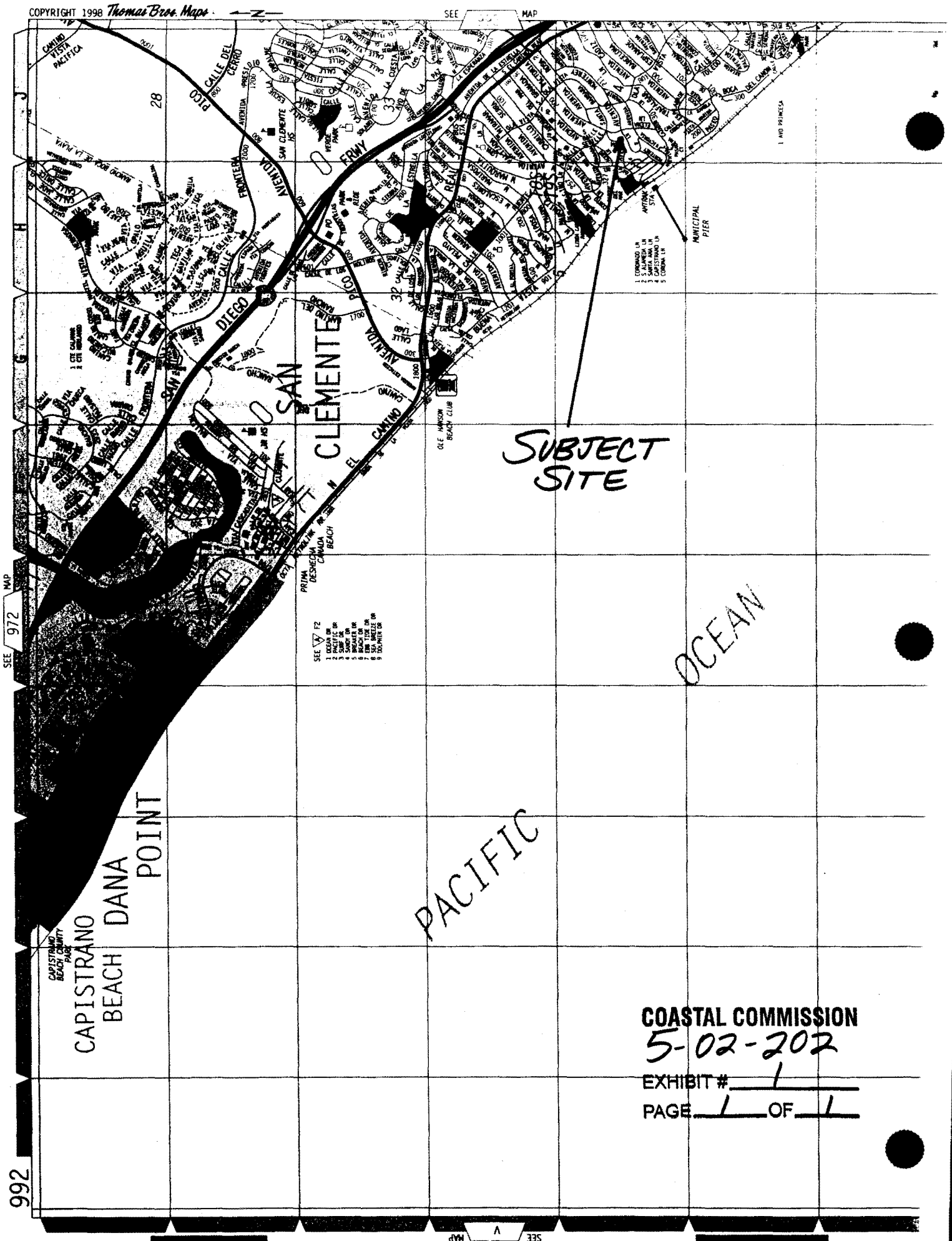
The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. LOCAL COASTAL PROGRAM

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 re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



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5-02-202
EXHIBIT # 1
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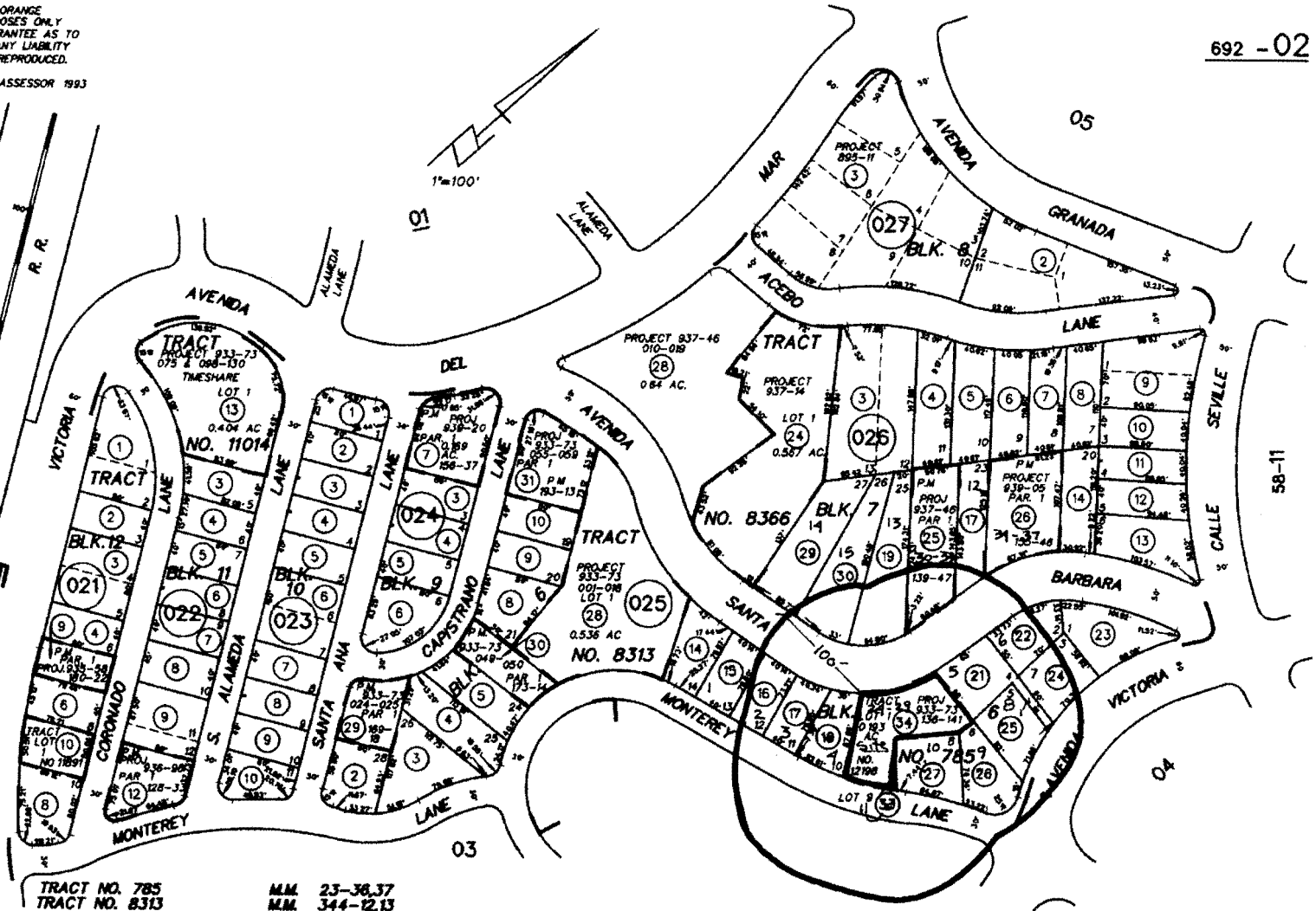

TRACT NO. 785	M.M.	23-36,37
TRACT NO. 8313	M.M.	344-12,13
TRACT NO. 8366	M.M.	431-49,50
TRACT NO. 11014	M.M.	602-15,16
TRACT NO. 12198	M.M.	631-33,34
TRACT NO. 11891	M.M.	673-26,27
PARCEL MAP	P.M.	128-33,139-47,155-46,156-37,169-18,173-14,180-22,193-13

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP
BOOK 692 PAGE 02
COUNTY OF ORANGE

MARCH 1974

COASTAL COMMISSION
5-82-202
EXHIBIT # 2
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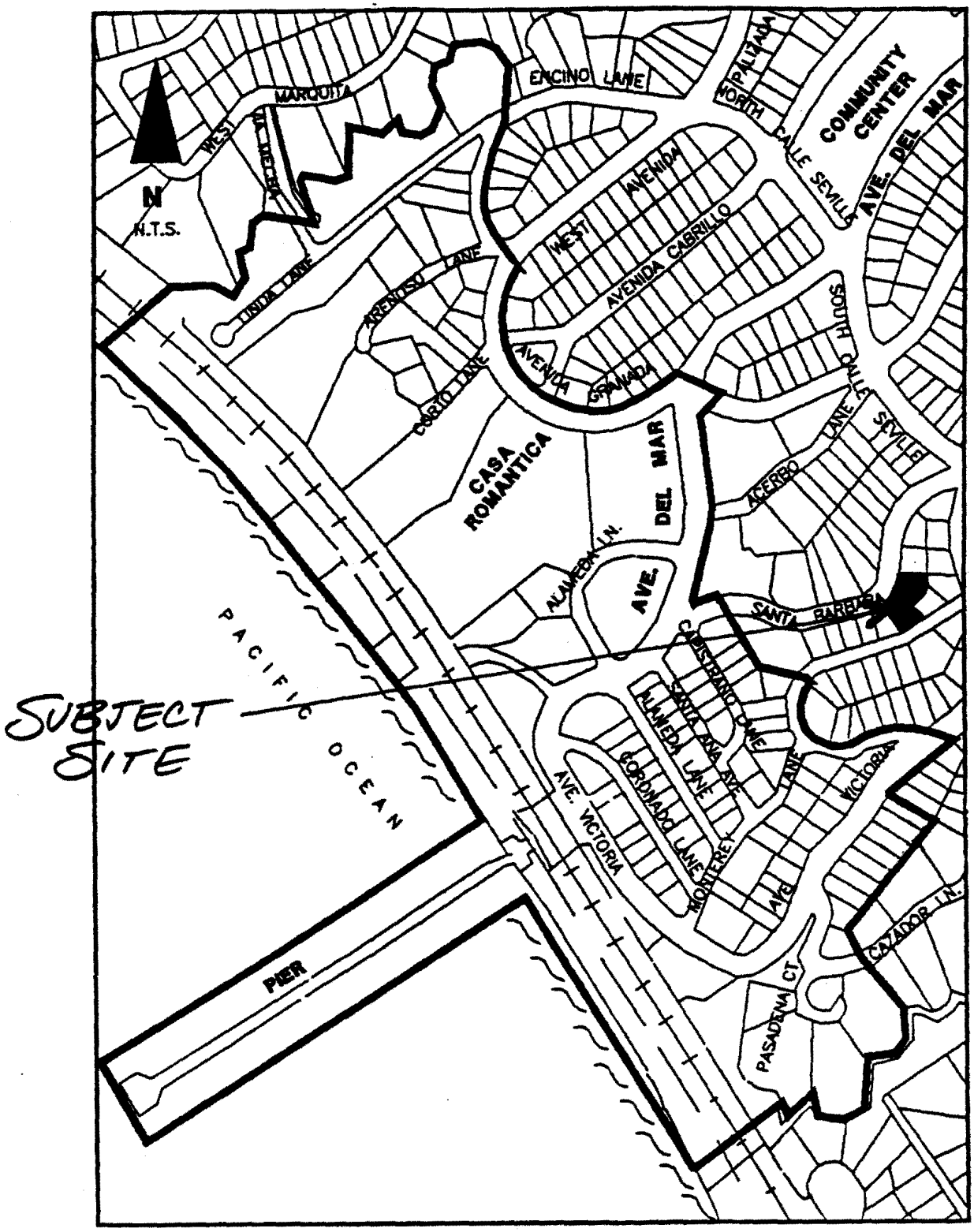

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PAGE 1 OF 1

PIER BOWL SPECIFIC PLAN

PIER BOWL BOUNDARIES

FIGURE 2

Cultural Heritage Permit Submittal

Santa Barbara Condominiums

San Clemente California 92672

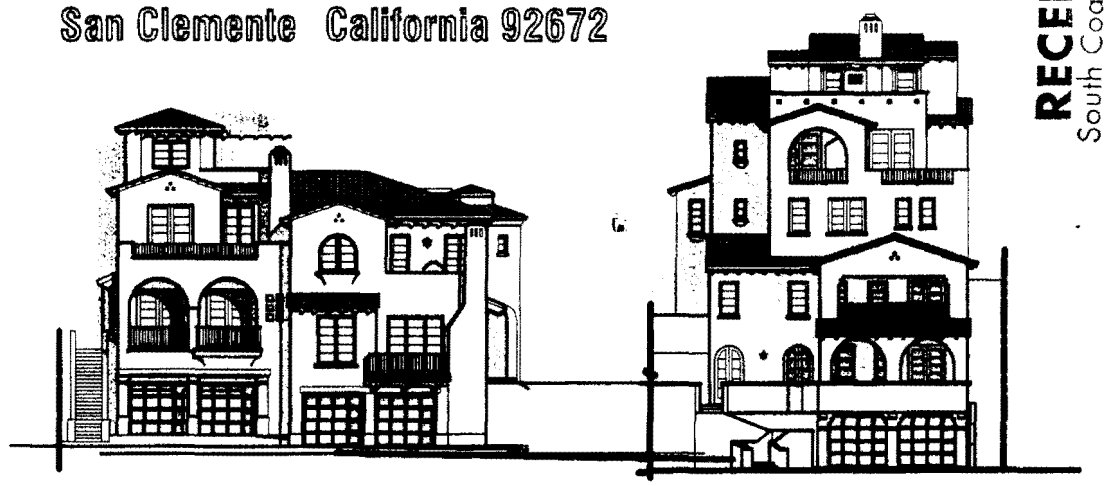

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EXHIBIT # 4
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Title Sheet

T.1

MINIMUM CONSTRUCTION STANDARDS

SPECIAL INSPECTIONS

SECURITY STANDARDS

GENERAL NOTES

FIRE AUTHORITY

PROJECT DIRECTORY

OWNER

LEGAL DESCRIPTION

JOB ADDRESS

ARCHITECT

CIVIL

STRUCTURAL

GEOTECHNICAL

LIST OF DRAWINGS

ARCHITECTURAL

TABULATIONS

CODE DATA

OCCUPANCY GROUP:

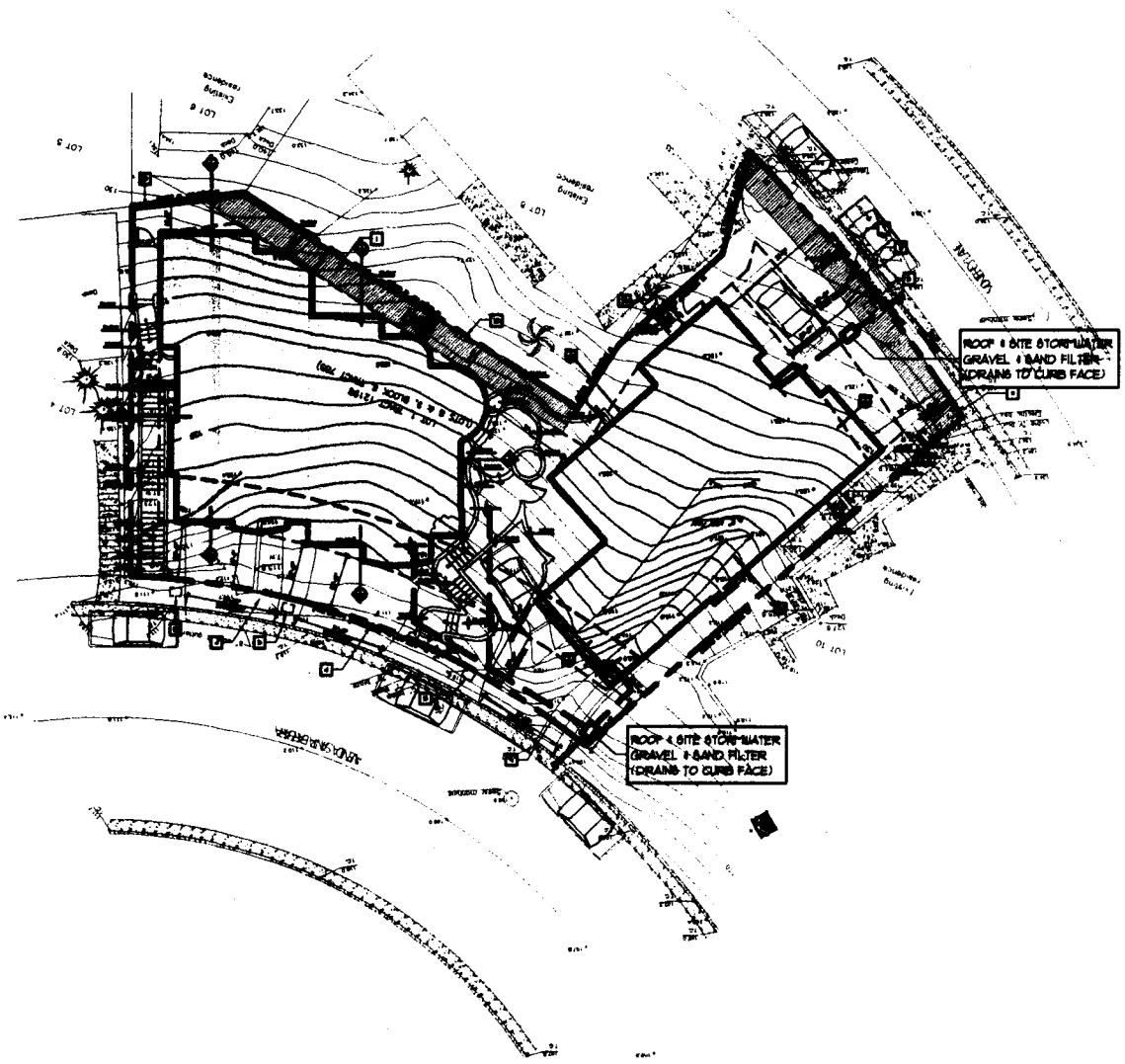
ZONING DESIGNATION:

TYPE OF CONSTRUCTION:

NUMBER OF STORIES:

SQUARE FOOTAGE:

VICINITY MAP



SITE PLAN

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

Keynotes

- PUBLIC UTILITY EASEMENT
- NOT USED
- ELECTRIC PUBLIC UTILITY EASEMENT
- PROPOSED DRIVEWAY WITH CURB CUT
- WATER METER
- 5'-0" SIDE SETBACK
- 15'-0" FRONT SETBACK
- 15'-0" GARAGE SETBACK
- 5'-0" REAR SETBACK
- WOOD FENCE

Legend

TB TOP OF WALL

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Preliminary Site Plan

A1.0

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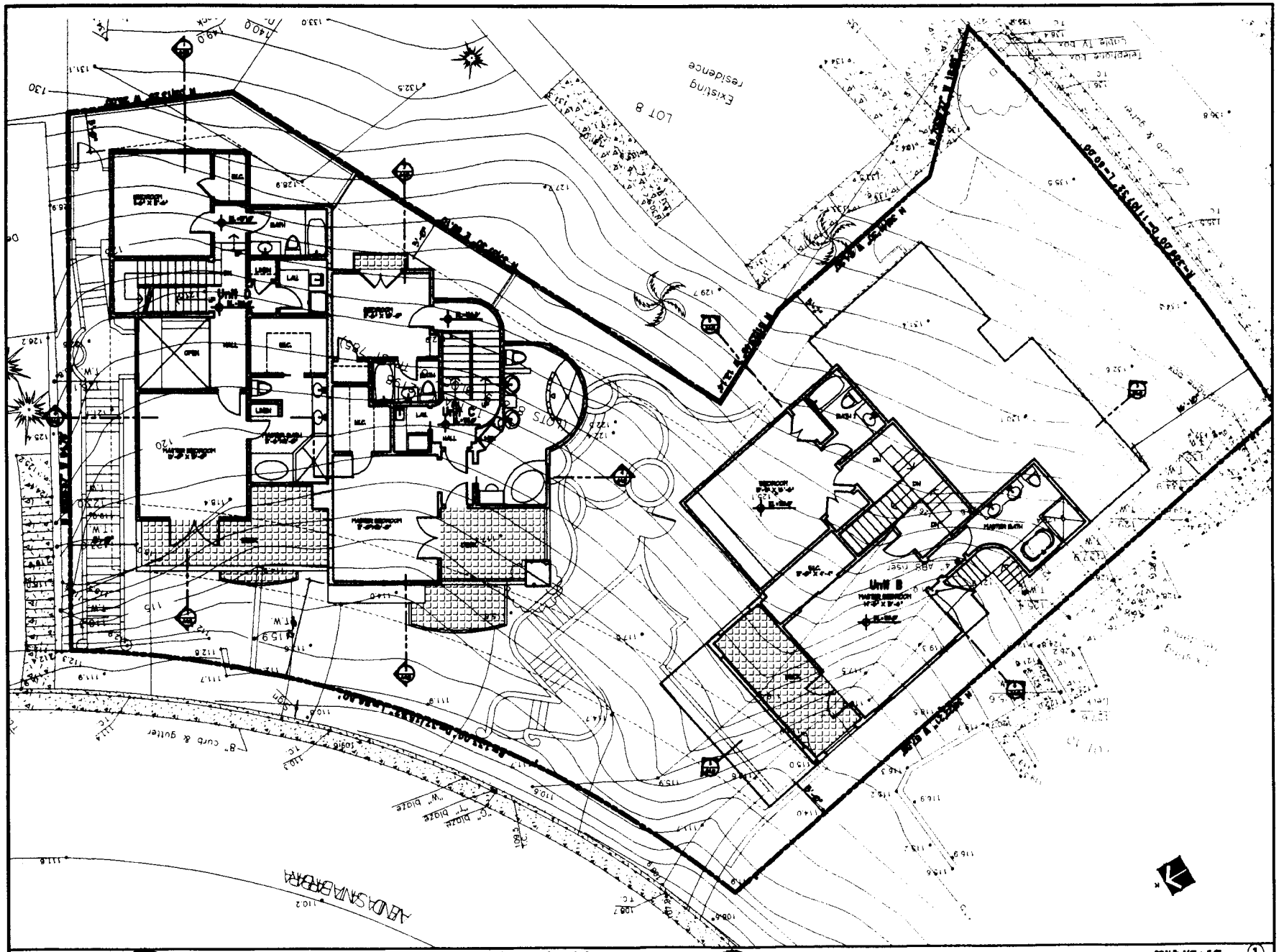

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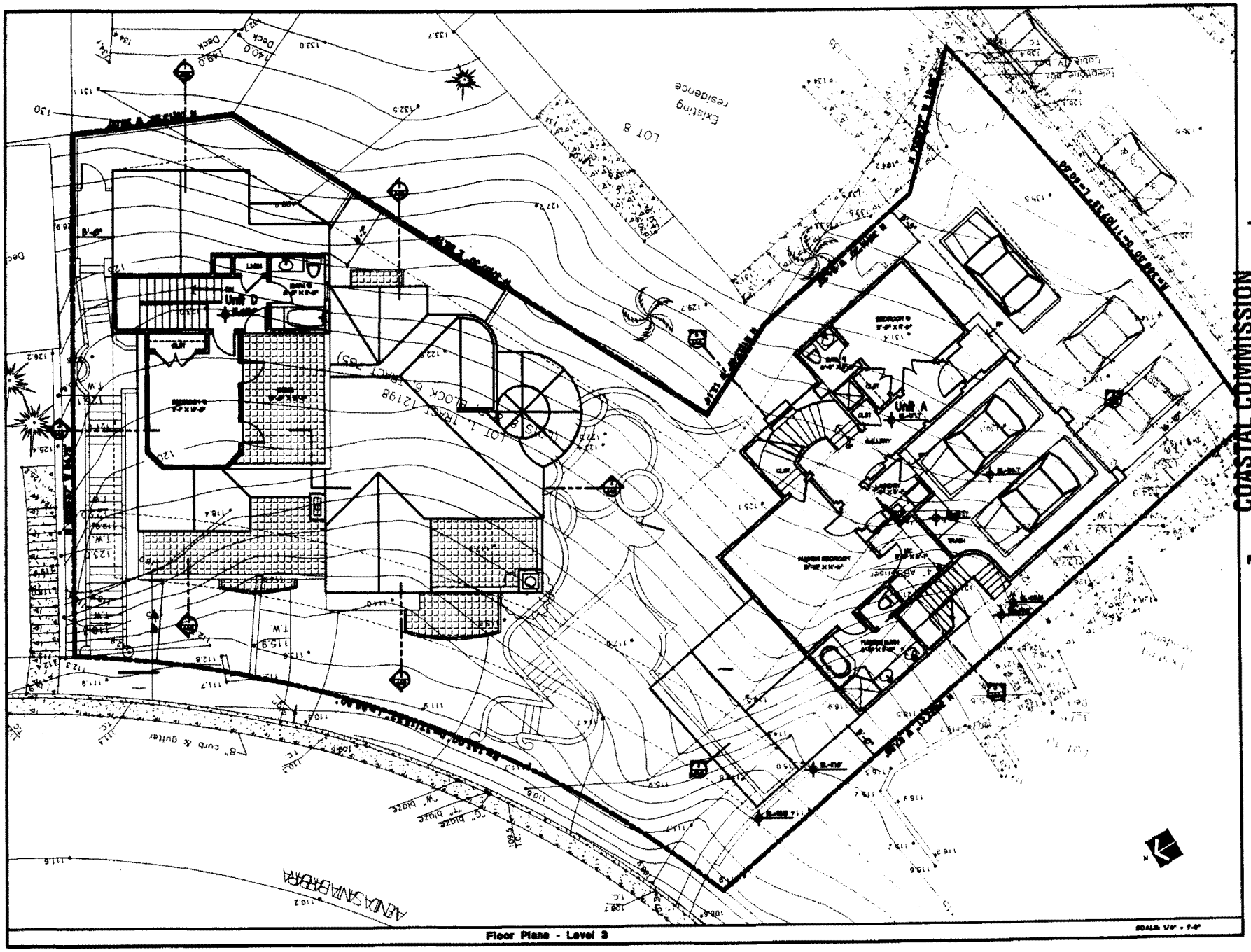
Floor Plans
Level 2

Units
B,C,&D

A2.2



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Floor Plans Level 3

Units A&D

A2.3

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A2.4

Floor Plans
Level 4
Unit A

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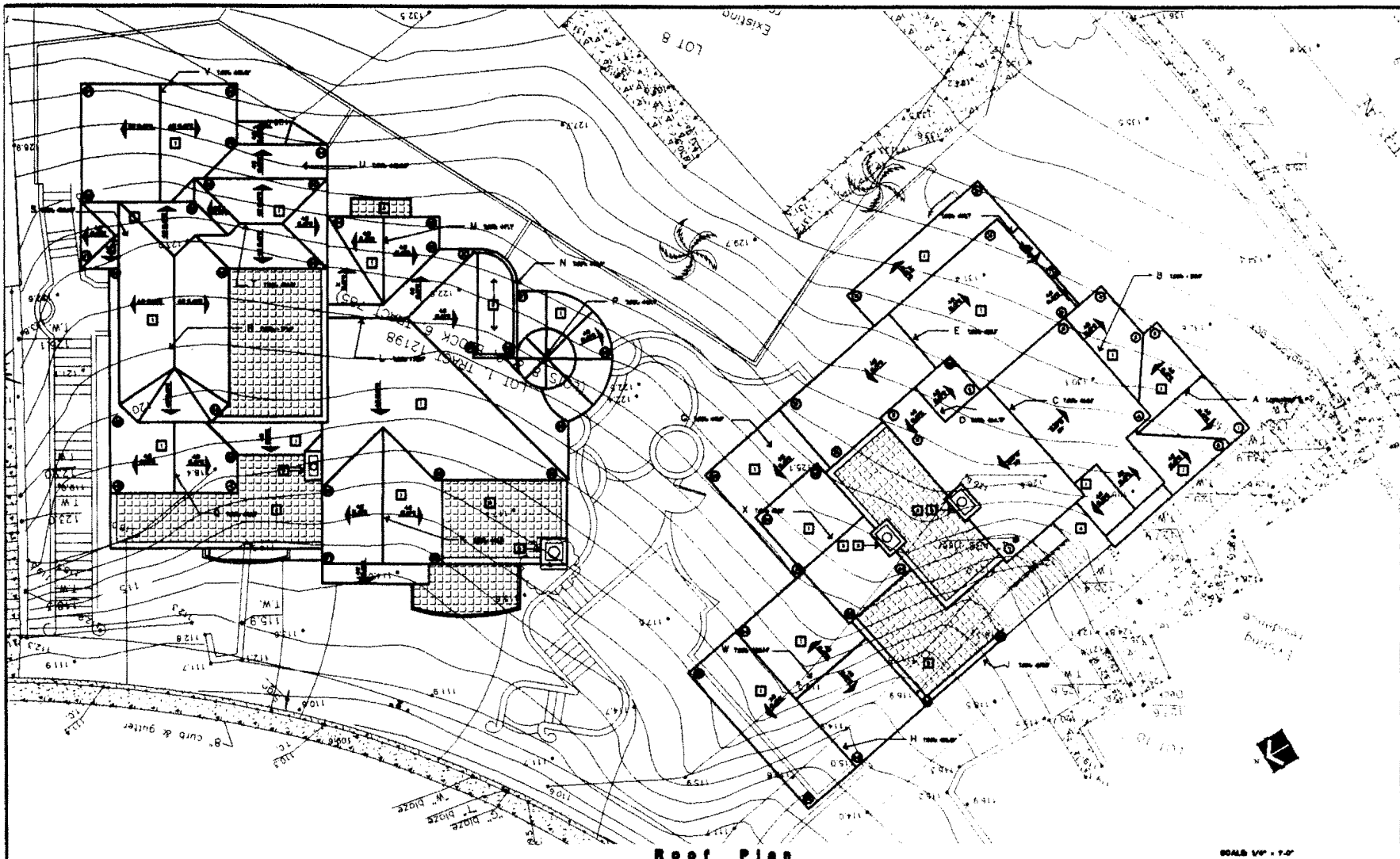

Roof Plan Keyn

Height Calculations

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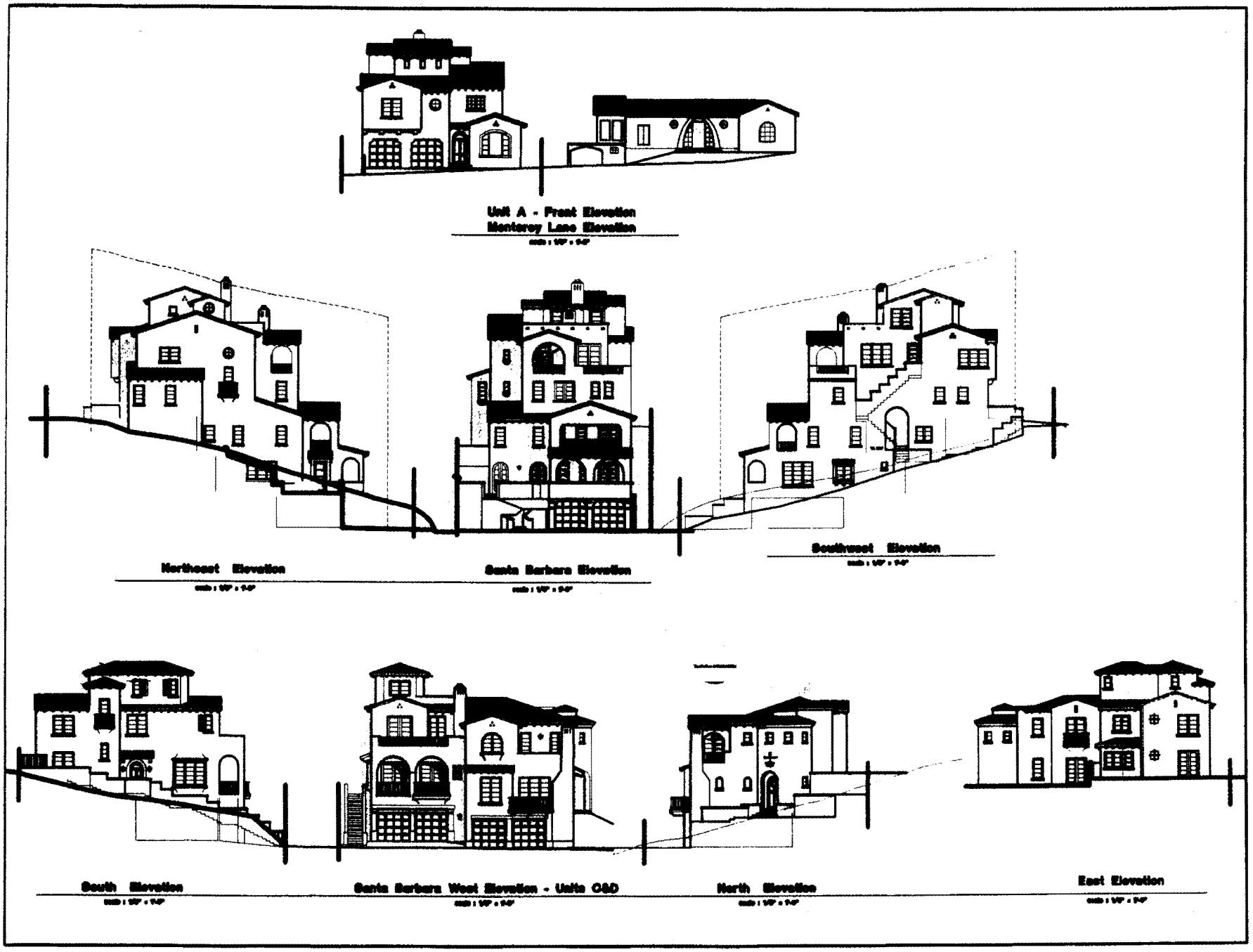
Santa Barbara Centre

Roof Plan and Height Analysis

A2.6



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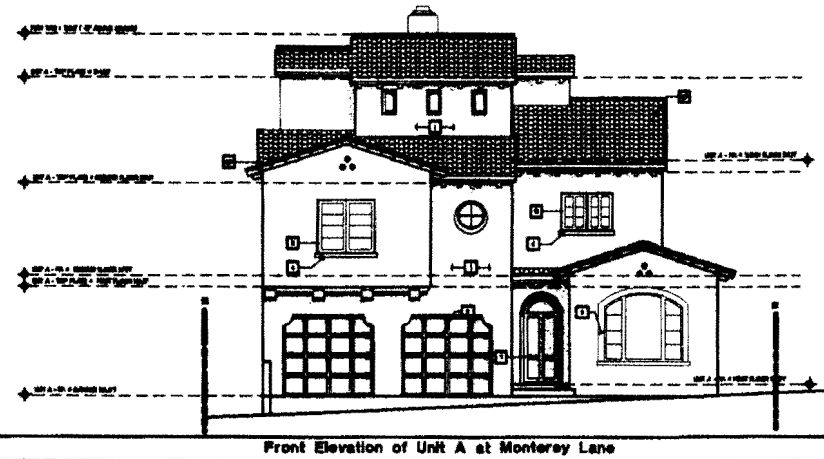
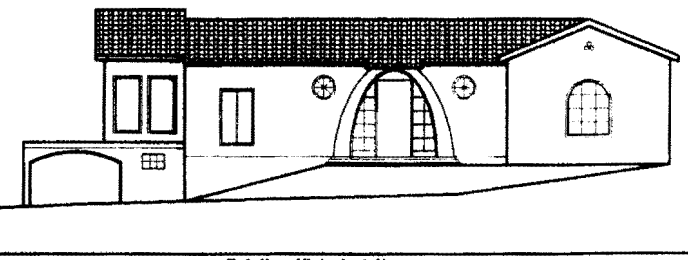
Preliminary Elevations

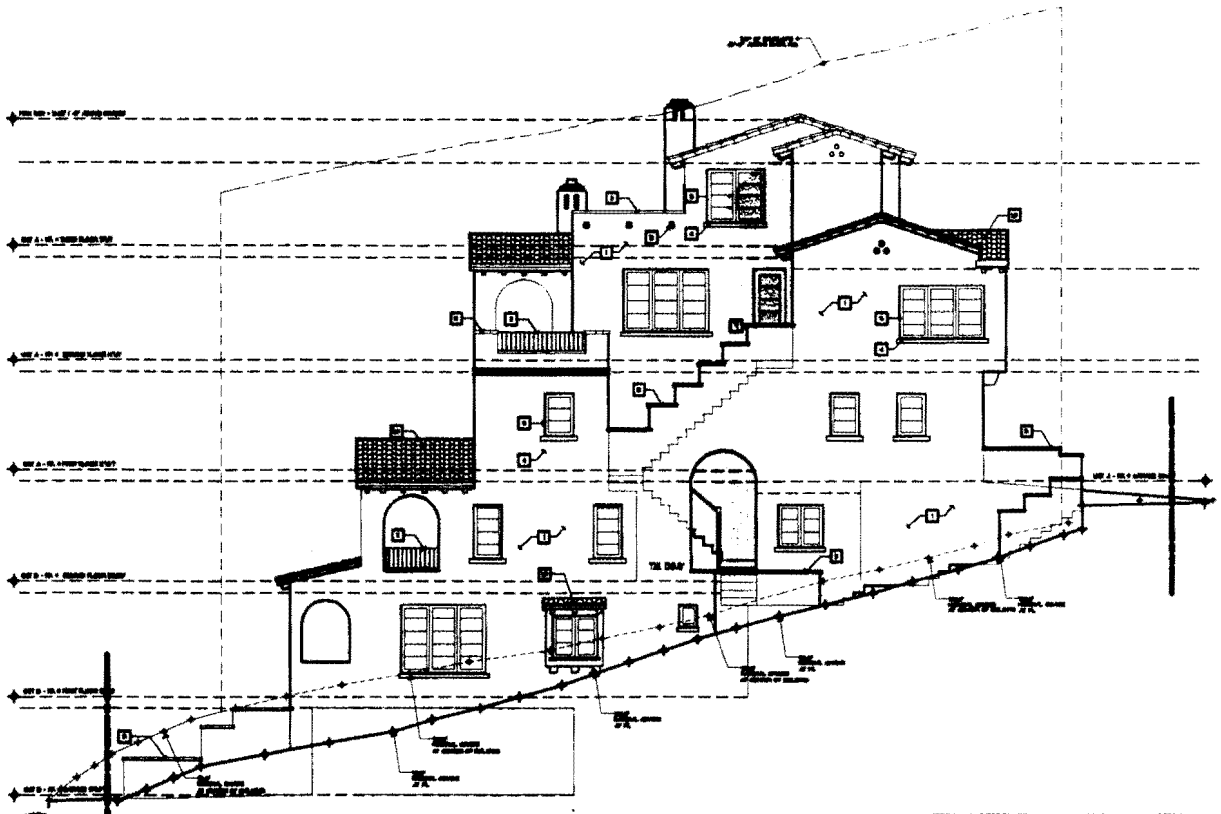
A3.0



Front Elevation of Unit A at Monterey Lane



Existing Historical House



Southwe[illegible]vation

Elevation Keynotes

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5-02-202
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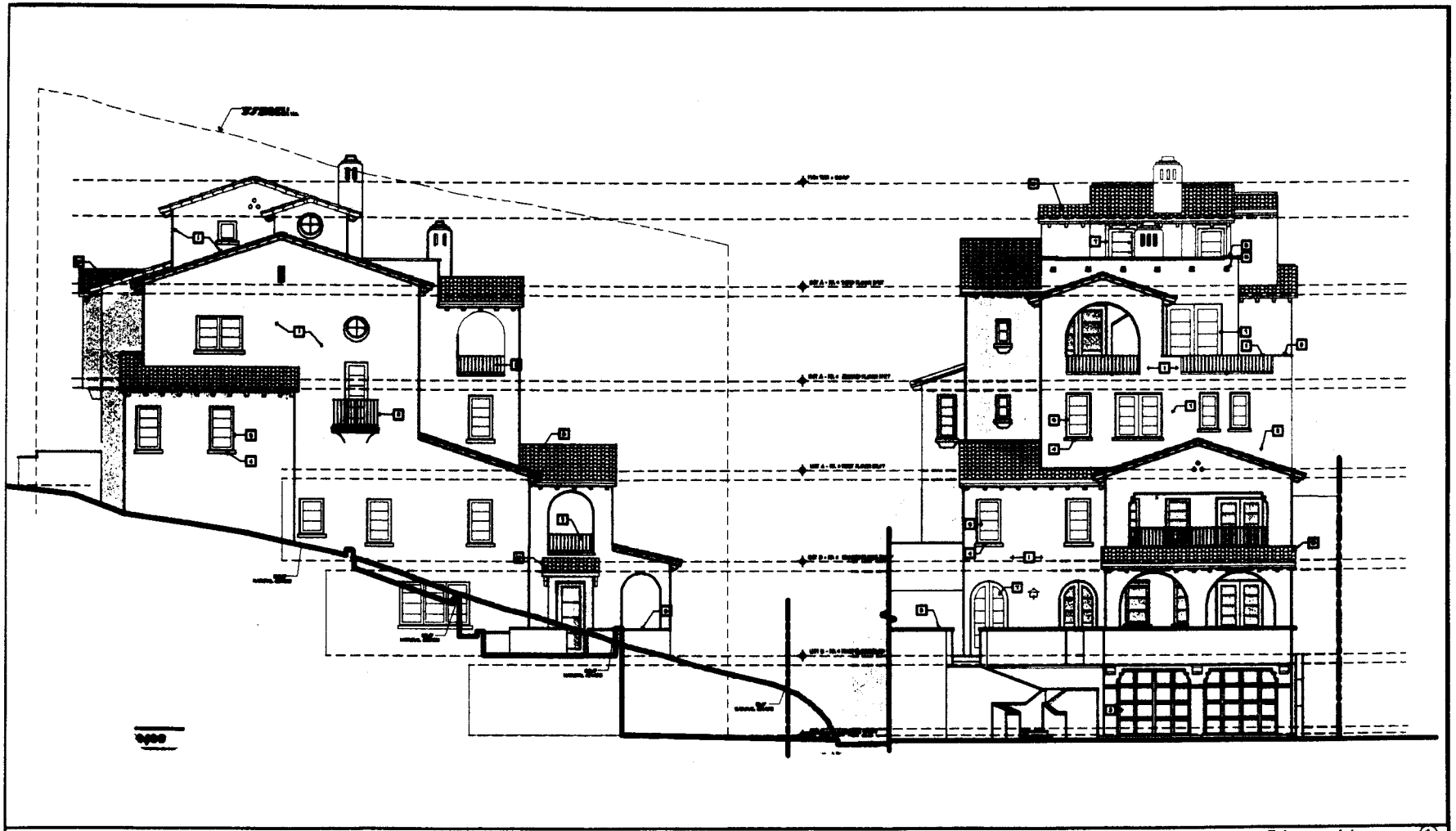
Elevations Units A&B

A3.1



North East Elevation

Santa Barbara Elev

Elevation Keynotes

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5-02-202

EXHIBIT # 4

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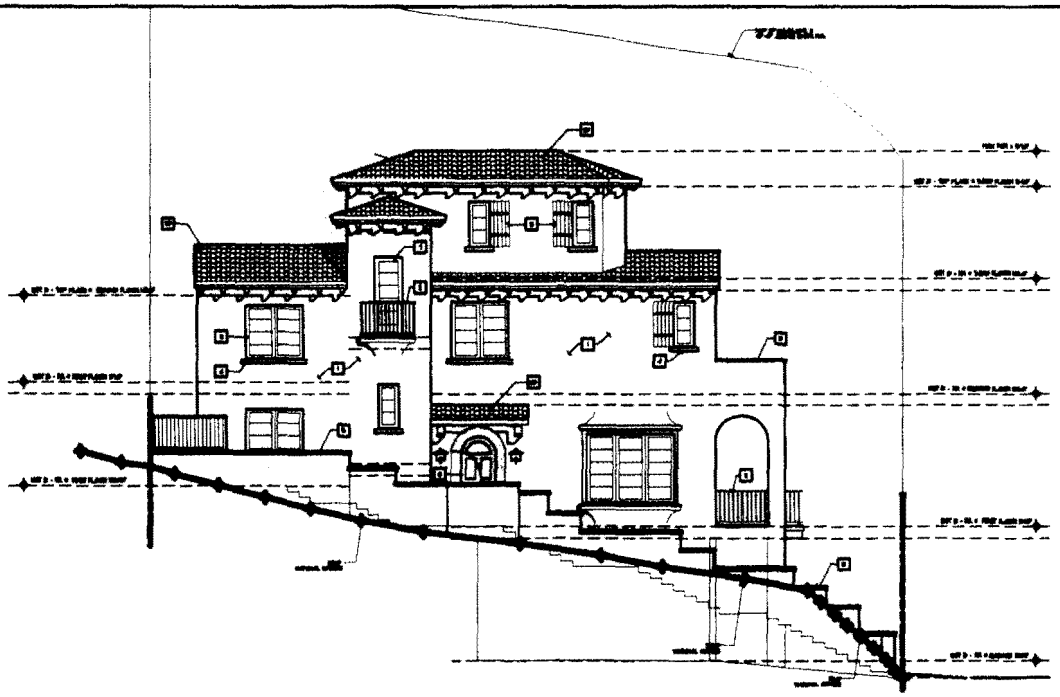
Elevations Units A&B

A3.2

Front Elevations of Units D and C at Avenida Santa Barbara

(2)



Southwest Elevation

(1)

Elevation Keynotes

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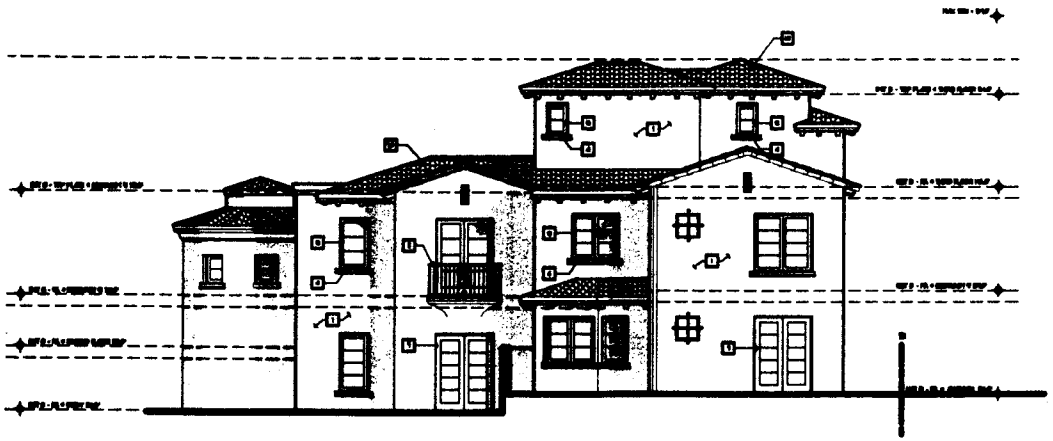
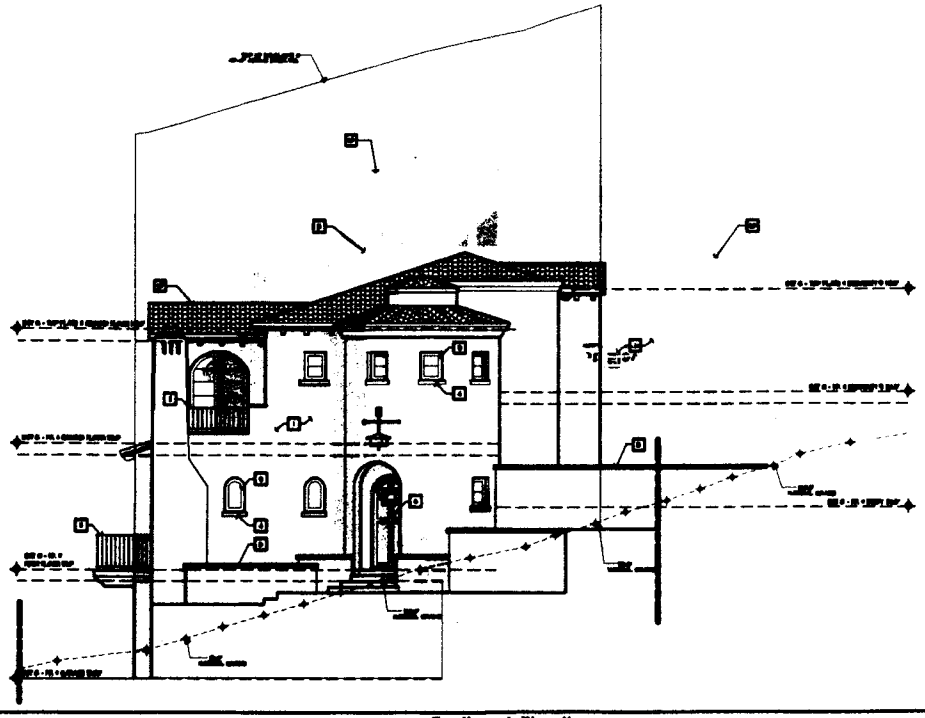
Elevations
Units C&D

A3.3



Rear Elevations of Units C and D

(2)



Southwest Elevation

(1)

Elevation Keynotes

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Elevations Units C&D

A3.4

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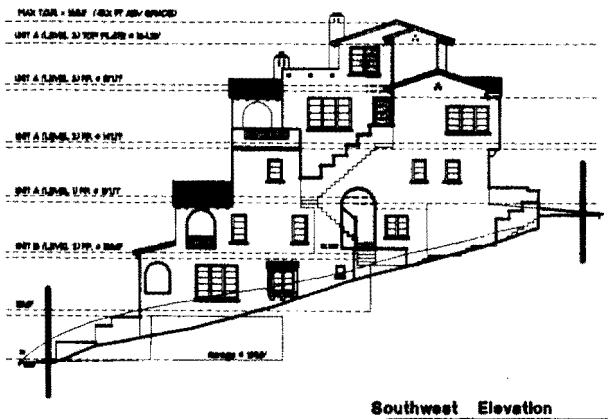
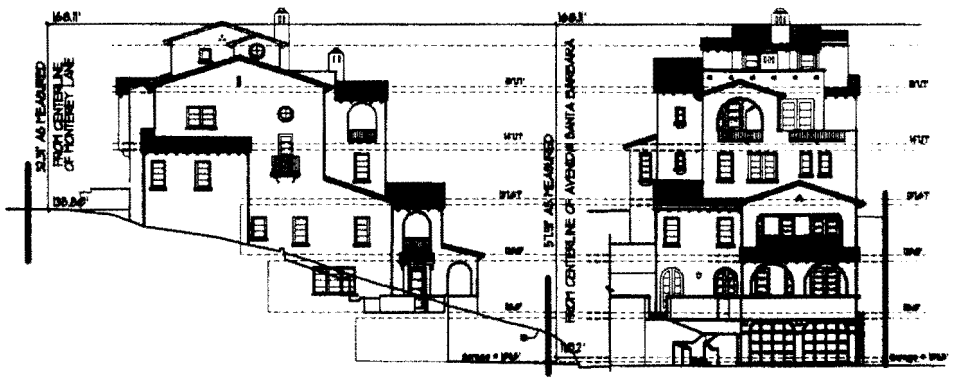


Southwest Elevation

Unit A - Front Elevation
Monterey Lane Elevation



Northeast Elevation

Santa Barbara Elevation

Elevations Units A&B

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

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Elevations Units A&B

A3.5