

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

DATE: JUNE 28, 2021

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
BRENDA WISNESKI, DIRECTOR
DANNY GIOMETTI, SENIOR PLANNER

SUBJECT: MINOR CONDITIONAL USE PERMIT CUP21-0006(M) ESTABLISHING A SHARED PARKING PROGRAM AT 24422 DEL PRADO AVENUE; AND

COASTAL DEVELOPMENT PERMIT CDP21-0001; SITE DEVELOPMENT PERMIT SDP21-0004 AND MINOR CONDITIONAL USE PERMIT CUP21-0004(M) TO DEMOLISH A TWO-STORY COMMERCIAL BUILDING AND CONSTRUCT A TWO-STORY COMMERCIAL BUILDING TO BE USED AS A RESTAURANT OFFERING THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION, LOCATED AT 24402 DEL PRADO AVENUE. A SITE DEVELOPMENT PERMIT IS ALSO REQUESTED FOR THE JOINT USE OF PARKING FACILITIES WITH THE NEIGHBORING PARCEL (24422 DEL PRADO AVENUE).

RECOMMENDATION: That the Planning Commission adopt the attached Resolutions approving: Action Document 1. CUP21-0006(M), and Action Document 2. CDP21-0001; SDP21-0004; CUP21-0004(M).

APPLICANT: Andrade Architects & Powerstrip Studio

OWNER: D&S Partner, LLC.

REQUEST: A request to approve a shared parking program to satisfy parking requirements for the existing commercial uses located onsite, as well as allocate additional parking stalls for the proposed restaurant by enacting the abovementioned "Joint Use of Parking Facilities" located at 24402 Del Prado; and

A request to allow the demolition of an existing two-story commercial building and the construction of a new two-story commercial building to be used as a restaurant offering the sale of alcoholic beverages for on-site consumption, located within the Dana Point Town Center Plan area. The application also requests to approve the Joint Use of Parking Facilities with the neighboring parcel (24422 Del Prado Avenue).

LOCATION: 24402 Del Prado Avenue & 24422 Del Prado Avenue
(APN's 682-234-03 & -04)

NOTICE: Notices of the Public Hearing were mailed to property owners within a 500-foot radius from the boundaries of the combined parcels on June 18, 2021, published within a newspaper of general circulation on June 18, 2021, and posted on June 18, 2021 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library. Notice is also provided pursuant to Section 9.26.010(f) of Dana Point Town Center Plan (DPTCP).

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), these projects are found to be Categorically Exempt pursuant to Sections 15301 & 15303 – Existing Facilities and New Construction and Conversion of Small Structures.

ISSUES:

- Project consistency with the Dana Point General Plan/ Local Coastal Program & Town Center Plan (TCP).
- Project satisfaction of all findings required pursuant to the LCP and Dana Point Zoning Code (DPZC) for approval of a Coastal Development Permit (CDP), Site Development Permit (SDP) and both minor Conditional Use Permits (CUP).
- Project compatibility with and enhancement of the site and surrounding neighborhood.

BACKGROUND: The subject sites are 10,145 (24402 Del Prado Avenue) and 20,308 (24422 Del Prado Avenue) square feet and located along Del Prado Avenue between the streets of Ruby and Amber Lantern within the City's Town Center Plan area. The lots are adjacent to each other and bordered by a mixture of commercial uses along the northern, western, and eastern sides and residential uses opposite the alley to the south. Both sites are zoned Town Center Mixed Use (TC-MU) and are located within the City's Coastal Overlay District but are outside Appeals Jurisdiction of the California Coastal Commission (CCC) as identified on the City's Coastal Zone map (Supporting Document 1 – Vicinity Map).

Existing site improvements at 24402 Del Prado include an existing, two-story, vacant, 2,728 square foot commercial building with a detached accessory structure and onsite parking; previously operated as an automotive repair and storage business. Access to this site is taken from the rear alley. Existing site improvements at 24422 Del Prado include a two-story, 10,105 square foot multi-tenant commercial building which contains a mixture of retail, personal service and office uses. The site is accessed from both Del Prado Avenue and the alley with parking both in front and behind the commercial building. Both properties were recently purchased by the current owner (Supporting Document 2 – Existing Site Photos).

DISCUSSION: The project proposes the demolition of all improvements located at 24402 Del Prado Avenue and the construction of a new, two-story, commercial building. The total commercial area includes 2,619 square feet of internal gross floor area (GFA), a ground-level, 475 square foot outdoor, covered dining area and an upper-level, 554 square foot, outdoor, covered dining area. The project also proposes to provide 12 onsite parking spaces, accessible from the alley, a detached trash enclosure and a variety of hardscaping and landscaping.

Both the interior and exterior spaces are proposed to be used as a dine-in restaurant called Truly Pizza offering the sale of food and alcoholic beverages for on-site consumption. Truly Pizza will offer both dine-in and take-out style Italian dishes with covered outdoor dining areas only. Patrons will place their order at an interior counter and seat themselves on either the upper or lower-level patios. The proposed hours of operation will be Monday through Thursday 11:00 A.M. to 10:00 P.M., Friday & Saturday 11:00 A.M. to 11:00 P.M. and Sunday 11 A.M. to 9 P.M.

Pursuant to Sections 9.69.020 and 9.71.020 of the DPZC, a Coastal Development Permit (CDP) is required for all development located within the Coastal Overlay District and a Site Development Permit (SDP) is required for all non-residential development exceeding two thousand (2,000) gross square feet. Additionally, pursuant to Section 9.07.0409(b)(2) of the DPZC, a minor Conditional Permit (CUP(M)) is required for the establishment of an alcoholic beverage outlet for on-site consumption.

The commercial building is proposed at a height of 32-feet as measured from the average elevation between the highest and lowest points of ground on the lot, to top of roof. Proposed spark arrestors located on top of a pizza oven chimney will project an additional 4'-1" above the top of roof, resulting in a total height of 36'-1" feet, which is almost four (4) feet below the TC-MU area height limit of 40-feet. The exterior proposes a modern/art deco-inspired architectural style, incorporating a combination of white smooth stucco exterior walls, painted brick veneer, metal trim windows, fascia, columns and handrails and red/brown powder-coated patio covers. A variety of drought-tolerant and tropical landscaping will be provided in planters and installed on the patios along with landscape lighting for ambiance (Supporting Document 3 – Architectural Plans).

Pursuant to Section 9.35.080(47) of the DPZC, (Minimum Number of Required Parking Stalls), dine-in restaurants require one (1) parking stall for every 100 square feet of floor area. The restaurant proposes to provide 12 on-site parking stalls, where the minimum number of required parking stalls for the proposed use is 33 stalls (26 for indoor dining and seven (7) for outdoor dining). Therefore, the proposed restaurant use is deficient by 21 parking stalls.

The adjacent parcel (24422 Del Prado Avenue) contains a two (2) story, 10,105 square foot multi-tenant commercial building. This commercial building is occupied by a mixture of retail, personal service and office uses and contains 41 on-site parking stalls. Utilizing Section 9.35.080 of the DPZC (Minimum Number of Parking Stalls) to determine the

parking requirements for each use, staff has determined that 24422 Del Prado Avenue has a surplus of two (2) parking stalls. However, with the establishment of a Shared Parking Program, an excess of 23 spaces have been identified; a portion of which are proposed to be utilized by the restaurant use at 24402 Del Prado Avenue.

Except for required parking which will be remedied through both the Shared Parking Program and the Joint Use of Parking Facilities, the project complies with applicable TC-MU and DPZC development standards. Table 1 summarizes the TC-MU and General Development Standards (Chapter 9.05 DPZC) applicable to the proposed development.

Table 1: Compliance with TC-MU and General Development Standards

Development Standard	Requirement	Proposed	Compliant with Standard
Floor Area Ratio	2.5	.38	Yes
Height	40 foot maximum	35 feet	Yes
Parking Required ¹	33 parking stalls	33 parking stalls	Yes
Floor-to-Floor Height of Ground Floor	18 feet minimum	18 feet	Yes
Ground Floor Commercial Space Depth	40 feet minimum	50'-8"	Yes
Del Prado Street Front Build-To-Line	Minimum 75% of frontage at or within 10 feet of PL	100%	Yes
Upper Floor Setbacks	At 30 feet, or above 2 nd floor: 10 feet	10 feet	Yes
	Adjacent to Alley/Residential District: 15 feet	74'9" feet	Yes
	Interior side yard setback above 20 feet: 5 feet	0 feet ²	Yes
Outdoor Dining Setback	From Del Prado Avenue Curb: 12 feet minimum	17 feet	Yes

1. Through the establishment of the Shared Parking Program located at 24422 Del Prado Avenue in combination with the establishment of the Joint Use of Parking Facilities located at 24402 Del Prado Avenue, the proposed commercial building meets the minimum number of required parking stalls for the proposed dine-in restaurant with outdoor dining.
2. In accordance with Condition Number 23, the project may be redesigned to satisfy this development standard or seek another entitlement.

COASTAL DEVELOPMENT PERMIT (CDP21-0001) FOR 24402 DEL PRADO AVENUE

The proposed project is located within the City's Coastal Overlay District and is outside of the Appeals Jurisdiction of the California Coastal Commission (CCC) as identified on the City's Coastal Zone map. Section 9.69.020 of the DPZC states that a coastal development permit shall be required for all development located within the Coastal Overlay District. Because the project proposes the demolition of existing improvements and the construction of a new, two (2) story commercial building within the Coastal Overlay District, a CDP shall be required.

Pursuant to Section 9.69.070 "Basis for Action on Coastal Development Permit Applications" of the DPZC, every Coastal Development Permit requires the following findings:

1. That the proposed development is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code; and,
2. That the proposed development, if located between the nearest public roadway and the sea or shoreline of any body of water, is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act; and,
3. That the proposed development conforms 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; and,
4. That the proposed development 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; and,
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; and,
6. That the proposed development be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas; and
7. That the proposed development conforms to the General Plan, Local Coastal Program and Zoning Code.

Staff finds the proposed project is consistent with the basis of approval for a CDP as outlined in Section 9.69.070 of the DPZC. Responses supporting approval of the project based on the above-quoted findings are detailed in the attached draft Planning Commission Resolution.

SITE DEVELOPMENT PERMIT (SDP21-0004) FOR 24402 DEL PRADO AVENUE

Non-residential development exceeding 2,000 GFA

Pursuant to Section 9.71.020 of the DPZC, an SDP(M) shall be required for all non-residential development exceeding two thousand (2,000) gross square feet. Because the commercial building located at 24402 Del Prado Avenue is proposed to have a GFA of 2,619 square feet, a SDP(M) is required.

Joint Use of Parking Facilities

Pursuant to Section 9.35.060(c)(3)(A) of the DPZC, a detailed "Joint Use" parking plan shall be approved by a Site Development Permit issued by the Director of Community Development pursuant to Chapter 9.71. The project has proposed a "Joint Use" parking plan to establish the Joint Use of Parking Facilities on the neighboring parcel (24422 Del Prado Avenue). To receive approval of the Joint Use of Parking Facilities, the proposal must meet the following criteria:

- A. A detailed joint use parking plan shall be approved by a Site Development Permit issued by the Director of Community Development pursuant to Chapter 9.71. The plan shall show and explain all parking facilities, uses and structures that will use the parking and the pedestrian access from the parking facilities to the uses and structures.

The proposed Joint Use Parking Plan identified on the site plan of the architectural plan set (Supporting Document 3 – Architectural Plans) has been reviewed and acknowledged by the Director of Community Development, and SDP21-0004 is being processed to approve the request. The plan includes a layout of both the 24402 and 24422 Del Prado Avenue parking facilities, and vehicular access and accessible pedestrian walkways to- and from- both sites.

- B. The boundary of the parking facilities shall be within three hundred (300) feet of the uses they serve and connected to the site by an attractive and adequate pedestrian path or sidewalk to the satisfaction of the Director of Community Development.

The parking facilities share a property line and the parking facility at 24422 Del Prado Avenue is adjacent to 24402 Del Prado and provides two (2) flush and accessible pedestrian paths between both properties which will be surrounded by landscape planters.

- C. Adequate assurance, to the satisfaction of the Director of Community Development, shall be provided to guarantee that required parking will continue to be maintained in compliance with applicable provisions of this Chapter. This assurance shall be recorded in the office of the Orange County Recorder on all properties utilizing the joint use parking facilities.

Condition Number 25 of the attached draft Resolution shall require the applicant submit the finalized "Joint Use of Parking Facilities Agreement" to the Director of Community Development for review, approval, and recordation so that the required parking will continue to be maintained in accordance with Section 9.35.060(c)(3) of the DPZC.

The proposed "Joint Use of Parking Facilities Agreement" (see Condition of Approval No. 25) will authorize 24402 Del Prado to utilize 21 parking stalls located at 24422 Del Prado to meet the proposed commercial building's minimum number of required parking requirements for dine-in (26) and outdoor dining uses (7). These parking stalls are available based on the "Shared Parking Program" which will be discussed in the following section of this report (Supporting Document 4 – Joint Use of Parking Facilities Matrix).

Pursuant to Section 9.71.020 "Basis for Approval, Conditional Approval, or Denial of a Site Development Permit" of the DPZC, every Site Development Permit requires the following findings:

1. That the site design is in compliance with the development standards of the Dana Point Zoning Code; and,
2. That the site is suitable of the site for the proposed use and development; and,
3. That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines; and,
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; and,
5. That the requirements of the California Environmental Quality Act have been satisfied in that the project qualifies for both Class 1 (Section 15301) and Class 3 (Section 15303) exemptions pursuant to the applicable provisions of the California Environmental Quality Act (CEQA).

Staff finds the proposed development and the "Joint Use of Parking Facilities" are consistent with the basis of approval of an SDP as outlined in Section 9.71.050 of the DPZC. Responses supporting the above-mentioned findings are detailed in the attached draft Planning Commission Resolution.

MINOR CONDITIONAL USE PERMIT (CUP21-0004(M)) FOR 24402 DEL PRADO AVENUE – TYPE 41 ABC LICENSE

Truly Pizza has made an application with the California Alcoholic Beverage Control (ABC) board for a Type 41 License which authorizes the sale of beer and wine for consumption on or off the premises where sold, only while operating as a bona fide eating place and the sale of distilled spirits on premises is prohibited.

Section 9.07.040(b) of the DPZC requires the review and approval of a CUP(M) for the establishment of an alcoholic beverage outlet for on-site consumption when located within one hundred (100) feet of any area zoned or used for residential purposes. Residential uses are located south of the project site, therefore, approval of a CUP(M) is required.

Pursuant to Section 9.65.060(b) of the DPZC “Basis of Approval, Conditional Approval, or Denial of a Conditional Use Permit” of the DPZC, as well as additional findings outlined in Section 9.07.040(c) of the DPZC “Findings for Alcoholic Beverage Outlets,” the Planning Commission shall make the following findings:

1. That the proposed conditional use is consistent with the General Plan; and,
2. That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures; and,
3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other land use development features prescribed in this Code and required by the Commission or Council in order to integrate the use with existing and planned uses in the vicinity; and,
4. That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit and intent of this Section will be observed; and,
5. That the proposed use will not enlarge or encourage the development of a “skid row” area; and,
6. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any other city program; and,
7. That all applicable regulations of the zoning district in which the use is permitted will be observed.

Staff finds the establishment of an alcoholic beverage outlet for on-site consumption in conjunction with the proposed restaurant is consistent with the basis of approval of a CUP(M) as outlined in Sections 9.65.060 & 9.07.040(c) of the DPZC. Responses supporting the above-mentioned findings are detailed in the attached draft Planning Commission Resolution.

MINOR CONDITIONAL USE PERMIT (CUP21-0006(M)) FOR 24422 DEL PRADO AVENUE – SHARED PARKING PROGRAM

Pursuant to Section 9.35.060(c)(4)(a) of the DPZC, a Shared Parking Program which meets City-specific Parking Requirements outlined by the code may be established through the approval of a CUP(M). The applicant is requesting approval of a Shared Parking Program to satisfy parking requirements for the existing commercial uses located onsite, as well as allocate additional parking stalls for the proposed restaurant by enacting the previously discussed “Joint Use of Parking Facilities” located at 24402 Del Prado to be approved by CUP21-0004(M).

To accommodate the Joint Use of Parking Facilities between both sites, a Shared Parking Program must initially be established at 24422 Del Prado to demonstrate that parking surplus exists. The applicant submitted the attached shared parking program to the Director of Community Development for review and approval (Supporting Document 5 – Shared Parking Program). The Director has acknowledged that the Shared Parking Program has complied with, and provided the following prescriptive City parking requirements according to the standards outlined below:

1. Written verification that property owner and tenants and all future property owners know of and will comply with the requirements of the shared parking program; and making known the shared parking program to all future property owners, tenants, and government agencies (*Supporting Document 5 – Shared Parking Program*).
2. A site plan showing all parking spaces, building square footage and tenant spaces (*Supporting Document 3 – Architectural Plans*).
3. A shared parking matrix(s) with the following information:
 - a. The number of parking stalls available on-site (parking supply)
 - b. Project building and tenant addresses.
 - c. Gross square footage of all building and tenant spaces.
 - d. The name, type of use, and the days and hours of operation for each tenant.
 - e. The number of parking stalls required by this Chapter for each tenant based on each tenant’s gross square footage and type of use.
 - f. The hourly parking demand for all tenants on: Weekdays (M—F), Saturday, Sunday.
 - g. The comparison between hourly parking demand and the parking supply showing hourly parking demand will not exceed hourly parking supply according to this Chapter.

(Supporting Document 5 – Shared Parking Program).

Staff's review of the abovementioned documents, along with the provided parking studies, agrees that even at the peak hourly parking demand (18 stalls occupied on Wednesday at 4:00 P.M.), there is a surplus of 23 additional stalls available for the "Joint Use of Parking Facilities" for the restaurant at the adjacent site. Pursuant to both Section 9.35.060(c)(4)(C)(4) of the DPZC and Condition Number 10 of the attached Shared Parking draft Resolution, before signing any lease agreement at 24422 Del Prado. As part of this review, the City will re-assess the tenant mixture of uses to assure that the required parking will continue to be maintained in compliance with the subject Shared Parking Program.

Pursuant to Section 9.65.060(b) of the DPZC "Basis of Approval, Conditional Approval, or Denial of a Conditional Use Permit" of the DPZC, as well as additional findings outlined in Section 9.35.060(c)(4)(B) of the DPZC "Findings for Approval of a Shared Parking Program," the Planning Commission shall make the following findings:

1. That the proposed conditional use is consistent the City of Dana Point General Plan and Town Center Plan (DPTCP); and,
2. That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures; and,
3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other land use development features prescribed in this Code and required by the Commission or Council in order to integrate the use with existing and planned uses in the vicinity; and, and,
4. that the shared parking program provides a reasonable, accountable, and enforceable means for all uses to share common parking and that the City's minimum requirements assure parking demand is continually met.

Staff finds the establishment of the Shared Parking Program consistent with the basis of approval of a CUP(M) as outlined in Sections 9.65.060 & 9.35.060(c)(4)(B) of the DPZC. Responses supporting the above-mentioned findings are detailed in the attached draft Planning Commission Resolution.

CORRESPONDENCE:

To date, the City has not received any correspondence related to the proposed project.

CONCLUSION:

Staff finds that the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan, Dana Point Zoning Code, The Town Center Plan and Local Coastal Program. As justifications can be made supporting the requested discretionary actions, staff recommends the Planning Commission adopt the attached draft Resolutions, approving CDP21-0001; SDP21-0004; CUP21-0004(M) & CUP21-0006(M) subject to the findings and conditions of approval contained therein.



Danny Giometti, Interim Senior Planner



Brenda Wisneski, Director
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 21-06-28-XX
2. Draft Planning Commission Resolution No. 21-06-28-XX

Supporting Documents

3. Vicinity Map
4. Site Photos
5. Architectural Plans and Renderings
6. Joint Use of Parking Facilities Matrix
7. Shared Parking Program

ACTION DOCUMENT 1: Draft Planning Commission Resolution No. 21-06-28-XX

RESOLUTION NO. 21-06-28-XX

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
DANA POINT, CALIFORNIA, FOR MINOR CONDITIONAL USE PERMIT
CUP21-0006(M) TO ESTABLISH A SHARED PARKING PROGRAM AT
24422 DEL PRADO AVENUE**

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

WHEREAS, D&S Partner, LLC., (the "Owner") is the owner of real property commonly referred to as 24422 Del Prado Avenue (APN 682-234-04) (the "Property"); and

WHEREAS, the Owners authorized Andrade Architects & Powerstrip Studio (the "Applicant") and the applicant caused to be filed a verified application requesting approval of a shared parking program for the existing multi-tenant building; and

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section(s) 15301 (Class 1 – Existing Facilities) because the project includes the establishment of a Shared Parking Program at a previously improved site; and

WHEREAS, the Planning Commission did, on the 28th day of June, 2021, 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 CUP21-0006(M);

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 and incorporated herein by this reference.

Findings:

- B) Based on the evidence presented, the Planning Commission adopts the following findings and approved minor Conditional Use Permit CUP21-0006(M), subject to conditions:

1. The proposed conditional use is consistent with the City of Dana Point General Plan and Town Center Plan (DPTCP) **in that pursuant to Section 9.3.110(a)(1) of the Dana Point Zoning Code (DPZC), the proposed Shared Parking Program utilizes the City's model program outlined in Section 9.35.060(c)(4) of the DPZC and is therefore a permitted alternative to parking**

through the approval of the subject CUP(M). Additionally, the proposed Shared Parking Program fulfills Policy 4.4 of the Dana Point Town Center Plan aiming to create a parking development and management program which assesses parking demand and requirements based on the DPZC. The applicant provided “day and time” parking studies which identified a surplus of parking stalls available on-site beyond what is required by the DPZC.

2. That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures **in that the purpose of the subject Shared Parking Program is to demonstrate that parking is available to accommodate the proposed adjacent restaurant use. The results of the parking study indicate that there will be sufficient parking to not only accommodate the existing and future uses on site, but provide the adjacent parcel with parking and therefore will not adversely affect or be materially detrimental to the adjacent uses, building, or structures.**
3. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code (DPMC) and required in order to integrate the use with existing and planned uses in the vicinity **in that with the approval of the Shared Parking Program, an excess of 23 parking stalls have been identified which may be available for off-site uses through the establishment of the Joint Use of Parking Facilities simultaneously approved with SDP21-0004.**
4. That the shared parking program provides a reasonable, accountable, and enforceable means for all uses to share common parking and that the City’s minimum requirements assure parking demand is continually met **in that the applicant provided Shared Parking Program utilizes the City’s model program which is outlined in Section 9.35.060(c)(4). As such, the applicant has provided written verification between landlord and tenant acknowledging the program, the required site plan showing parking, floor area and tenant spaces and a Shared Parking matrix concluding that there is a surplus of spaces which will be made available to accommodate the uses on site as well as the proposed restaurant use at the neighboring site. Therefore, the shared parking program provides a reasonable, accountable, and enforceable means for all uses to share**

common parking.

5. That the requirements of the California Environmental Quality Act have been satisfied **in that the project qualifies as a Class 1 (Section 15301) exemption (Existing Facilities) in that the project establishes a Shared Parking Program on a previously improved parcel and no physical alterations are occurring.**

Conditions:

A. General:

1. Approval of this application permits the establishment of a shared parking program to satisfy parking requirements for the existing commercial uses located onsite, as well as allocate additional parking stalls for the proposed restaurant located at the adjacent parcel (24402 Del Prado Avenue). Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, Local Coastal Program Implementation Plan and Zoning Code.
2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced within such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.
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 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 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.

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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.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. 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.

6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
7. 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.
8. All plans shall be in conformance with the Lantern District Plan and Lantern District/Town Center Standards and Construction Details, per the Public Works Director/City Engineer.
9. The City shall maintain the option to reconsider the Conditional Use Permit (and conditions contained herein), at any time if the Community Development Director finds it necessary to re-evaluate impacts of the use on the surrounding community.
10. Before signing any lease agreement with future tenants, or purchase agreement with a future owner, the owner shall submit an updated shared parking program to the Director of Community Development for review and approval. The submittal shall indicate the new tenant or property owner,

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the tenant's required parking, and agreement with the Shared Parking Program as evidenced through a signed letter. The submittal shall be accompanied with a service fee in an amount equal to the hourly billing rate of a Planning Technician for one (1) hour, according to the most current "City of Dana Point — Schedule of Service Fees." The City of Dana Point may withhold permits of any kind for the site until such documentation and fee is provided, reviewed, and approved.

DRAFT

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PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 28th day of June, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Nelson, Chair
Planning Commission

ATTEST:

Brenda Wisneski, Director
Community Development Department

ACTION DOCUMENT 2: Draft Planning Commission Resolution No. 21-06-28-XX

RESOLUTION NO. 21-06-28-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, FOR COASTAL DEVELOPMENT PERMIT CDP21-0001; SITE DEVELOPMENT PERMIT SDP21-0004 AND MINOR CONDITIONAL USE PERMIT CUP21-0004(M) TO DEMOLISH A TWO-STORY COMMERCIAL BUILDING AND CONSTRUCT A TWO-STORY COMMERCIAL BUILDING TO BE USED AS A RESTAURANT OFFERING THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION, LOCATED AT 24402 DEL PRADO AVENUE. A SITE DEVELOPMENT PERMIT IS ALSO REQUESTED FOR THE JOINT USE OF PARKING FACILITIES WITH THE NEIGHBORING PARCEL (24422 DEL PRADO AVENUE).

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

WHEREAS, D&S Partner, LLC., (the "Owner") is the owner of real property commonly referred to as 24402 Del Prado Avenue (APN 682-234-03) (the "Property"); and

WHEREAS, the Owners authorized Andrade Architects & Powerstrip Studio (the "Applicant") and the applicant caused to be filed a verified application for a request to allow the demolition of an existing two-story commercial building and the construction of a new two-story commercial building to be used as a restaurant, located within the Dana Point Town Center Plan area. The application also requests to approve the Joint Use of Parking Facilities with the neighboring parcel (24422 Del Prado Avenue) and establish the sale of alcoholic beverages for on-site consumption, respectively; and

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section(s) 15303 (Class 3 – New Construction and Conversion of Small Structures) because the project includes the demolition of an existing building and the construction of a new commercial building as well as the establishment of an alcoholic beverage outlet and the Joint Use of Parking Facilities; and

WHEREAS, the Planning Commission did, on the 28th day of June, 2021, 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 CDP21-0001; SDP21-0004 and CUP21-0004(M);

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 and incorporated herein by this reference.

Findings:

- B) Based on the evidence presented, the Planning Commission adopts the following findings and approves Coastal Development Permit CDP21-0001, subject to conditions:
1. That the proposed development is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code **in that, the project is consistent with the applicable goals and policies as adopted by the California Coastal Commission associated with the Local Coastal Program approval for the Town Center Plan and the Dana Point Zoning Code. In particular, Land Use Element Policy 5.5 states that the development should promote a development of a mixture of land uses that may include visitor-serving commercial. The proposed project will include a commercial building to be designed and utilized as an indoor-outdoor dine-in restaurant which will add to the overall visitor serving character of Town Center.**
 2. That the proposed development, if located between the nearest public roadway and the sea or shoreline of any body of water, is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act **in that, the proposed development is not located between the nearest public roadway and the sea or shoreline of any body of water and does not impact any access or sensitive resources addressed in Chapter Three of the Coastal Act.**
 3. That the proposed development conforms 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 **in that the project is qualified as Categorically Exempt from review under CEQA pursuant to Section 15303 (Class 3 – New Construction or Conversion of Smalls Structures), because the project includes the demolition of an existing building and the construction of a new commercial building as well as the establishment of an alcoholic beverage outlet and the Joint Use of Parking Facilities or a previously developed lot.**
 4. That the proposed development 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 has been developed, and no environmentally sensitive habitats or scenic resources exist onsite. There are also no designated sensitive areas within proximity of the site that construction of the proposed project, or subsequent operation, would impact.**

5. That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **in that, the proposed project is located on a previously graded and developed, relatively flat lot, and no natural landforms will be impacted. As a condition of the project, a geotechnical report and soil study shall be submitted and reviewed by the Public Works and Engineering department prior to the commencement of any on site grading activities.**
6. That the proposed development be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that, the proposed commercial building has been designed with the vision of the Town Center Plan in mind, provides an abundance of architectural elements via the use of curved building walls and extended patio covers to provide aesthetic relief and reduce massing along Del Prado Avenue. The exterior proposes a modern/art deco-inspired architectural style, incorporating a combination of white smooth stucco exterior walls, painted brick veneer, metal trim windows, fascia, columns and handrails and red/brown powder-coated patio covers. The unique building design will add to the positive, eclectic mix of architectural styles throughout Town Center.**
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 with the establishment of the Joint Use of Parking Facilities through the approval of the minor Conditional Use Permit, the proposed project conforms with all other applicable development standards and City regulations regarding development of commercial buildings located within the TC-MU area and applicable Dana Point Zoning Code requirements and does not require any deviations in order to be developed.**

- C) Based on the evidence presented, the Planning Commission adopts

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the following findings and approved Site Development Permit SDP21-0004, subject to conditions:

1. That the site design is in compliance with the development standards of the Dana Point Zoning Code:

Non-residential development exceeding 2,000 GFA

in that pursuant to Section 9.71.020 of the Dana Point Zoning Code (DPZC), a SDP(M) shall be required for all non-residential development exceed two thousand gross square feet. The proposed 2,619 square foot, non-residential building and associated site improvements conforms with the TC-MU development standards as well as the applicable special development standards identified in the Dana Point Zoning Code and the Local Coastal Program.

Joint Use of Parking Facilities

in that with the establishment of the Joint Use of Parking Facilities Agreement with the neighboring parcel (24422 Del Prado Avenue), the proposed 2,619 square foot, dine-in restaurant with an outdoor dining component will provide the minimum number of parking stalls required in DPZC Section 9.35.080(47) of the DPZC. The proposed restaurant and associated outdoor dining requires a minimum of 33-parking stalls, 12 of which will be provided on-site. In accordance with DPZC Section 9.35.060(c)(3)(A), Joint Use of Parking Facilities, will allow 21 parking stalls to be located on the neighboring parcel located at 24422 Del Prado. The site design for the Joint Use of Parking Facilities follows the requisite development standards of the DPZC.

2. That the site is suitable for the proposed use and development:

Non-residential development exceeding 2,000 GFA

in that the proposed commercial building is located on a site that has been previously developed with a slightly taller, two story, dilapidated commercial building and an existing parking lot accessed from the alley. The proposed commercial building will maintain a similar footprint of the existing building, consisting of a zero (0) foot northern side yard setback which will screen the blank brick wall of the of the neighboring structure. Additionally, the project requires only slight configurations, grading and repaving of the existing parking lot.

Joint Use of Parking Facilities

in that both 24402 and 24422 Del Prado Avenue are owned by the same entity and with the approval of the Shared Parking Program for 24422 Del Prado, the site can provide the additional parking stalls necessary to accommodate the restaurant use, while still providing a satisfactory amount parking stalls to serve the uses of the commercial building located at 24422 Del Prado.

3. That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelin:

Non-residential development exceeding 2,000 GFA

in that the proposed commercial building fulfills Policy 1.5 of the Land Use Element of the Town Center Plan which states that the project should support street level uses that are pedestrian-oriented and contribute to the vibrancy of the street by designing a structure with large patio covers that extend out from the building face towards Del Prado Avenue and the southern side yard providing an abundance of covered outdoor dining as well as lush landscaping which will attract pedestrians and contribute to the overall lively atmosphere of the street.

Joint Use of Parking Facilities

in that the proposed Joint Use of Parking Facilities fulfills Policy 3.4 of the Circulation Element of the Town Center Plan which states that the project should encourage the use of alleys as pedestrian pathways through alleyway beautification and through upgrades to the rear facades of buildings with alley frontage, by providing landscaped, accessible pedestrian access between 24402 and 24422 Del Prado Avenue as well as landscape planters and hardscape improvements located along the rear of parking lot located at 24402 Del Prado Avenue.

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:

Non-residential development exceeding 2,000 GFA

in that the proposed commercial building is sited in accordance with applicable development setbacks and will utilize portions of the existing building's footprint during grading and drainage activities. Without requiring a specific style of architecture, the building has been designed with high quality architectural elements and projections which

will compliment other projects and development with the Town Center and surrounding areas.

Joint Use of Parking Facilities

in that the proposed Joint Use of Parking Facilities allows for the subject site to utilize excess parking stalls located on the neighboring parcel to fulfill the minimum number of required parking stalls for a dine-in restaurant use with an outdoor dining component. Additionally, the off-site parking stalls are located on an adjacent site which shares its property line with the subject site and will provide flat, accessible access with landscape screening, without requiring a particular style of architecture.

- D) Based on the evidence presented, the Planning Commission adopts the following findings and approved minor Conditional Use Permit CUP21-0004(M), subject to conditions:
1. The proposed conditional use is consistent with the City of Dana Point General Plan and Town Center Plan (DPTCP) **in that the sale of beer and wine for on-site consumption, in combination with establishment of a new dine-in restaurant on a single site promotes Goal 6, Policy 6.2 of the Land Use Element of the General Plan as well as Land Use Goal, Policy 1.2 of the Dana Point Town Center Plan which together, aim to encourage retail businesses and mixtures of land uses that help to generate positive pedestrian activity within the Town Center area.**
 2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other land use development features prescribed in the Dana Point Municipal Code (DPMC) and required in order to integrate the use with existing and planned uses in the vicinity **in that with the approval of the Joint Use of Parking Facilities, there will sufficient parking between 24402 and 24422 Del Prado Avenue to accommodate the proposed dine-in restaurant and outdoor dining uses and the proposed building will be smaller in square footage than the existing building proposed to be demolished on-site. Additionally, the proposed alcoholic beverage service areas and designated outdoor eating or drinking are designed to meet all Alcoholic Beverage Control (ABC) licensing provisions.**
 3. The proposed use will not be contrary to the public interest or injurious to nearby properties, and the spirit and intent of Section

9.07.040 (Alcoholic Beverage Outlets) of the DPMC will be observed in that the proposal is to establish a Type 41 ABC license type offering the sale of beer and wine for on-site consumption in conjunction with establishment of a dine-in restaurant (Truly Pizza). Customers will be able to purchase both alcoholic and non-alcoholic beverages and food items for on-site consumption. Therefore, the new use will not be contrary to the public interest or injurious to nearby properties.

4. The proposed use will not enlarge or encourage the development of a "skid row" area in that the applicant proposes establish a Type 41 ABC license in conjunction with a proposed restaurant (Truly Pizza) and the consumption of beer and wine shall be limited to the ABC approved areas only. Therefore, the issuance of the ABC Type 41 license would not enlarge or encourage the development of a "skid row" area and serve public convenience or necessity.
5. The establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any other City program in that the subject site and uses are not subject to any neighborhood conservation program, nor will it interfere with any other City program.
6. All applicable regulations of the zoning district in which the use is permitted will be observed in that pursuant to the Land Use Matrix of the Town Center Plan, establishments which serve or sell alcohol, are conditionally permitted. Conditions of approval contained in this permit will ensure the proposed use will not result in adverse impacts to neighboring development. All proposed improvements will be subject to building permit approval to ensure all zoning developments standards are met.

Conditions:

A. **General:**

1. Approval of this application permits a request to allow the demolition of an existing two-story commercial building and the construction of a new two-story commercial building to be used as a restaurant, located within the Dana Point Town Center Plan area. The application also requests to approve the Joint Use of Parking Facilities with the neighboring parcel (24422 Del Prado Avenue) and establish the sale of alcoholic beverages for on-site consumption, respectively. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the

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Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, Local Coastal Program Implementation Plan and Zoning Code.

2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.
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 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 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.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors.

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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.

6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
7. 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.
8. The construction site shall be posted with signage indicating that construction may not commence before 7:00 AM and must cease by 8:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or Federal holidays.
9. The applicant, property owner or successor in interest shall prepare a Waste Management Plan to the City's C&D official per the Dana Point Municipal Code. A deposit will be required upon approval of the Waste Management Plan to ensure compliance.
10. The project shall meet all water requirements including Low Impact Development (LID) implementation.
11. The approved utility connections from all utility agencies shall be provided to Public Works as an encroachment and/or improvement plan application prior to any utility work.
12. The applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California, and Cox Communication Services for the provision of water, sewer, electric, cable television and telephone and services. The applicant is responsible to coordinate any potential conflicts or existing easements.
13. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion and sediment control measures at all times. The applicant shall maintain the erosion and sediment control devices until the final approval of all permits.

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14. Prior to the commencement of any work within the public right-of-way, the applicant shall apply and be approved for an encroachment permit.
15. Building materials, unlicensed vehicles, construction equipment, portable toilets, and construction-related items shall not be placed in the public right-of-way.
16. All plans shall be in conformance with the Lantern District Plan and Lantern District/Town Center Standards and Construction Details, per the Public Works Director/City Engineer.
17. Any damage to existing public or adjacent private property facilities shall be repaired or replaced to the satisfaction of the Public Works Director/City Engineer.
18. All planting in the public right of way shall be reviewed and approved by the Public Works Department prior to approval and installation.
19. All above ground utility pedestals, apparatuses, backflow preventors or other, shall be on private property and shall be sufficiently screened from the public view. The screening shall be approved by the utility provider, Director of Public Works and OCFA (as required).
20. Sufficient lighting for public sidewalk safety shall be provided by the project for the surrounding public sidewalks. Public sidewalk shall follow the Parking Facility Development Standards for lighting and be directed away from adjacent properties.
21. Separate review, approval, and permits are required for:
 - Separate structures
 - Freestanding/Retaining walls
 - Site walls over 3 ft.
 - Fire sprinklers
 - Demolition of structures
 - Signage
22. The applicant shall provide letters of permission from all easement holders for improvements within the listed easement on-site.
23. Pursuant to the requisite development standards of the Town Center Plan referring to additional setbacks at upper levels, portions of the proposed structure which are above 20 feet and located 40 feet back from the front of the building face are required to maintain a minimum of five (5) feet from the interior northern side property line. Prior to construction plan

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submittal, the applicant shall modify the portion of the proposed structure located along the northern side yard which does not comply with the additional side yard setback. Alternatively, the applicant may request to maintain the proposed northern side portion of the structure located within additional setback above 20 feet through the submittal of an Administrative Modification of Standards (AMS) application for review and approval by the Director of Community Development.

24. The applicant shall develop and submit a Soil Management Plan, as needed, per the recommendations of GSA Engineering, Inc., in accordance with the Orange County Health Department.
25. The affected property owners shall execute Joint Use of Parking Facilities Agreement (Agreement) provided by the City or, if prepared by the owner(s), shall be submitted for review and approval by the City Attorney. Costs for such review of an alternative format shall be borne by the applicant. The Agreement shall provide that; (1) the parking facilities located at 24402 Del Prado Avenue and 24422 Del Prado Avenue are maintained and accessible in accordance with applicable City regulations; (2) the parking facilities located at 24422 Del Prado Avenue shall be jointly used by the tenant of 24402 Del Prado Avenue in accordance with the Joint Use of Parking Facilities plan submitted and approved by the City's Community Development Director (3) the owner(s) unconditionally waive any claim of liability on the part of the City or any other public agency from any damage from such joint use; and (4) the owners assume all liability for damages incurred as a result of any such joint use. The Agreement shall be recorded on both affected properties, free of prior liens, to bind the owner(s) and any successors in interest or otherwise recorded to the satisfaction of the City Attorney. The agreement shall be recorded prior to issuance of a certificate of occupancy for Truly Pizza.
26. The hours of operation for Truly Pizza shall be as follows:
 - 11:00 A.M. to 10:00 P.M. Monday – Thursday
 - 11:00 A.M. to 11:00 P.M. Friday and Saturday
 - 11:00 A.M. to 9:00 P.M. Sunday
27. There shall be no advertisement of alcoholic beverages outdoors, in windows, or at the front of the building.
28. Any employee selling alcoholic beverages shall be 21 years of age or over and complete a Licensee Education on Alcohol and Drugs (LEAD) training program and receive a certificate prior to selling alcohol.
29. All proposed uses shall comply with the provisions of the City's Noise

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Ordinance at all times.

30. In order to reduce the noise caused by the clanking of bottles into trash/recycling containers at the close of business, all glass containers shall be properly disposed of after 7:00 A.M., the following day into appropriate trash/recycling bins.
31. Consumption of alcoholic beverages shall be prohibited anywhere except in the ABC approved tasting, service and consumption areas only. At no point may beer, wine or cider be consumed outside of the ABC approved areas on the subject site.
32. The ABC license holder/operator shall maintain, post, and enforce the current "Do Not Sell List" provided by the Orange County Sheriff Department.
33. There shall be appropriate and conspicuous postings of a notice inside the premises, indicating that consumption of alcohol outside the approved consumption areas is prohibited by law, except as may be permitted in the designated outdoor dining area. The notice shall be at least one and one-half (1.5) square feet in size.
34. No live entertainment is permitted unless approved through a separate Special Event Permit. A Special Event Permit shall be issued for any future activities which temporarily intensify the impacts (i.e., parking, traffic, noise, light and glare, etc.).
35. The City shall maintain the option to reconsider the Conditional Use Permit (and conditions contained herein), at any time if the Community Development Director finds it necessary to re-evaluate impacts of the use on the surrounding community.
36. The owner/operator shall install "Good Neighbor" signage on the designated outdoor eating or drinking area and in and around entrances and exits from the establishment to remind patrons to be considerate of neighboring residential areas.
37. Deliveries and refuse collection shall be prohibited between the hours of 10:00 P.M. and 8:00 A.M. daily, unless otherwise approved by the Director of Community Development.

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

38. The project shall submit a Water Quality Management Plan (WQMP) for review and approval. The WQMP shall be in accordance with the South

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Orange County model WQMP, South Orange County Technical Guidance Document.

39. The applicant shall submit a Hydrology and Hydraulic Study (H&H Study) of the proposed storm drain system and required detention/retention for review and approval. The H&H Study shall be in accordance with the County of Orange Local Drainage Manual and Orange County Hydrology Manual.
40. The applicant shall apply for a grading permit. The grading permit application, in compliance with City standards, submitted for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
41. The grading plan shall include the removal of the existing driveway approach on Del Prado.
42. The applicant shall provide an approved plan from South Coast Water District (SCWD) for all water and sewer connections. All utility connections shall be in accordance with SCWD requirements and City of Dana Point pavement requirements. The grease management system may be included in this plan or per separate submittal to SCWD.
43. The applicant shall submit a geotechnical report for review and approval by the Director of Public Works. All reports shall recommend appropriate measures and provide a statement of the feasibility or approval of the project from a geotechnical standpoint. All reports shall be completed in the manner specified by the City of Dana Point Municipal Code, the City of Dana Point Grading Manual, and Orange County Grading Manual.
44. A performance bond shall be required for the completion of all grading activities up to 100% of the proposed improvements. The grading and final improvements shall be constructed and approved by Director of Public Works, prior to the issuance of a Certificate of Occupancy.
45. Separate submittal for review, approval and permits are required for project walls. Separate applications shall be made to the Community Development Department for all project walls. The submittals shall be in accordance with the latest Community Development requirements.
46. The applicant shall submit a drainage plan addressing the proposed

construction in compliance with all City of Dana Point standards for review and approval. The drainage plan shall clearly show all drainage from proposed improvements being directed to an approved outlet.

C. Prior to building plan check submittal, the applicant shall meet the following conditions:

47. Building(s) shall comply with the current editions of the Building Code with all local amendments.
48. Building plan check submittal shall include the following construction documents:
 - Building Plans with Electrical/Plumbing/Mechanical plans (4 sets)
 - Energy Calculations (2 sets)
 - Structural Calculations (2 sets)
 - Soils/Geology Report (3 sets)
 - Drainage Plan

All documents prepared by a registered-design-professional shall be wet-stamped & signed.

49. Fire Department review may be required. Submit plans directly to the Orange County Fire Authority for their review.
50. Undergrounding of all onsite utilities is required. An Approved SDG&E Work Order and Undergrounding Plan is required prior to permit issuance.
51. Minimum roofing classification is Class "A".
52. Fire-rated Construction: Plans should clearly identify and detail the fire-rated construction for any construction due to close proximity to the property line.
53. Separate review, approval, and permits are required for separate structures.
54. Soils Report (1803): Submit a foundation and soils investigation report by a Registered Design Professional and conducted in conformance with CBC Section 1803.3 through 1803.5. The report shall comply with CBC Section 1803.6.
55. Foundation system to provide for expansive soils and soils containing sulfates unless a soils report can justify otherwise. Use Type V cement,

w/c ratio of 0.45, f_c of 4500 psi.

56. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CAL Green requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.

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

57. The applicant shall obtain a grading permit and complete rough grading (establishment of building pads) in accordance with the approved grading plans and reports.
58. The applicant shall submit a rough grade certification from the Civil Engineer of Record for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the satisfaction of the City Engineer. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.
59. The applicant shall submit a rough grade certification from the Geotechnical Engineer/Engineering Geologist of Record for review and approval by the City Engineer by separate submittal. The rough grade certification by the geotechnical engineer (standard Geotechnical Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the recommendation of the project geotechnical report approved grading plan from a geotechnical standpoint. An as-drilled report addressing the proposed shoring shall also be submitted (with the rough grade certification) documenting the geotechnical aspects of the shoring.
60. An as graded geotechnical report may be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and recompaction, 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. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the

preliminary geotechnical report and all addenda.

61. The applicant shall post Del Prado maximum 4-hour parking during the construction day in all areas around the construction site. The purpose of the restrictions is to prevent construction worker parking from using the business parking on Del Prado. All construction parking should be provided on-site.
62. Prior to commencement of framing, the applicant shall verify, by survey, that the structure will be constructed in compliance with the dimensions shown on plans approved by the City, from finish wall materials to property-lines included as part of these entitlements. The City's standard "Setback Certification" form shall be obtained from the Project Planner and be prepared by a licensed civil engineer/surveyor and shall be delivered to the City of Dana Point Building/Safety and Planning Divisions for review and approval.
63. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structures and any encroachments above the height limit are in compliance with plans approved by the Planning Commission and the structure heights included as part of this entitlement. The City's standard "Height Certification" form shall be prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.
64. Approvals are required from:
 - Planning Department
 - Public Works
 - Obtain Orange County Fire Authority Approval
 - Obtain "Will Serve" letter from Water District.
 - Provide an SDG&E service work order for proposed service location
65. All applicable supplemental/development impact fees shall be paid prior to building permit issuance.
66. A separate erosion control plan shall be included in the project plans. The erosion control plan shall address the potential erosion and sediment loss for the proposed hillside development.

E. Prior to the issuance of a certificate of occupancy, the applicant shall meet the following:

67. All landscaping and irrigation shall be installed per the approved final

landscape and irrigation plan. A State licensed landscape architect shall provide the "Landscape Installation Certificate of Completion" form to the Director of Community Development and the requisite documents (irrigation scheduling parameters, landscape and irrigation maintenance schedule, irrigation audit report, and soil analysis report if not submitted at permit issuance) as required in the Submittal Requirements and Guidelines for Implementation of the Chapter 9.55 of the DPZC.

68. The applicant shall submit a final certification for all improvements associated with water quality and the project WQMP for review and approval by the Director of Public Works/Public Works Director/City Engineer by separate submittal. The final improvement certification by the civil engineer (City's standard Civil Engineer's Certification Template for Final Grading) shall approve the improvements as being substantially completed in conformance with the approved WQMP.
69. A deed restriction must be placed on the property obligating the property owner to operate and maintain the BMPs and the WQMP and O&M Plan into perpetuity. The document must be executed and recorded with the County prior to issuance of Certificate of Occupancy.
70. The applicant shall demonstrate that all structural best management practices (BMPs) described in the Project's WQMP have been constructed and installed in conformance with approved plans and specifications via the City's WQMP Construction Certification letter template.
71. The applicant shall demonstrate that contracts or qualified personnel to implement all non-structural BMPs described in the Project WQMP Operations and Maintenance Manual are in place.
72. The applicant shall provide a distribution list for the approved Project WQMP and Operations and Maintenance Manual.
73. The screening for all above ground utility pedestals, apparatuses, backflow preventors or other, shall be in place and approved by the utility provider, Director of Public Works and OCFA (as required).
74. The lighting for public sidewalk safety shall be in place and approved by the Director of Public Works.
75. All permanent BMP's, including landscaping, shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
76. An As-Built Grading Plan shall be prepared by the Civil Engineer of

Record.

77. Verification of all conditions of approval is required by all City Departments.
78. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
79. A written approval by the Geotechnical Engineer of Record approving the grading as being in conformance with the approved grading plan from a geotechnical standpoint.
80. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.
81. All permanent BMP's, including landscaping, shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
82. All approvals from outside Departments and Agencies (i.e. Fire Department) is/are required.
83. The applicant shall contact both the Planning Division and Public Works & Engineering Services to schedule a final inspection prior to building final project sign-off.
84. The applicant shall contact the Planning Division to conduct an inspection of the completed project including compliance with all conditions and installation of alcoholic beverage consumption areas, "Good Neighbor" signage, prior to contacting the Building/Safety Division for final project sign-off.

PLANNING COMMISSION RESOLUTION NO. 21-06-28-XX
CDP21-0001; SDP21-0004; CUP21-0004(M)
PAGE 19

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 28th day of June, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Nelson, Chair
Planning Commission

ATTEST:

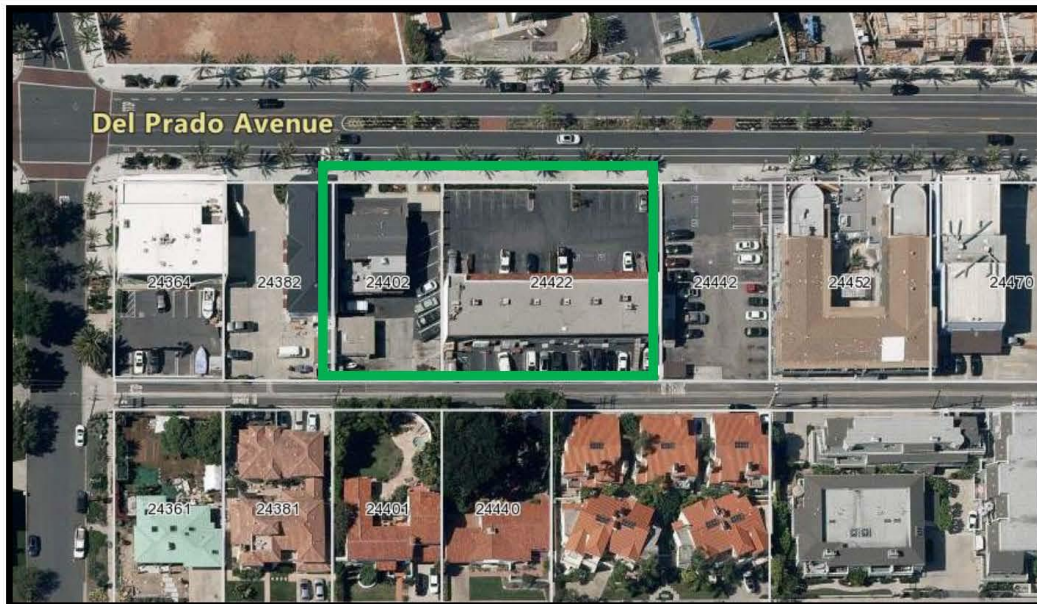
Brenda Wisneski, Director
Community Development Department

SUPPORTING DOCUMENT 3: Vicinity Map



City of Dana Point
CDP21-0001; SDP21-0004; CUP21-0004(M) & CUP21-0006(M)
Danny Giometti, Senior Planner
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629-1805

VICINITY MAP



Project : CDP21-0001; SDP21-0004; CUP21-0004(M) & CUP21-0006(M)

Applicant: Andrade Architects & Powerstrip Studio

Location: 24402 and 24422 Del Prado Avenue



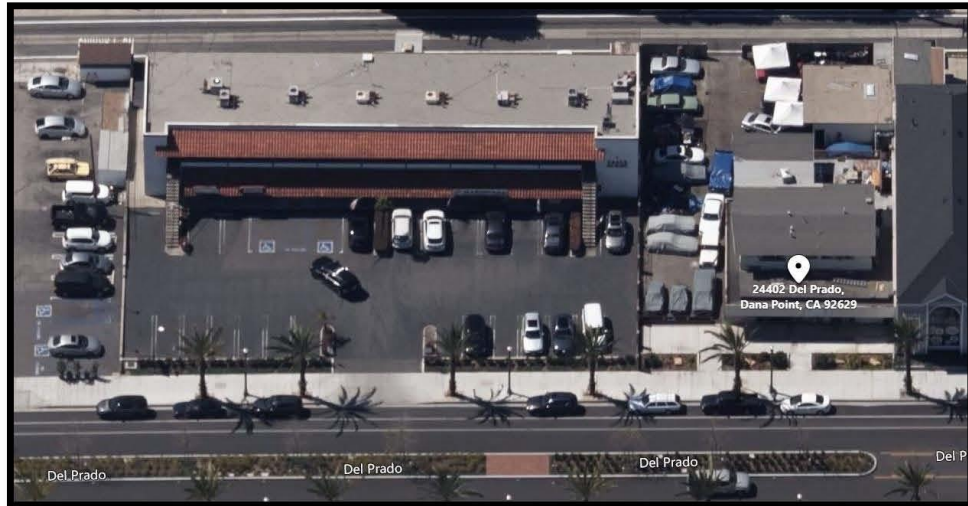
SUPPORTING DOCUMENT 4: Site Photos

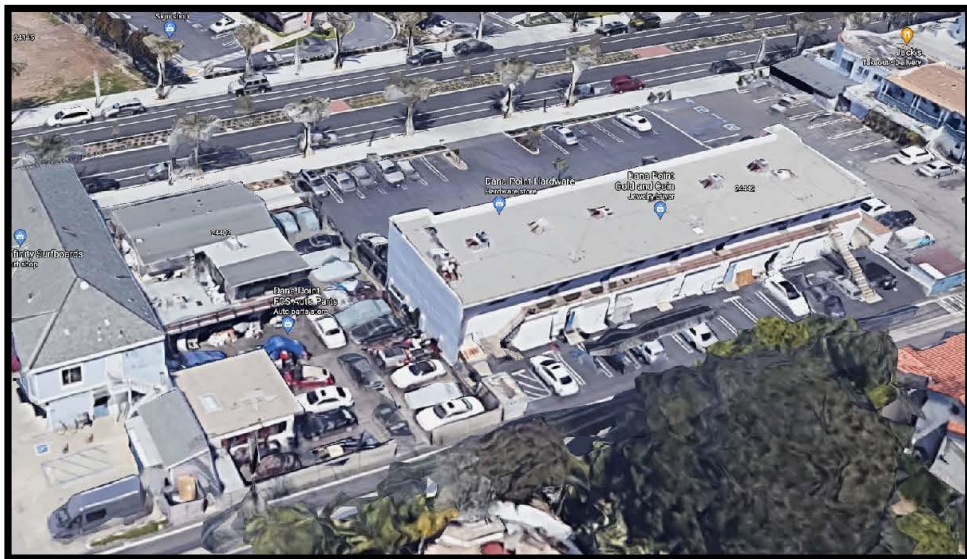


City of Dana Point
CDP21-0001; SDP21-0004; CUP21-0004(M) & CUP21-0006(M)
Danny Giometti, Senior Planner
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629-1805

SITE PHOTOS







SUPPORTING DOCUMENT 5: Architectural Plans and Renderings

ATTACHMENT

TRULY PIZZA

24402 DEL PRADO AVE, DANA POINT, CA 92629

PARKING STUDIES

March 2021 Study	Wed 3/3	Thu 3/4	Fri 3/5	Mon 3/8	Tue 3/9	Wed 3/10
10am	10	10	15	10	15	5
11am	12	12	11	11	18	5
12pm	8	10	13	15	16	8
1pm	10	12	10	18	10	13
2pm	11	12	8	14	15	12
3pm	10	12	12	16	11	15
4pm	10	11	11	16	8	18
5pm	15	12	11	12	10	10
6pm	8	10	6	10	10	6
7pm	4	3	4	4	6	3
8pm	3	0	2	4	5	3
9pm	0	0	2	0	0	0
10pm	0	0	0	0	0	0
JANUARY 2021 Study	Wed 1/6	Fri 1/8	Sat 1/9			
10am	4	6	3			
11am	4	4	3			
12pm	3	5	4			
1pm	5	5	5			
2pm	4	6	6			
3pm	5	8	5			
4pm	6	4	4			
5pm	4	3	3			
6pm	3	4	2			
7pm	1	1	1			
8pm	1	1	1			
9pm	1	1	1			
10pm	1	1	1			
DECEMBER 2020 Study	Wed 12/16	Fri 12/18	Sat 12/19			
10am	6	4	3			
11am	3	4	5			
12pm	5	6	6			
1pm	5	8	5			
2pm	8	6	8			
3pm	3	4	5			
4pm	3	3	5			
5pm	4	4	3			
6pm	3	2	2			
7pm	1	1	1			
8pm	1	1	1			
9pm	1	1	1			
10pm	1	1	1			

PARKING CALCULATIONS

BUILDING AREA	
1ST FLOOR:	1,954 GSF
2ND FLOOR:	665 GSF
TOTAL:	2,619 GSF
	<u>1 STALL/100 SF</u>
PARKING:	26 STALLS
OUTDOOR DINING	
1ST FLOOR:	475 SF @ COVERED DINING
2ND FLOOR:	554 SF @ PATIO
TOTAL:	829 SF
	<u>1 STALL/150 SF</u>
PARKING:	7 STALLS
PARKING REQUIRED:	33 STALLS
PARKING PROVIDED:	12 STALLS
	-21 STALLS
PARKING PROVIDED @ADJACENT LOT:	41 STALLS (SEE DRAWING ID.100)
PARKING SPACES USED @PEAK USAGE:	18 STALLS (@ 4AM on 3/10/21)
PEAK USAGE + TRULY OVERFLOW:	39 STALLS
PEAK USAGE SURPLUS @ 24422 DEL PRADO:	+2 STALLS

SQUARE FOOTAGES

LOT AREA	
75' x 135' =	.23 ACRES (10,125 SF)
EXISTING BUILDING COVERAGE	
3,660 SF	
PROPOSED BUILDING COVERAGE	
2,950 SF	
EXISTING LOT COVERAGE	
3,660 SF / 10,125 SF = 0.34	36%
PROPOSED LOT COVERAGE	
2,950 SF / 10,125 SF = 0.29	29%
EXISTING FAR	
3,775 SF / 10,125 SF = 0.37	
PROPOSED FAR	
3,910 SF / 10,125 SF = 0.38	

CODE COMPLIANCE

- ALL WORK SHALL CONFORM TO THE FOLLOWING:
- 2019 CALIFORNIA BUILDING CODE (CBC) - TITLE 24, PART 2
 - 2019 CALIFORNIA MECHANICAL CODE (CMC) - TITLE 24, PART 4
 - 2019 CALIFORNIA ELECTRICAL CODE (CEC) - TITLE 24, PART 3
 - 2019 CALIFORNIA PLUMBING CODE (CPC) - TITLE 24, PART 5
 - 2019 CALIFORNIA GREEN BUILDING STANDARDS (CGBS) - TITLE 24, PART II
 - 2019 CALIFORNIA ENERGY CODE - TITLE 24, PART 6
 - CITY OF DANA POINT MUNICIPAL CODE

GENERAL NOTES

- SIGNAGE UNDER SEPARATE PERMIT
- ALL UTILITY LOCATIONS ARE FOR DESIGN PURPOSES ONLY AND WILL BE REVIEW UNDER A SEPARATE PERMIT DURING THE BUILDING REVIEW STAGE
- A SEPARATE REVIEW BY WATER DISTRICT SHALL BE REQUIRED
- ALL CONDITION SUBJECT TO REVIEW AND APPROVAL
- GRADING PLAN FOR DESIGN PURPOSES ONLY

GENERAL REQUIREMENTS

- OBTAIN CAL-OSHA PERMIT TO ANY DEMOLITION WORK THAT INVOLVES ASBESTOS/HAZARDOUS WASTE REMOVAL/DISPOSAL/ABATEMENT.
- MANDATORY MEASURES ON WASTE DISPOSAL: (a) COMPLY WITH SECTION 301.3.2 REGARDING WASTE DIVERSION REQUIRED FOR ALTERATION (T.I) THAT REQUIRES PERMIT. (b) COMPLY WITH SECTION 5.408 REGARDING CONSTRUCTION WASTE REDUCTION DISPOSAL AND RECYCLING.
- PROPOSED PROJECT SHALL COMPLY WITH THE CURRENT DISABLED ACCESS REGULATIONS PER CCR T-24 AND THE 2016 CBC CHAPTER 11B

PROJECT DESCRIPTION

A NEW TWO STORY COMMERCIAL BUILDING WITH RESTAURANT, PATIO DINING AND PARKING

PROJECT DATA

APN:	682-234-03
ZONE:	TC-MU
CONSTRUCTION TYPE:	V-B FULL SPRINKLED
NUMBER OF STORIES:	2
TOTAL PARKING FOR CENTER:	12 SPACES

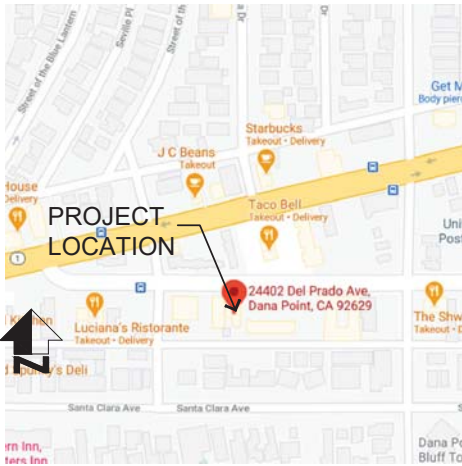
SHEET INDEX

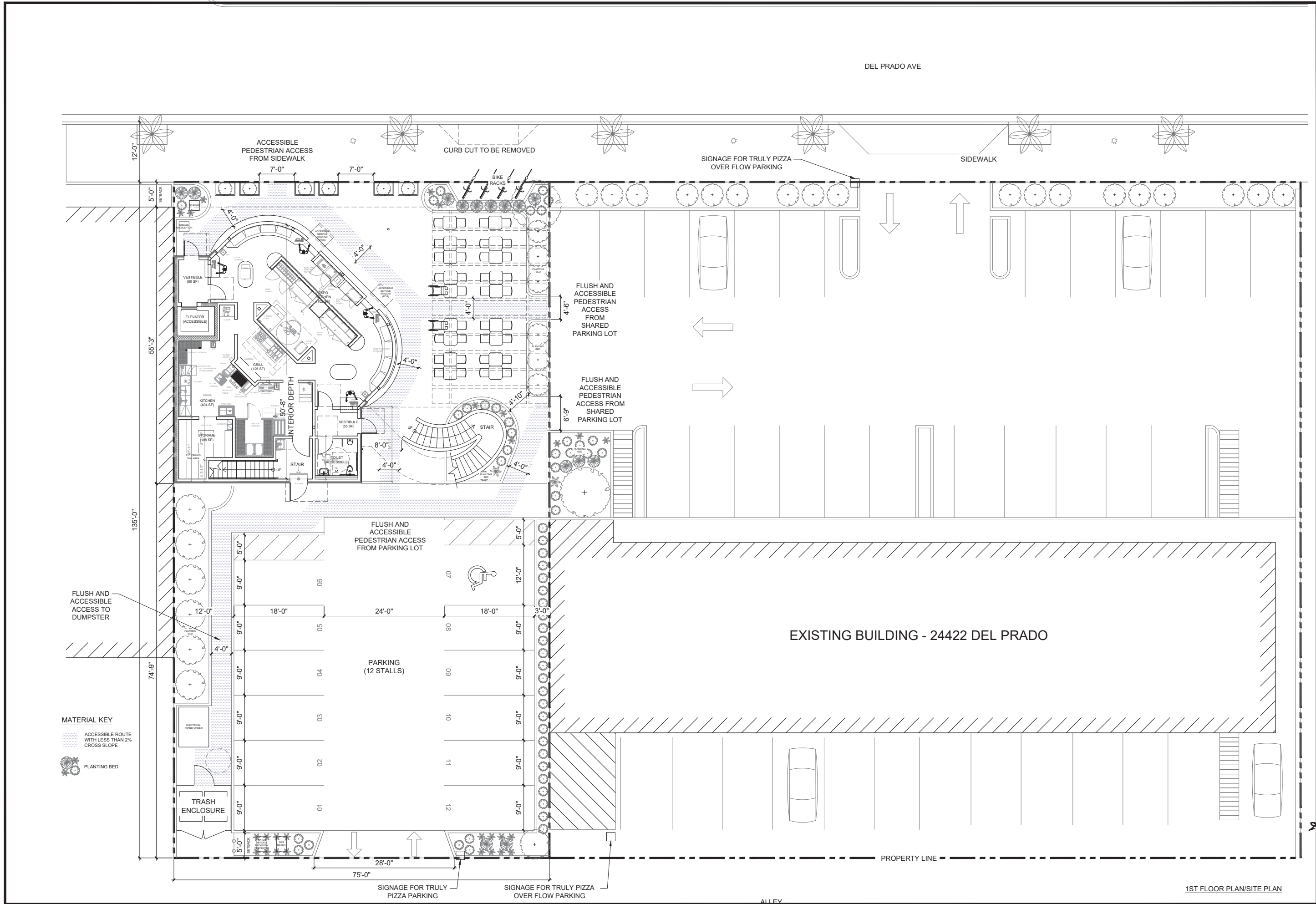
ARCHITECTURAL:	
C.001	COVER SHEET
ID.100	SITE PLAN
ID.101	BUILDING PLANS AND PARKING CALCULATIONS
ID.200	EXTERIOR ELEVATIONS
ID.201	BUILDING SECTIONS
ID.300	BUILDING RENDERINGS

PROJECT DIRECTORY

PROPERTY OWNER: D&S PARTNER, LLC DONNA BALDWIN 603 OCEAN AVE 3E, SANTA MONICA, CA. 90402 STEVE MULLER 35475 BEACH ROAD, CAPISTRANO BEACH, 92624	PROJECT ARCHITECT: ANDRADE ARCHITECTS, INC. 2880 SOUTH COAST HIGHWAY LAGUNA BEACH, CA 92651 PHONE: 949-715-7474 FAX: 949-715-7475 PRINCIPAL DESIGNER POWERSTRIP STUDIO LOS ANGELES, CA WWW.POWERSTRIPSTUDIO.COM
---	--

VICINITY MAP





ANDRADE ARCHITECTS, INC.
EXPLICITLY RESERVES ITS
RIGHTS IN ALL RIGHTS IN
THESE DRAWINGS. THESE
DRAWINGS ARE TO BE
REPRODUCED, CHANGED OR
REPRODUCED IN ANY MANNER
WITHOUT THE WRITTEN
CONSENT OF ANDRADE
ARCHITECTS, INC.

PROJECT ARCHITECT:
2880 SOUTH COAST HIGHWAY
LAGUNA BEACH, CA 92651
PHONE: 949.775.7474
FAX: 949.775.7475
ANDRADEARCHITECTS.COM
ANDRADE ARCHITECTS, INC.

PRINCIPAL DESIGNER:
Powerstrip Studio
Los Angeles, CA
www.powerstripstudio.com

TRULY PIZZA
24402 DEL PRADO AVE
DANA POINT, CA

SITE PLAN

REVISIONS	
△	
△	
△	
△	

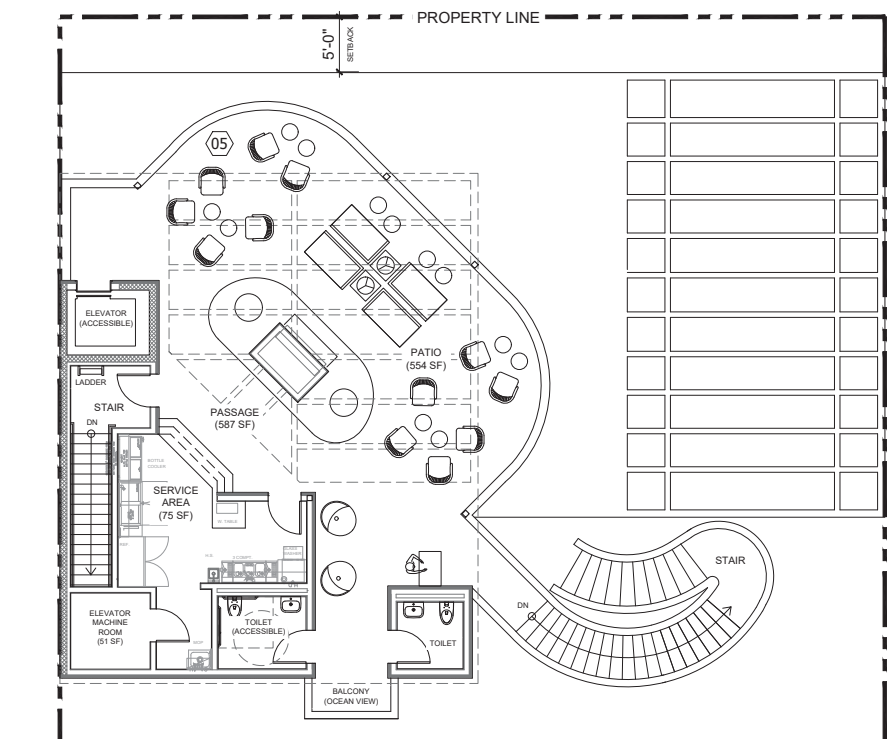


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CHECKED BY: SA
DATE: 4/05/21
JOB #: 2105
SHEET:

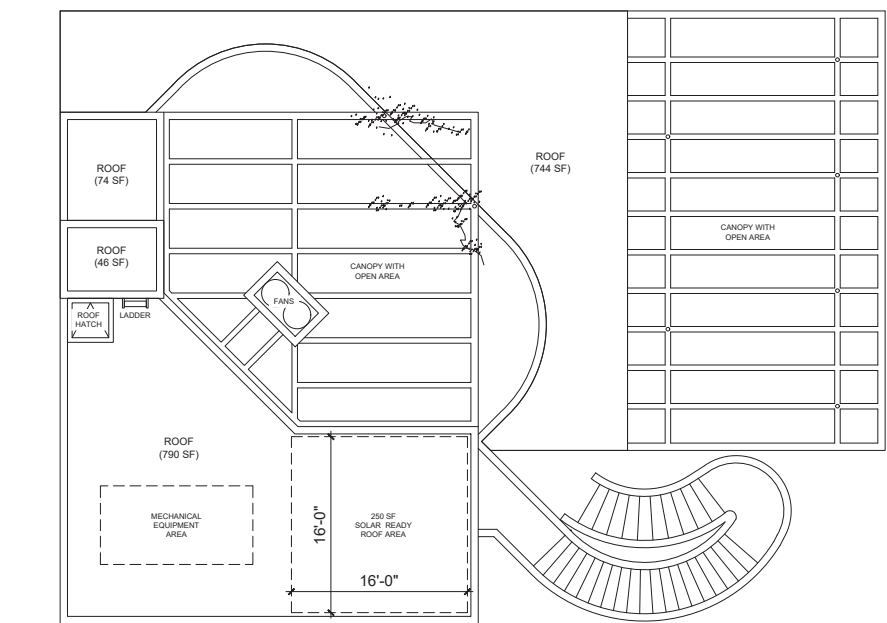
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1ST FLOOR PLAN/SITE PLAN

- KEY NOTES
- 01 PROPOSED UTILITY LOCATION SHOWN, FINAL LOCATION TO BE CONFIRMED
 - 02 ALL DELIVERIES ARE TO BE RECEIVED FROM THE ALLEY
 - 03 PROVISIONS TO BE MADE AT THIS LOCATION FOR A FUTURE ACCESSIBLE EV / LOW EMISSIONS PARKING STALL
 - 04 75'-0" TRAVEL DISTANCE FROM THIS LOCATION TO THE FIRST FLOOR BATHROOM
 - 05 60'-0" TRAVEL DISTANCE FROM THIS LOCATION TO THE SECOND FLOOR BATHROOM
 - 06 EXISTING CURB CUT TO BE REMOVED

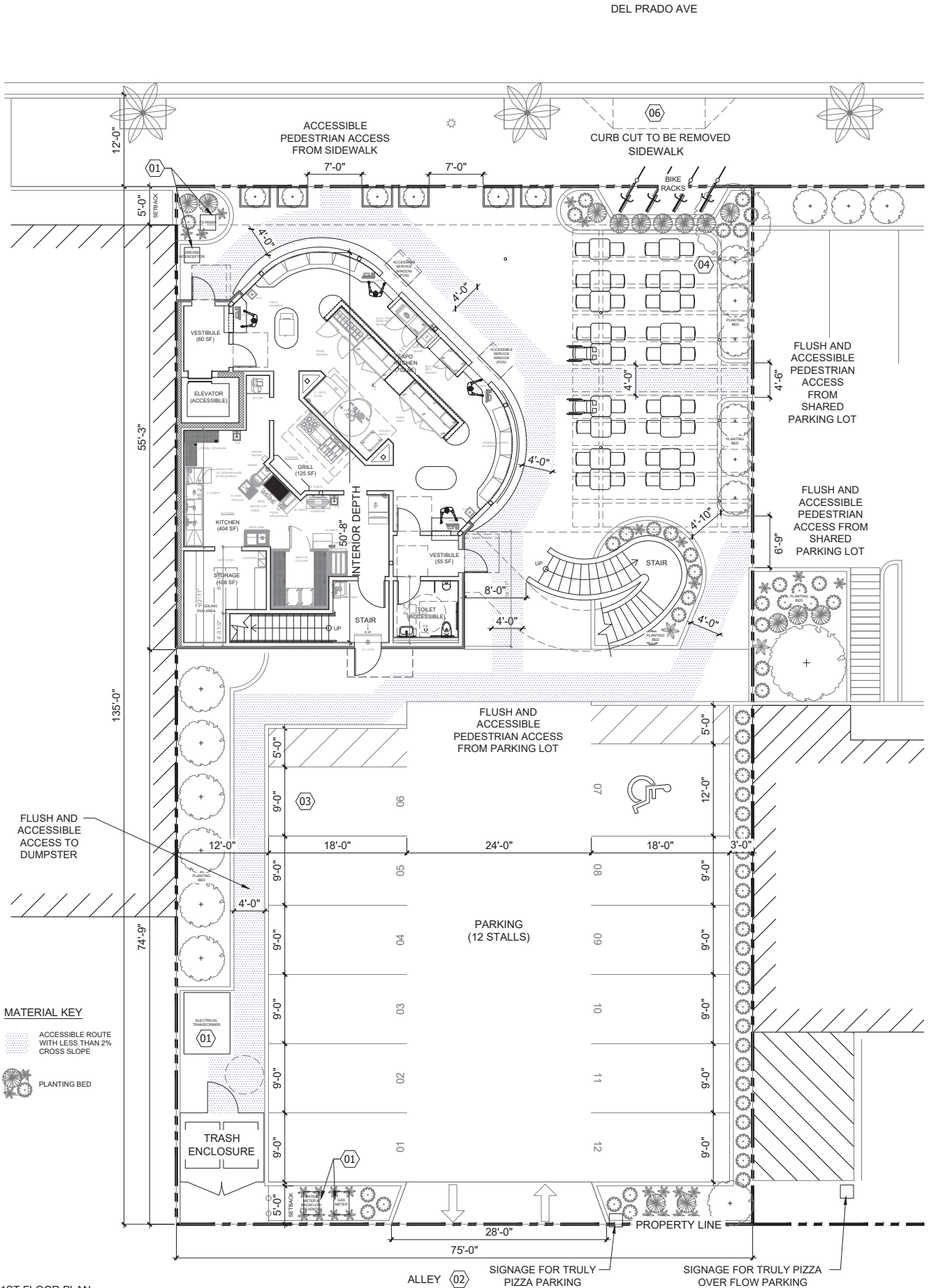


2ND FLOOR PLAN



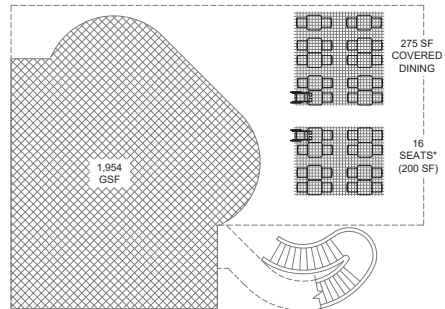
TOTAL ROOF AREA:
790+744+74+45 = 1,653 SF
1,653 * 15% = 248 SF REQUIRED SOLAR READY ROOF AREA

ROOF PLAN

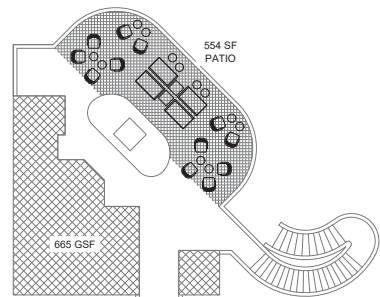


1ST FLOOR PLAN

PARKING CALCULATIONS



FIRST FLOOR
*FIRST 16 OUTDOOR SEATS DO NOT REQUIRE PARKING SPACES



SECOND FLOOR



ANDRADE ARCHITECTS, INC.
2880 SOUTH COAST HIGHWAY
LAGUNA BEACH, CA 92651
PHONE: 949.775.1714
FAX: 949.775.1715
WWW.ANDRADEARCHITECTS.COM
ANDRADE ARCHITECTS, INC.

PRINCIPAL DESIGNER
Powertrip Studio
Los Angeles, CA
www.powertripstudio.com

TRULY PIZZA
24402 DEL PRADO AVE
DANA POINT, CA

BUILDING PLANS AND
PARKING CALCULATIONS

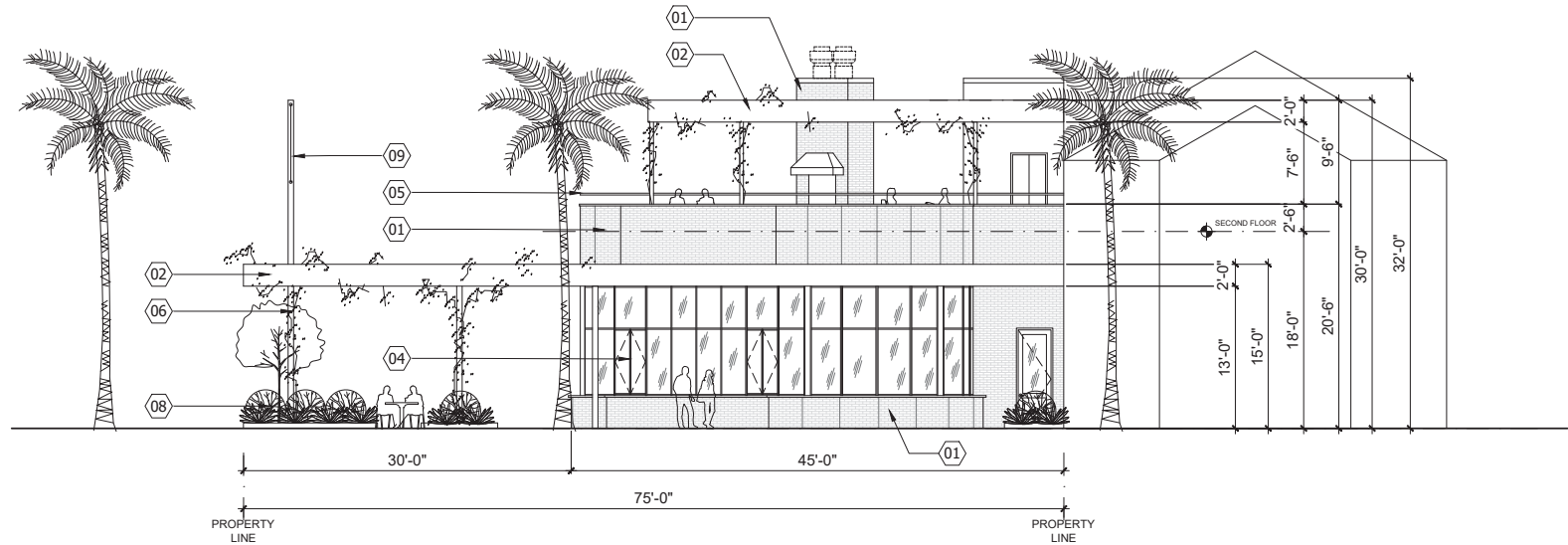
REVISIONS



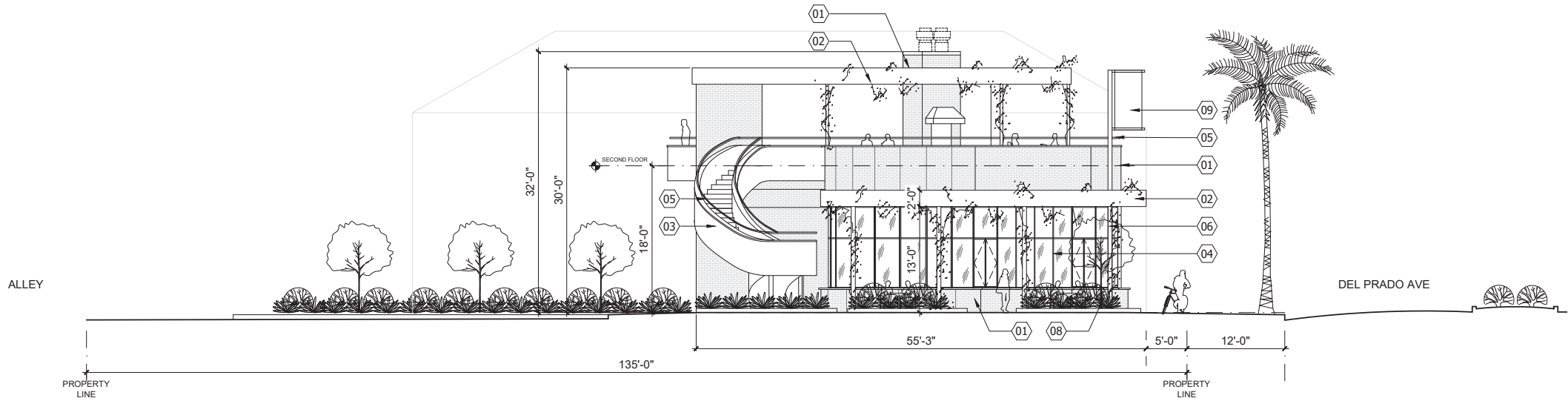
DRAWN BY: JC
CHECKED BY: SA
DATE: 4/05/21
JOB #: 2105
SHEET:

ID.101

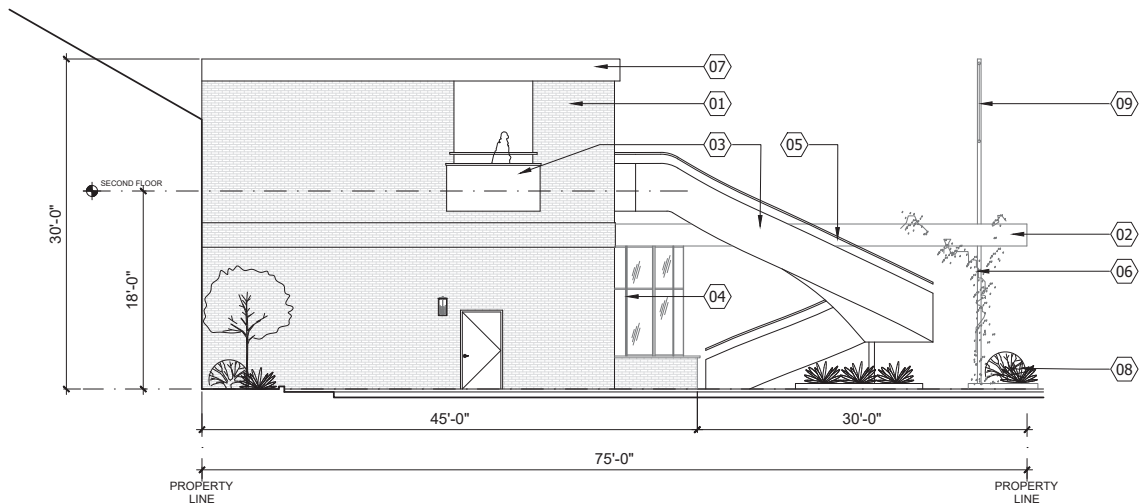
1 NORTH ELEVATION (DEL PRADO)
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"

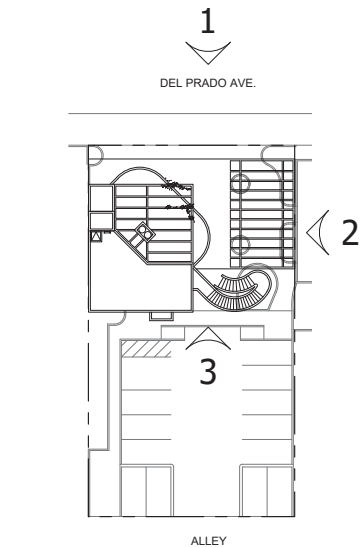


3 SOUTH ELEVATION
1/8" = 1'-0"

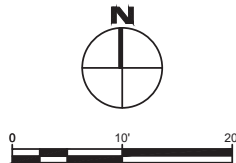


KEY NOTES

- 01 PAINTED BRICK VENEER
- 02 POWDER COATED METAL CANOPY
- 03 STUCCO
- 04 METAL WINDOW SYSTEM
- 05 POWDER COATED METAL HANDRAIL
- 06 POWDER COATED METAL COLUMN
- 07 POWDER COATED METAL FASCIA
- 08 LANDSCAPING
- 09 SIGNAGE



A KEY PLAN



ANDRADE ARCHITECTS, INC.
288 SOUTH COAST HIGHWAY
LAGUNA BEACH, CA 92651
PHONE: 949.775.7474
FAX: 949.775.7475
WWW.ANDRADEARCHITECTS.COM
ANDRADE ARCHITECTS, INC.

PRINCIPAL DESIGNER
Powerstrip Studio
Los Angeles, CA
www.powerstripstudio.com

TRULY PIZZA
24402 DEL PRADO AVE
DANA POINT, CA

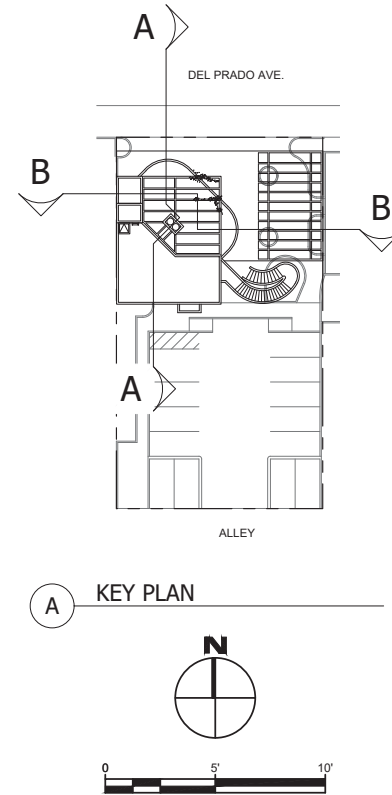
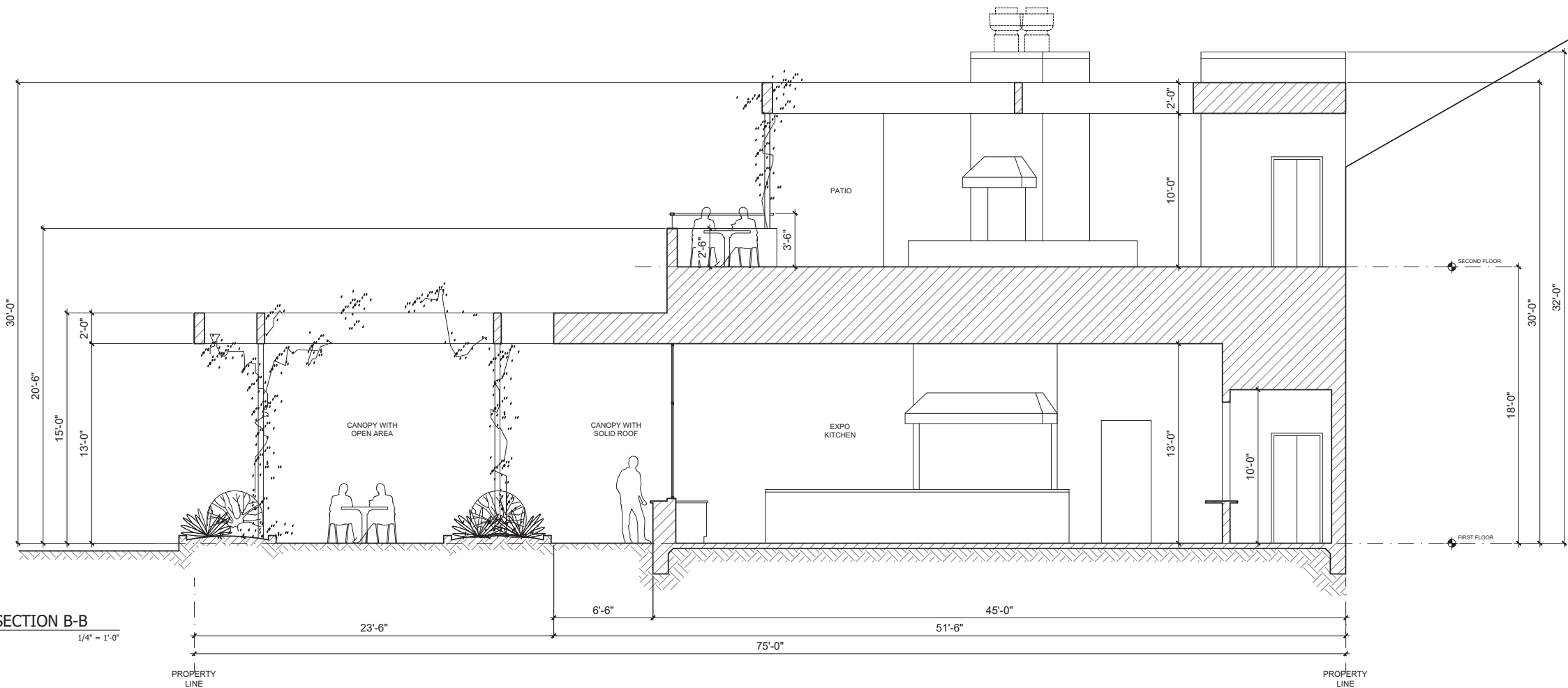
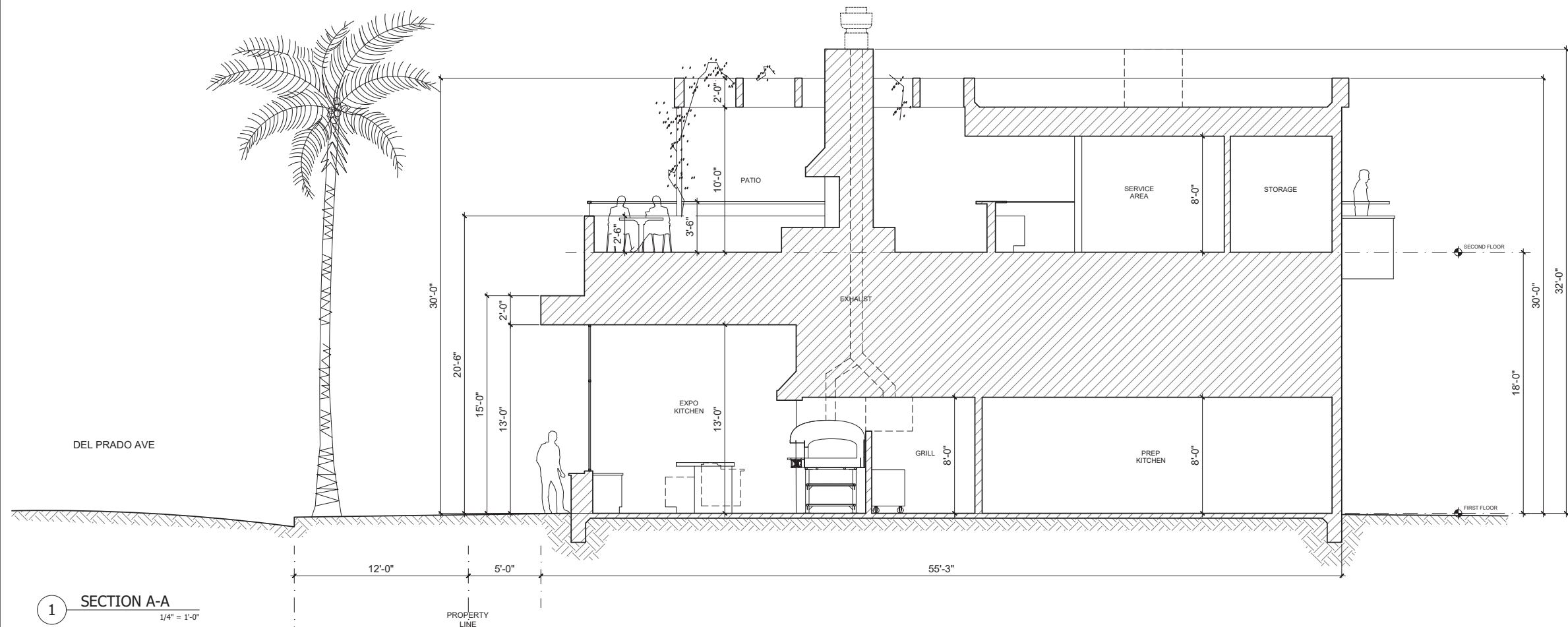
EXTERIOR ELEVATIONS

REVISIONS



DRAWN BY: JC
CHECKED BY: SA
DATE: 4/05/21
JOB #: 2105
SHEET:

ID.200



ANDRADE ARCHITECTS, INC. 2880 SOUTH COAST HIGHWAY LAGUNA BEACH, CA 92651 PHONE: 949.775.1474 FAX: 949.775.1475 ANDRADEARCHITECTS.COM

PROJECT ARCHITECT: ANDRADE ARCHITECTS, INC.

PRINCIPAL DESIGNER: *Powerstrip Studio* Los Angeles, CA www.powerstripstudio.com

TRULY PIZZA 24402 DEL PRADO AVE DANA POINT, CA

BUILDING SECTIONS

REVISIONS

△

△

△

△

LICENSED ARCHITECT STANLEY J. ANDRADE No. C-018971 R 3-21-2021

DRAWN BY: JC CHECKED BY: SA DATE: 4/05/21 JOB #: 2105 SHEET: ID.201



ANDRADE ARCHITECTS, INC.
ARCHITECTS
2888 SOUTH COAST HIGHWAY
LAGUNA BEACH, CA 92651
PHONE: 949.775.1174
FAX: 949.775.1175
WWW.ANDRADEARCHITECTS.COM
ANDRADE ARCHITECTS, INC.
LOS ANGELES, CA
WWW.POWERTRIPSTUDIO.COM

PROJECT ARCHITECT:
2888 SOUTH COAST HIGHWAY
LAGUNA BEACH, CA 92651
PHONE: 949.775.1174
FAX: 949.775.1175
WWW.ANDRADEARCHITECTS.COM
ANDRADE ARCHITECTS, INC.
LOS ANGELES, CA
WWW.POWERTRIPSTUDIO.COM

PRINCIPAL DESIGNER:
Powertrip Studio
Los Angeles, CA
www.powertripstudio.com

TRULY PIZZA
24402 DEL PRADO AVE
DANA POINT, CA

BUILDING RENDERINGS

REVISIONS	
△	
△	
△	
△	



DRAWN BY: JC
CHECKED BY: SA
DATE: 4/05/21
JOB #: 2105
SHEET:
ID.300

SUPPORTING DOCUMENT 6: Joint Use of Parking Facilities Matrix

Truly Pizza Building Joint-Use of Parking Facilities Analysis							
Tenant	Address	Suite #	Floor	SF	Parking Code	Req. Parking	Use & Notes
Truly Pizza	24402 Del Prado	NA	1st	1954	1/100	20	Restaurant Dine-In Rate
			2nd	665	1/100	7	Restaurant Dine-In Rate
Outdoor Dining	24402 Del Prado	NA	1st	200	1/150	1	First 16
			1st	275	1/150	2	Covered
			2nd	554	1/150	4	Patio
Total						33	
Parking Provided						12	
Parking Deficiency (need to borrow)						-21	
Parking Spaces at Dana Hardware						41	
Parking Spaces Used at Peak Usage						18	
Peak Usage + Truly Overflow						39	
Peak Usage Surplus at Dana Hardware						2	

SUPPORTING DOCUMENT 7: Shared Parking Program

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of The Sculpted Bowl located at 24422 Del Prado, Suite 11 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday 10 AM to 6 PM or ___ CLOSED

Tuesday 10 AM to 6 PM or ___ CLOSED

Wednesday 10 AM to 6 PM or ___ CLOSED

Thursday 10 AM to 6 PM or ___ CLOSED

Friday 10 AM to 5 PM or ___ CLOSED

Saturday 9:30 AM to 5 PM or ___ CLOSED

Sunday ___ AM to ___ PM or ☒ CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: Talia Chavez Date: 5/26/2021

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Sculpted Brow located at 24422 Del Prado, Suite 11 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday __ AM to __ PM or __ CLOSED

Tuesday __ AM to __ PM or __ CLOSED

Wednesday __ AM to __ PM or __ CLOSED

Thursday __ AM to __ PM or __ CLOSED

Friday __ AM to __ PM or __ CLOSED

Saturday __ AM to __ PM or __ CLOSED

Sunday __ AM to __ PM or __ CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: _____ Date: _____

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Lulu's Salon located at 24422 Del Prado, Suite 10 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday ___ AM to ___ PM or / CLOSED

Tuesday ___ AM

Wednesday 11 AM

Thursday 11 AM

Friday 9 AM

Saturday 9 AM

Sunday 9 AM

I agree to the proposed
tenant, I acknowledge
the shared parking pro

a current
mentation of

Sincerely,

Printed Name: Lourdes N. Camacho Date: 5/25/21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Dana Point Gold+Co located at 24422 Del Prado, Suite 1 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday 11 AM to 4 PM or ___ CLOSED
Tuesday 11 AM to 5 PM or ___ CLOSED
Wednesday 11 AM to 5 PM or ___ CLOSED
Thursday 11 AM to 5 PM or ___ CLOSED
Friday 11 AM to 5 PM or ___ CLOSED
Saturday ___ AM to ___ PM or ___ CLOSED Appt only
Sunday ___ AM to ___ PM or X CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name:  Date: 5-25-21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

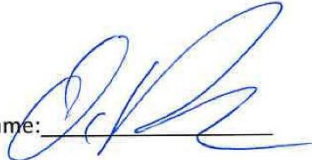
I am the current tenant and business owner of Pacific Sign Center located at 24422 Del Prado, Suite 2 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday 9 AM to 5 PM or ___ CLOSED
Tuesday 9 AM to 5 PM or ___ CLOSED
Wednesday 9 AM to 5 PM or ___ CLOSED
Thursday 9 AM to 5 PM or ___ CLOSED
Friday 9 AM to 5 PM or ___ CLOSED
Saturday ___ AM to ___ PM or ☒ CLOSED
Sunday ___ AM to ___ PM or ☒ CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name:  Date: 5/25/21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Dana Point Hardware located at 24422 Del Prado, Suite 5, Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday 8:00 AM to 5:30 PM or ___ CLOSED

Tuesday 8:00 AM to 5:30 PM or ___ CLOSED

Wednesday 8:00 AM to 5:30 PM or ___ CLOSED

Thursday 8:00 AM to 5:30 PM or ___ CLOSED

Friday 8:00 AM to 5:30 PM or ___ CLOSED

Saturday 8:00 AM to 5 PM or ___ CLOSED

Sunday 9:00 AM to 5 PM or ___ CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: William Barker Date: 5-19-21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Zuk Financial located at 24422 Del Prado, Suite 13 Dana Point, CA 92629. GROUP

The hours of operation for this business are as follows:

Monday 9 AM to 5 PM or CLOSED
Tuesday 9 AM to 5 PM or CLOSED
Wednesday 9 AM to 5 PM or CLOSED
Thursday 9 AM to 5 PM or CLOSED
Friday 9 AM to 5 PM or CLOSED
Saturday AM to PM or X CLOSED
Sunday AM to PM or X CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: TAM ZEDICK

Date: 5/25/21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Killer Beauty located at 24422 Del Prado, Suite 8 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday ___ AM to ___ PM or ___ CLOSED

Tuesday ___ AM to ___ PM or ___ CLOSED

Wednesday ___ AM to ___ PM or ___ CLOSED

Thursday ___ AM to ___ PM or ___ CLOSED

Friday ___ AM to ___ PM or ___ CLOSED

Saturday ___ AM to ___ PM or ___ CLOSED

Sunday ___ AM to ___ PM or ___ CLOSED

Appointment only

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: Camille Lee

Date: 5/25/21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza - 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of TIKI FARM, INC. located at 24422 Del Prado, Suite 9 Dana Point, CA 92629.

The hours of operation for this business are as follows:

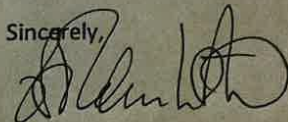
Monday 5 ^{PM} AM to 11 PM or CLOSED
Tuesday 5 ^{PM} AM to 11 PM or CLOSED
Wednesday 5 ^{PM} AM to 11 PM or CLOSED
Thursday 5 ^{PM} AM to 11 PM or CLOSED
Friday 5 ^{PM} AM to 11 PM or CLOSED
Saturday 10 AM to 11 PM or CLOSED
Sunday 10 AM to 11 PM or CLOSED

PLEASE NOTE THAT THIS OFFICE
SERVES AS MY SECONDARY OFFICE
; THAT THE HOURS THAT I KEEP
ARE SPORADIC AND UNASSIGNED
TO THE PUBLIC. MY DP OFFICE
IS STRICTLY OPEN TO THE PUBLIC
"BY APPOINTMENT ONLY".

- HOLDEN WESTLAND
OWNER
TIKI FARM, INC.

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,



Printed Name: HOLDEN WESTLAND

Date: 05/29/21

To: City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629

Re: Shared Parking Program for Truly Pizza – 24402 Del Prado, Dana Point, CA 92629

To Whom It May Concern:

I am the current tenant and business owner of Muller Company Inc. located at 24422 Del Prado, Suite 14 Dana Point, CA 92629.

The hours of operation for this business are as follows:

Monday 9 AM to 5 PM or CLOSED

Tuesday 9 AM to 5 PM or CLOSED

Wednesday 9 AM to 5 PM or CLOSED

Thursday 9 AM to 5 PM or CLOSED

Friday 9 AM to 5 PM or CLOSED

Saturday AM to PM or X CLOSED

Sunday AM to PM or X CLOSED

I agree to the proposed shared parking program for the Truly Pizza restaurant. As a current tenant, I acknowledge that shared parking is contingent upon the efficient implementation of the shared parking program by the property owner and all tenants.

Sincerely,

Printed Name: Stephen Muller Date: 5/25/21

24422 Del Prado Avenue Parking Code Analysis - City of Dana Point									
Tenant Roll for Shared Parking									
June 28, 2021									
Tenant	Address	Suite #	Floor	SF	Parking Code	Req. Parking	Tenant Operating Days	Tenant Hours	Use & Notes
Dana Point Gold and Coin	24422 Del Prado	1	1st	600	1/220	3	Mon thru Fri	11 AM to 5 PM	(42) General Retail - Multi-tenant with less than 25,000 SF
Pacific Sign	24422 Del Prado	2	1st	760	1/220	3	Mon thru Fri	9 AM to 5 PM	(42) General Retail - Multi-tenant with less than 25,000 SF
Dana Point Hardware	24422 Del Prado	3	1st	3,914	1/220	18	Mon thru Fri Sat Sun	8 AM to 5:30 PM 8 AM to 5:00 PM 9 AM to 5 PM	(42) General Retail - Multi-tenant with less than 25,000 SF
Killer Beauty	24422 Del Prado	8	2nd	680	1/300	2	APT ONLY	APT ONLY	Personal Services
Tiki Farm	24422 Del Prado	9	2nd	650	1/300	2	Private design studio - various	Private design studio - various	Administrative Office
Lulus Hair and Nails	24422 Del Prado	10	2nd	650	1/300	2	APT ONLY	APT ONLY	Personal Services
The Sculpted Brow	24422 Del Prado	11	2nd	650	1/300	2	Tues thru Thurs Fri Sat	10:00 AM to 6:00 PM 10:00 AM to 3:00 PM 1:30 PM to 5:00 PM	Personal Services
Coastal Aesthetics	24422 Del Prado	12	2nd	650	1/300	2	APT ONLY	APT ONLY	Personal Services
Pamela Zedick, Financial	24422 Del Prado	13	2nd	650	1/300	2	Mon thru Fri	9:00 AM to 5:00 PM	Administrative Office
Muller Company, Inc.	24422 Del Prado	14	2nd	710	1/300	2	Mon thru Fri	9:00 AM to 5:00 PM	Administrative Office
Total Gross Floor Area				9,914	Total Parking Required	39			
					Total Parking Provided	41			
					Parking Stall Surplus	2			

Shared Parking Program Parking Studies from December 2020, January 2021 and March 2021
24422 Del Prado Avenue

March 2021 Parking Study	Wed 3/3	Thu 3/4	Fri 3/5	Mon 3/8	Tue 3/9	Wed 3/10
10am	10	10	15	10	15	5
11am	12	12	11	11	18	5
12pm	8	10	13	15	16	8
1pm	10	12	10	18	10	13
2pm	11	12	8	14	15	12
3pm	10	12	12	16	11	15
4pm	10	11	11	16	8	18
5pm	15	12	11	12	10	10
6pm	8	10	6	10	10	6
7pm	4	3	4	4	6	3
8pm	3	0	2	4	5	3
9pm	0	0	2	0	0	0
10pm	0	0	0	0	0	0

Total Parking on-site (24422 Del Prado) : 41

Parking Spaces Occupied at Peak Usage: 18

Parking Spaces in Surplus at Peak Usage: 23

January 2021 Parking Study	Wed 1/6	Fri 1/8	Sat 1/9
10am	4	6	3
11am	4	4	3
12pm	3	5	4
1pm	5	5	5
2pm	4	6	6
3pm	5	8	5
4pm	6	4	4
5pm	4	3	3
6pm	3	4	2
7pm	1	1	1
8pm	1	1	1
9pm	1	1	1
10pm	1	1	1

December 2020 Parking Study	Wed 12/16	Fri 12/18	Sat 12/19
10am	6	4	3
11am	3	4	5
12pm	5	6	6
1pm	5	8	5
2pm	8	6	8
3pm	3	4	5
4pm	3	3	5
5pm	4	4	3
6pm	3	2	2
7pm	1	1	1
8pm	1	1	1
9pm	1	1	1
10pm	1	1	1