

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

DATE: MARCH 28, 2022

TO: DANA POINT PLANNING COMMISSION

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

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP21-0002, SITE DEVELOPMENT PERMIT SDP21-0006, VESTING TENTATIVE TRACT MAP VTTM21-0001, AND VARIANCE V21-0001 (FOR REDUCED GROUND FLOOR-TO-FLOOR HEIGHT), FOR THE DEVELOPMENT OF A THREE-STORY, 39,000 SQUARE FOOT MIXED-USE STRUCTURE COMPRISED OF EIGHTEEN (18) RESIDENTIAL CONDOMINIUM UNITS AND 4,963 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 24722 DEL PRADO AVENUE.

RECOMMENDATION: That the Planning Commission adopt the attached draft resolution approving Coastal Development Permit CDP21-0002, Site Development Permit SDP21-0006, Vesting Tentative Tract Map VTTM21-0001, and Variance V21-0001 (Action Document 1).

OWNER/APPLICANT: Brattle Street Ventures, LLC

REQUEST: A request to develop a mixed-use structure comprised of eighteen (18) residential condominium units and 4,963 square feet of commercial space with reduced ground floor-to-floor heights, comprised of one restaurant with outdoor dining, a retail suite and two art gallery/ furniture stores within the Town Center Plan area. Although the Applicant is requesting a variance for a reduction in the ground floor-to-floor height, the total height of the project will not exceed the forty (40) height limitation contained in the TCP.

LOCATION: 24722 Del Prado Avenue (APN: 682-182-07)

NOTICE: Public Hearing notices were mailed to property owners within 500 feet, and to occupants within 100 feet of the site on March 14, 2022. The same notice was published in the Dana Point News on March 14, 2022, and notices were posted on March 14, 2022, at Dana Point City Hall, the Dana Point post office, the Capistrano Beach post office, and the Dana Point Library. Drafts of the staff report, resolution, plans, and story pole certification were posted on the City's website on March 14, 2022, 14 days prior to the public hearing, and updated as necessary.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), this project is Categorically Exempt per Section 15332 (Class 32-In-Fill Development Projects) in that Class 32 exemptions provides for in-fill development projects on project sites that are five acres or less, are surrounded by urban uses, are consistent with all applicable General Plan designations and policies and all Zoning designations and regulations, do not have a significant effects relating to Land Uses, Habitat, Traffic, Noise, Air Quality or Water Quality, can be adequately served by all required utilities and public resources, and there are no unusual circumstances associated with the project site, are Categorically Exempt from the provisions of CEQA.

ISSUES:

1. Is the proposal consistent with the City's adopted General Plan/Local Coastal Program/Town Center Plan?
2. Is the proposal compatible with and an enhancement to the surrounding neighborhood and City?
3. Does the project satisfy all the findings required pursuant to the City's Zoning Code for approving a Coastal Development Permit/ Site Development Permit/ Vesting Tentative Tract Map/ Variance?

BACKGROUND: The 18,901 square foot, vacant lot is located at the southwest corner of Del Prado Avenue and Old Golden Lantern within the City of Dana Point's Town Center Plan (TCP) area. The lot is bordered by an existing single-story commercial building to the west and multi-family residential to the south and is generally surrounding by a mixture of commercial and residential development. Vehicular access to the site is provided via the rear alley and parallel parking exists on Del Prado Avenue and Old Golden Lantern. The site is zoned Town Center Mixed Use (TC-MU) and is located within the City's Coastal Overlay District but is outside of the Appeals Jurisdiction of the California Coastal Commission (CCC) as identified on the City's Coastal Zone map (Supporting Document 2 – Vicinity Map). Similar mixed-use developments have been approved and are under construction nearby the subject development. The topography of the site slopes back from Del Prado toward the alley to the rear. The lowest point at the southeast corner of the site adjacent to the alley is 3.75 feet lower than the highest point located at the front northwest corner of the property.

DISCUSSION: The project proposes the construction of a three-story, 39,000 square foot mixed-use structure comprised of eighteen (18) residential condominium units and 4,963 square feet of commercial space (Supporting Document 3 – Architectural Plans). The commercial space is divided into one restaurant, a retail suite, and two art gallery/furniture

stores located on the ground floor (see Sheet A-0 and A-2 of Supporting Document 3). An option is proposed to include a 657 square foot, fenced, outdoor dining area for the restaurant located within the City's right-of-way along Old Golden Lantern. (See sheet A-0.1, 2.1, and 2.2 of Supporting Document 3). The outdoor dining patio is conditioned to limit a maximum of sixteen (16) seats based on the City's applicable parking requirements for outdoor dining. Should the applicant not proceed with the outdoor dining area, the alternative designed is provided on Sheets A-0 and A-2 of Supporting Document 3.

The second and third floors consist of four (4) one-bedroom units ranging from 1,232 to 1,467 square feet in size and fourteen (14) two-bedroom units ranging from 1,413 to 2,123 square feet in size; for a total of eighteen residential condominium units. Eight (8) of the residential units are located above the Del Prado retail and restaurant commercial space along the front of the building (referred to as the "Del Prado Units") and ten (10) of the residential units are located along the southern/rear of the building (referred to as the "South Units"), six (6) of which are loft units with internal mezzanines. All but one (1) unit include a private outdoor area (balcony) and all units have direct access to a common outdoor area (Paseo-Court) located in center of the structure.

The floor plans for the six (6) loft units include two mezzanine options, a primary and an alternative. (See Sheet A-4 and A-4.1 of Supporting Document 3). For the primary mezzanine option, the Zoning Code definition of "Mezzanine" is in the process of being revised to comply with the California Building Code and is pending an amendment of the Local Coastal Program (LCP). A condition of approval (Condition #63) has been included requiring the mezzanine design to be consistent with the Zoning Code definition at the time of Building Permit issuance. The applicant is aware of that the definition is in the process of being revised and is agreeable to modifying the design as necessary. The mezzanine design does not impact the building exterior.

The required parking for residents and guests is located within a subterranean parking structure and required parking serving the commercial spaces is located at a ground level parking structure, both accessible off the rear alley. An elevator and main vertical circulation for the residential units connects the basement parking, lobby, and the Paseo-Court with the residential units. A secondary vertical circulation route provides exiting by way of stairways at the west end of Paseo-Court.

The mixed-use building is proposed at a height of 39'-11", as measured from the average elevation between the highest and lowest points of ground on the lot, to top of roof, below the 40' height limit for buildings located in the TCP area. Elevator mechanical equipment and roof mounted mechanical equipment with screens will project an additional 42-inches above the top of roof, pursuant to the Permitted Encroachments into Building Height Limit table within the TCP.

The exterior proposes a modern architectural style, incorporating a combination of sand stucco exterior walls, limestone veneer, and bronzed anodized aluminum and metal details.

All windows and doors are proposed with a bronze anodized aluminum finish. A series of green-screens, trellises, louvers, and marquees project along all exterior facades of the building to break up the massing of the structure and provide relief as seen from street level. Landscape screening including a mixture of drought-tolerant and tropical landscaping will be provided in planters within all private and common outdoor areas as well as within the public right-of-way skirting the building (Supporting Document 3 – Imagery and Renderings).

Pursuant to the Dana Point Zoning Code (DPZC) and TCP, the following entitlement permits are required:

- Coastal Development Permit (CDP) due to its location with the coastal overlay district, but outside the appealable area of the Coastal Commission;
- Site Development Permit (SDP) is required for: (1) new development over 2,000 square feet; (2) a subterranean and street level parking structure; and (3) for review of the proposed roof mounted mechanical screening;
- Vesting Tentative Tract Map (VTTM) is required to establish individual ownership interest for the eighteen (18) residential dwelling units; and
- Variance to reduce the ground floor-to-floor height standard from eighteen (18) feet, to 16'-6" (an 18-inch reduction). Although the Applicant is requesting a variance for a reduction in the ground floor-to-floor height, the total height of the project will not exceed the forty (40) height limitation contained in the TCP.

Staff has reviewed the project and found that except for the variance, the project meets all applicable development standards of the TCP and DPZC, including but not limited to, heights, parking, setbacks, lot coverage, floor area and projections. Additionally, Staff has reviewed the commercial ground floor-to-floor height reduction requested and determined that the required findings can be made to support the Variance.

Table 1 summarizes the TCP and General Development Standards (Chapter 9.05 DPZC) applicable to the proposed development.

Table 1: Compliance with Town Center Plan/Zoning Ordinance
Development Standards

| Development Standard | Requirement | Proposed | Compliant with Standard |
|--|------------------------|----------------------|--------------------------------|
| Floor Area Ratio | 2.5 | 1.9 | Yes |
| Height | 40-feet 3 stories | 39'-11" 3 stories | Yes Yes |
| Permitted Encroachments into Maximum Building Height | 42-inches ¹ | 42-inches | Yes |
| Ground Level Floor- | 18-feet | 16'-6" | No ² |

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|--------------------------------------|--|---|-----|
| to-Floor Height | | | |
| Ground Floor Commercial Space Depth | 40-feet minimum | 40-feet | Yes |
| Minimum Front Yard Setbacks | 0-feet @ ground level 10-foot setback above 30-feet | 0-feet @ ground level 10-foot setback above 30-feet | Yes |
| Del Prado Street Front Build-To-Line | Minimum 75% of frontage at or within 10-feet of PL | 100% of frontage at or within 10-feet of PL | Yes |
| Minimum Exterior Side Yard Setback | 0-feet @ ground level 10-foot setback above 30-feet | 0-feet at ground level, 10-foot setback above 30-feet | Yes |
| Minimum Interior Side Yard Setback | 0-feet at ground level Above 20-feet in height, 5-foot setback beyond 40-feet in building depth | 0-feet at ground level, 5-foot setback for portion of building above 20-feet in height and beyond 40-feet in building depth. | Yes |
| Alley/ Rear Yard Setback | 5-feet at ground level, 15-foot setback for portions of building above 20-feet in height. | 5-feet at ground level, 15-foot setback for portions of building above 20-feet in height. | Yes |
| Outdoor Dining Setback | From Del Prado Avenue Curb: 12 feet minimum | 12 feet minimum | Yes |
| Residential Open Space | Private: 100 SF/DU (1,800 SF) | 3,674 SF | Yes |
| | Common: 100 SF/DU (1,800 SF) | 4,945 SF | Yes |
| | 3,600 SF minimum combined | 8,619 SF combined open space | Yes |
| Lockable Storage | 250 CU FT/DU | 250-309 CU FT/DU | Yes |
| Residential Parking | 38 stalls in garage | 39 stalls in garage | Yes |
| Commercial Parking | 21 stalls | 21 stalls | Yes |

¹ Mechanical Equipment Screening and Elevators not Providing Access to Roof Decks may project up to 42" above maximum height if setback 5 feet from face of building and not exceeding 5 percent of horizontal roof area.

² Remedied through the proposed variance approval (V21-0001)

COASTAL DEVELOPMENT PERMIT (CDP21-0002)

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 is required for all development located within the Coastal Overlay District. Because the project proposes the construction of a new, three story, mixed-use structure 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.

Non-residential development exceeding 2,000 GFA

Pursuant to Section 9.71.020 of the DPZC, an SDP shall be required for all non-residential development exceeding two thousand (2,000) gross square feet. Because the commercial portions of the building are proposed to have a GFA of 4,963 square feet, a SDP is required.

Street Level and Subterranean Parking Structures

Pursuant to Section 9.35.120 of the DPZC, an SDP is required for the parking structure. The structure is divided into two levels with the street level parking area serving the commercial uses and the subterranean parking structure serving the residential uses.

The project also requests modifications to the required commercial and residential parking structure standards which include: (1) a reduction in driveway width from 28 to 24 feet; (2) relocation of a required 6-foot-wide pedestrian sidewalk; (3) modification of support columns; (4) reduction in the minimum parking stall height clearance for two stalls under the parking ramp; (5) reduction in the required subterranean parking structure setback along the rear/ alley side from five (5) feet down to zero (0) feet. Pursuant to the TCP Parking Requirements table, the abovementioned parking structure developments standards may be modified upon approval of the Director of Community Development and the City Traffic Engineer.

The project provides a total of sixty (60) parking stalls, of which thirty-nine (39) are dedicated residential stalls located in the subterranean garage and twenty-one (21) are dedicated commercial stalls located at street level. Fifty-nine (59) stalls are required (Supporting Document 5 – Parking Matrix).

Roof Mounted Mechanical Equipment Screening

Pursuant to the “Permitted Encroachment into Building Height Limit” table within the TCP, roof mounted mechanical equipment screening and elevators not providing access to roof decks may project up to a maximum of 42-inches above the maximum building height, subject to the approval of an SDP. The project includes multiple mechanical equipment roof screens and an elevator shaft which projects 42-inches above the 40-foot maximum height limit, consistent with the above-mentioned, “Permitted Encroachments into Building Height Limit” table in the TCP. All roof mechanical screens on the proposed project are setback at least five (5) feet from the exterior wall of the third floor, and the overall percentage of roof area screened is five (5) percent or 732 square feet, which complies with all applicable development standards. A condition of approval has been incorporated requiring all roof mounted equipment to be at or below the height of the mechanical roof screening.

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 non-residential development over 2,000 square feet, the parking structure and the mechanical screening and elevator shaft 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.

VESTING TENTATIVE TRACT MAP (VTTM21-0001)

A Vesting Tentative Tract Map (VTTM) is a map which may be developed in accordance with the development standards, rules, and regulations in effect at the time the application for the map is deemed complete and which confers a vested right to proceed with development for a specified period of time after recordation. The applicant has requested the subject VTTM to subdivide and establish individual ownership of the eighteen (18) residential dwelling units into condominiums and separate the commercial component consisting of the four (4) street level suites into an individual parcel. A VTTM has been provided by the applicant illustrating that the “air-space” will be divided into eighteen (18) dwelling units along with their private decks and/ or patios. Maintenance of each defined “air-space” will be the responsibility of the unit’s owner and shall include all improvements. The commercial condominium parcel consisting of four (4) street level suites also includes all common commercial areas such as the commercial level parking structure (Supporting Document 5 –Vesting Tentative Tract Map No. 18043)

Additionally, the project is conditioned to require the applicant to submit a draft of the Covenants, Conditions and Restrictions (CC&R’s) which includes specifics relating to the maintenance standards and responsibilities as well as architectural guidelines. City Staff and the City Attorney will review, and are required to approve, the CC&Rs to ensure

compliance with both the conditions of approval, the requirements of the Subdivision Map Act and the City's Subdivision Ordinance.

Section 7.05.060 of the Dana Point Subdivision Code establishes findings required to approve a subdivision. These findings relate to consistency with the General Plan and Zoning Code, adequacy of the site to accommodate the development and density, potential environmental impacts, and that there are adequate utilities and improvements proposed to serve the subdivision. Overall, the VTTM meets the requirements of the City's Subdivision Ordinance and is consistent with the property's General Plan and Zoning designations. The site is suitable for the proposed type and density of development, and Staff believes the proposed findings supporting approval of the VTTM can be made.

Section 7.05.060 of the Dana Point Municipal Code identifies the following findings to approve a subdivision of land, requiring:

1. That the proposed map is consistent with the City's General Plan; and
2. That the design and improvement of the proposed subdivision is consistent with the City's General Plan; and
3. That the site is physically suitable for the proposed type of development; and
4. That the requirements of the California Environmental Quality Act have been satisfied; and
5. That the site is physically suitable for the proposed density of development;
6. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat; and
7. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems; and
8. That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones previously acquired by the public; and
9. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations pursuant to Section 7.05.055; and

10. That the subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required; and
11. That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services.

VARIANCE (V21-0001)

Pursuant to the TCP development standards for the “Design of Ground Floor Building Frontage,” the floor-to-floor dimension between the finished floor of the ground floor of the structure and the floor above shall be at least eighteen (18) feet. The applicant requests a variance from this standard to allow a minimum floor-to-floor height of 16’-6” (an 18-inch reduction) in recognition of the physical hardship created by the slope of the property and to allow the applicant to enjoy the privileges shared by other property owners in the area (i.e., to construct a building that accommodates adequate ceiling heights within the residential units located on the second and third floors above the commercial suites along Del Prado Avenue), without exceeding the maximum building height of forty (40) feet. The reduced ground floor height allows the above-retail dwelling units above the commercial suites to have floor-to-ceiling heights of at least nine (9) feet, consistent with the current industry standard.

The method of determining the height of new development in the Town Center was amended with the approval of the 2015 Town Center Initiative in June 2016. The amended method determines the base height by averaging the elevation of the highest point of the plot and the lowest point. The original method measured the base height at the midpoint of the sidewalk along the front property line where the commercial eighteen (18) foot floor-to-floor standard applies.

The topography of the subject site slopes downward from Del Prado Avenue toward the alley in the rear such that the overall site has a lower average elevation (145.725-feet) than the sidewalk along the site’s entire frontage along Del Prado Avenue (where the commercial 18-foot floor-to-floor requirement applies). As a result, applying the required eighteen (18) foot ground floor-to-floor height dimension while also adhering to the forty (40) foot building height maximum would result in commercially obsolete and infeasible floor-to-ceiling heights of eight (8) feet maximum for the proposed residential units on the upper floors above the commercial suites. Strict adherence to the eighteen (18) foot ground floor-to-floor height requirement would therefore result in practical difficulty and unnecessary physical hardships inconsistent with the objectives of the TCP.

The physical condition of the sidewalk elevation being higher than the site's average elevation (using the amended Town Center Plan methodology) at all points along the site's Del Prado Avenue frontage constrains the building design on this site. This condition does not generally occur on other sites, where the average elevation is typically at or above the sidewalk elevation for all or a portion of the commercial frontage.

For example, an examination of the general topography applicable to other properties on the same block of Del Prado Avenue as the project site shows that all the properties on the north side of the street slope downward from back to front such that the average elevation (again, using the amended TCP methodology) would be above the elevation of the sidewalk fronting the properties along Del Prado Avenue. Similarly, the two other vacant parcels on the block, which are located on the same (south) side of the street (near Street of the Violet Lantern) as the project site, also slope down from back to front rather than front to back such that the average elevation of these properties is higher than the sidewalk elevation along the Del Prado Avenue frontage of these properties.

The proposed development (with the requested variance) would not result in negative impacts to coastal access, public recreation opportunities, or coastal resources, and would be consistent with the policies of LCP because it would not result in the construction of a structure that exceeds the 40' height limitation in the TCP.

The proposed development (with the requested variance) maintains compliance with the TCP Design Guidelines in that the ground floor 16'-6" floor-to-floor height is adequate to provide an active building frontage with large, transparent window openings and with commercial spaces that are entered into flush with the elevation of the sidewalk, creating an interesting pedestrian experience along the project's retail frontage.

Pursuant to Section 9.67.050 "Basis for Approval, Conditional Approval, or Denial of a Variance" of the DPZC, every Variance requires the following findings:

1. That the strict or literal interpretation and enforcement of the specified regulation(s) would result in practical difficulty or unnecessary physical hardships inconsistent with the objectives of this Chapter; and
2. That there are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use of the property which do not apply generally to other properties in the same zoning district; and
3. That the strict or literal interpretation and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district with similar constraints; and
4. That the granting of the Variance will not constitute a grant of special privilege

inconsistent with the limitations on other properties in the same zoning district with similar constraints; and

5. That the Variance request is made on the basis of a hardship condition and not as a matter of convenience; and
6. That the granting of the Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity;
7. That the Variance approval places suitable conditions on the property to protect surrounding properties and does not permit uses which are not otherwise allowed in the zone;
8. That granting of the Variance would not result in adverse impacts, either individually or cumulatively, to coastal access, public recreation opportunities, or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan.

Staff finds the proposed reduction of the ground floor-to-floor height is consistent with the basis for approval of a Variance as outlined in Section 9.67.050 of the DPZC. Responses supporting the above-mentioned findings are detailed in the attached draft Planning Commission Resolution.

The 2015 Town Center Initiative includes a requirement for any variance as follows: “The Dana Point City Attorney shall provide a formal legal opinion for each requested variance in the Town Center area certifying whether the conditions of Section 9.67.050 are fully met and whether evidence supports granting the variance.” The City Attorney has reviewed the project application, the staff report and the proposed Resolution approving Variance V21-0001 and in his opinion if the proposed Resolution is adopted all conditions of Section 9.67.050 will have been fully met, and evidence contained in the record will support granting the variance.

STORY POLES/PUBLIC OUTREACH/CORRESPONDENCE: On March 4th, 2022, story poles were erected on-site consistent with the story pole provisions of the TCP. On March 14, 2022, the story poles were certified to accurately reflect the heights of the proposed project, 20 days prior to the public hearing. On March 14, 2022, the draft staff report, resolution, plans, imagery, and renderings were posted on the City’s website for public review fourteen (14) days prior to the public hearing as required by the TCP. Additionally, on March 14, 2022, Public Hearing notices were sent to all property owners within a 500-foot radius of the subject site.

The applicant voluntarily conducted multiple on-site public outreach events on prior to the public hearing which included an informal presentation and the answering of questions about the proposed project.

CONCLUSION: Based on the above analysis, staff has determined that with the exception of the requested Variance which staff is in support of, 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 CDP21-0002, SDP21-0006, VTTM21-0001, V21-0001 subject to the findings and conditions of approval contained therein.



Danny Glometti
Senior Planner



Brenda Wisneski
Director of Community Development

ACTION DOCUMENT:

1. Draft Planning Commission Resolution 22-03-28-XX

SUPPORTING DOCUMENTS:

2. Vicinity Map
3. Architectural Plans
4. Imagery and Renderings
5. Parking Matrix
6. Vesting Tentative Tract Map No. 18043

ACTION DOCUMENT 1: Draft Planning Commission Resolution 22-03-28-XX

RESOLUTION NO. 22-03-28-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP21-0002, SITE DEVELOPMENT PERMIT SDP21-0006, VESTING TENTATIVE TRACT MAP VTTM21-0001, AND VARIANCE 21-0001 FOR THE DEVELOPMENT OF A THREE-STORY, 39,000 SQUARE FOOT MIXED-USE STRUCTURE COMPRISED OF EIGHTEEN (18) RESIDENTIAL CONDOMINIUM UNITS AND 4,963 SQUARE FEET OF COMMERCIAL SPACE WITH REDUCED GROUND FLOOR-TO-FLOOR HEIGHTS, DIVIDED INTO ONE RESTAURANT WITH OUTDOOR DINING, A RETAIL SUITE AND TWO ART GALLERY/ FURNITURE STORES, LOCATED AT 24722 DEL PRADO AVENUE.

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

WHEREAS, Brattle Street Ventures, LLC (the "Owner"), owns the real property commonly referred to as 24722 Del Prado Avenue (APN: 682-182-07) (the "Property"); and

WHEREAS, the Owners caused to be filed a verified application for a Coastal Development Permit, Site Development Permit, Vesting Tentative Tract Map and Variance for a new mixed-use structure comprised of eighteen (18) residential condominium units and 4,963 square feet of commercial space with reduced ground floor-to-floor heights; and

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

WHEREAS, the Planning Commission did, on the 28th day of March, 2022, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15332 (Class 32-In-fill Development Projects) in that projects on project sites that are five acres or less, are surrounded by urban uses, are consistent with all applicable General Plan designations and policies and all Zoning designations and regulations, do not have a significant effects relating to Land Uses, Habitat, Traffic, Noise, Air Quality or Water Quality, can be adequately served by all required utilities and public resources, and there are no unusual circumstances associated with the project site, are Categorically Exempt from the provisions of CEQA; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP21-0002, Site Development Permit SDP21-0006, Vesting Tentative Tract Map VTTM21-0001, and Variance V21-0001.

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

PLANNING COMMISSION RESOLUTION NO. 22-03-28-XX
CDP21-0002/SDP21-0006/VTM21-0001/V21-0001
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- A) That the above recitations are true and correct and incorporated herein by reference;

Findings:

- B) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Coastal Development Permit CDP21-0002, subject to conditions:
- 1) That the proposed project is in conformity with the certified Local Coastal Program (LCP) as defined in Chapter 9.75 of this Zoning Code **in that notwithstanding the variance request for a reduction in ground floor-to-floor height, the project is in conformance with the applicable goals and policies as adopted by the California Coastal Commission associated with the LCP approval for the Town Center Plan (TCP) and the Dana Point Zoning Code (DPZC). 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 one restaurant suite with outdoor dining, a retail suite and two art gallery/furniture stores which will complement the overall visitor serving character of Town Center. The residential portion will provide additional housing opportunities within the City's Town Center.**
 - 2) That the proposed development is not located between the nearest public roadway and the sea or shoreline of any body of water and is 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 to Public Resources Code Section 21000 (the California Environmental Quality Act), **in that, the requirements of the California Environmental Quality Act have been satisfied in that the project is Categorical Exempt pursuant to Section 15332 of the California Code of Regulations (Class 32-In-fill Development Projects). CEQA guidelines-Section 15332**

“In-fill Development Projects” provides that projects that are in-fill development projects on lots that are 5 acres or less, are surrounded by urban uses, are consistent with all applicable General Plan designations and policies and all Zoning designations and regulations, do not have a significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorical Exempt from the provisions of CEQA.

- 4) That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas and will provide adequate buffer areas to protect such resources, **in that, the site has been developed, and no environmentally sensitive habitats or scenic resources exist onsite. There are also no designated sensitive areas within close 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 subject site is a previously graded, mixed-use zoned lot, and no natural landforms have or will be impacted. As a component of the project, the subterranean parking garage wall design criteria was reviewed by both the applicant's geotechnical consultant and the City's Public Works and Engineering Department and determined to be adequate. Geotechnical reports reviewed by the City conclude that there are no potential impacts and/or geologic hazards to the site and to surrounding areas.**
- 6) That the proposed development will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas, **in that the development is consistent with the requirements of the TCP. Moreover, the ground floor commercial suites are inset to provide exterior merchandising which promotes sidewalk browsing and shopping. Additionally, the dwelling units on the third floor are stepped back from the floor below to provide for a**

building façade that is consistent with existing and recently approved buildings throughout the City's Town Center as well as to adjacent residential structures. Finally, the modern architectural style incorporates contemporary design features with high quality materials, finishes and colors, resulting in a design consistent with the eclectic mix of building styles.

- 7) That the proposed development will conform with the General Plan, Zoning Code, Local Coastal Program, or other applicable adopted plans and programs, in that the proposed project is consistent with all the applicable policies associated with the development of the subject lot, as discussed in CDP finding number one (1) above. Additionally, the development, with the exception of the variance request for a reduction in the ground floor-to-floor height, is consistent with both the TCP and applicable DPZC requirements.
- C) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Site Development Permit SDP21-0006, subject to conditions:
- 1) That the site design is in compliance with the development standards of the DPZC and Town Center Plan...

Non-residential development exceeding 2,000 GFA
in that pursuant to Section 9.71.020 of the DPZC, a SDP shall be required for all non-residential development exceeding two thousand gross square feet. Notwithstanding the requested ground floor-to-floor height variance, the proposed 39,000 square foot building containing 4,963 square feet of non-residential space and associated site improvements conforms with the TC-MU development standards as well as the applicable special development standards identified in the DPZC and the LCP.

Street Level and Subterranean Parking Structures
in that pursuant to Section 9.35.120 of the DPZC, parking structures are permitted subject to the approval of a SDP; and pursuant to the TCP Parking Requirements Table, parking standards related to parking structures may be modified upon approval of the Director of Community

Development and the City Traffic Engineer. Both the Director of Community Development and the City Traffic Engineer have reviewed the requested parking structure modifications: (1) reduction in driveway width, (2) relocation of pedestrian sidewalk, (3) modification of support columns, (4) reduction in the minimum parking stall height clearance (5) reduction in the required subterranean parking structure setback; and concurred that all requests are reasonable, safe and do not negatively impact the project or the neighboring sites. Furthermore, the requested encroachment of the parking structure is below grade and not visible from the street level. Aside from the requested modifications, the project meets all other applicable development standards including height and parking.

Roof Mounted Mechanical Screening

in that pursuant to the TCP building height limit encroachment standards, the proposed roof mounted mechanical equipment screening and elevator comply with the required maximum encroachment of 42-inches above the building height limit and are therefore in compliance with the applicable development standards of both the TCP and DPZC. Additionally, the proposed screening is setback a minimum of five (5) feet from the exterior walls of the third floor and are finished with materials to complement the building's modern architectural style.

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

Non-residential development exceeding 2,000 GFA

in that the proposed mixed-use building is located on a vacant site that has been previously graded and is zoned TC-MU and is surrounded by buildings of similar uses, heights and massing which exist or are proposed. The proposed mixed-use building will maintain a footprint that is proportional to the lot and can accommodate all required parking on-site.

Street Level and Subterranean Parking Structures

in that with the approval of the requested parking structure modifications, the site is large enough to accommodate

sufficient access, maneuvering, and parking for the commercial and residential uses on site.

Roof Mounted Mechanical Screening

in that the proposed roof area of the building is large enough to accommodate all required roof mounted equipment and its screening serving both the residential and commercial uses on site, while complying with the maximum encroachment into building height requirement for the TC-MU zone.

- 3) That the project is in compliance with all elements of the General Plan and all applicable provision of the Urban Design Guidelines...

Non-residential development exceeding 2,000 GFA

in that the proposed mixed-use building fulfills Policy 1.5 of the Land Use Policies of the TCP 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 ground floor commercial suites inset from the Del Prado pedestrian right-of-way to encourage outdoor merchandising and window-shopping. Furthermore, the proposed restaurant includes an optional fenced outdoor patio which extends into the pedestrian right-of-way, providing an abundance of outdoor dining and landscape planters which will attract pedestrians and contribute to the overall lively atmosphere of the street.

Street Level and Subterranean Parking Structures

in that the project complies with Parking Policy 4.7 of the TCP which states that parking areas shall be located in the rear of properties, where alley access is available. The proposed at grade and subterranean parking are accessed via separate ramps located off the rear alley of the property. Vehicular traffic will only be able to access the parking structures from the alley.

Roof Mounted Mechanical Screening

in that the roof mounted mechanical screening complies with the applicable provisions of the Urban Design Guidelines by utilizing high quality metal screen panels which will complement the natural stone panels, plaster

walls and glass guardrails.

- 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 mixed-use building is sited in accordance with applicable development standards and includes a front entry to the commercial suites which are flush with the public sidewalk and the restaurant provides an outdoor dining area which is designed in a way to encourage pedestrian activity. Without requiring a specific style of architecture, the mixed-use 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.

Street Level and Subterranean Parking Structures

in that the proposed parking structure reduces the overall building mass as seen from Del Prado Avenue by concealing parking stalls behind the commercial suites and at the subterranean level. Additionally, the parking is accessed via the back alley which allows for the front and exterior side building façade to be designed in a way that encourages pedestrian activity along Del Prado Avenue and Old Golden Lantern.

Roof Mounted Mechanical Screening

in that the proposed roof mounted mechanical screening consisting of metal paneling is an architectural element that screens unsightly mechanical equipment and compliments the overall modern design of the building without requiring a particular style of type of architecture.

- D) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Vesting Tentative Tract Map VTTM21-0001, subject to conditions:
 - 1) That the proposed map is consistent with the City's General Plan in that it satisfies Land Use Goals of the TCP to achieve development that enhances the area as a primary business district in the City by implementing Policies 1.1

through 1.5 through inclusion of a project that provides a mixture of uses. Those uses establish Town Center as major hub of social and economic activity in the community, while generating pedestrian activity by providing a mixture of residential, retail, art gallery/furniture stores and a restaurant on a single site.

- 2) That the design and improvement of the proposed subdivision is consistent with the City's General Plan in that, all applicable utilities exist on-site and are available to service the proposed development. The development is consistent with all applicable goals and policies that were adopted with the approval of the General Plan and Town Center. 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.
- 3) That the site is physically suitable for the proposed type of development in that the project site is of a reasonable shape and size to accommodate the proposed mixed-use building and associated parking structures consistent with the requirements of the TCP.
- 4) That the requirements of the California Environmental Quality Act have been satisfied in that, the requirements of the California Environmental Quality Act have been satisfied in that the project is Categorically Exempt pursuant to Section 15332 of the California Code of Regulations (Class 32-In-fill Development Projects). CEQA guidelines-Section 15332 "In-fill Development Projects" provides that projects that are in-fill development projects on lots that are 5 acres or less, are surrounded by urban uses, are consistent with all applicable General Plan designations and policies and all Zoning designations and regulations, do not have a significant effects relating to Land Uses, Biological Resources, Traffic, Noise, Air Quality or Water Quality and can be adequately served by all required utilities and public resources are Categorically Exempt from the provisions of CEQA.
- 5) That the site is physically suitable for the proposed density of development in that the proposed project is designed within the appropriate residential unit mix and maximum

floor area ratio identified in the TCP. The TCP does not require a maximum density, but with the exception of the requested variance, all development standards including required setbacks, public and private open space per unit, and off-street parking for residents and guests have been met.

- 6) That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat **in that the subject site is a vacant, previously graded lot, located in an area which is a fully built-out urban environment, that contains little to no vegetation or water sources that could be considered to support fish or wildlife habitat.**
- 7) That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems **in that, the subject site has already been prepared for future development and no natural landforms will be impacted. The VTTM is for condominium purposes to allow individual sale of the 18 dwelling units and commercial space comprising of four (4) suites, and as such, provides the owner the right to develop the property to the applicable regulations in existence at the time of approval. Furthermore, the project does not include the subdivision into separate building lots, with no change in the existing lot boundaries. The development will also meet all required California Building Code and Fire Code requirements.**
- 8) That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and these will be substantially equivalent to ones previously acquired by the public **in that no easements of record exist or have been established by court judgment or acquired by the public at large for access through or use of property within the proposed VTTM.**
- 9) That the design and improvement of the proposed subdivision

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are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations pursuant to Section 7.05.055 **in that notwithstanding the variance request to reduce the ground floor-to-floor height, the proposed development is consistent with all other applicable development requirements of the TCP and DPZC. Furthermore, the project is consistent with the vision as approved by the TCP, providing for a mix of potential uses including retail, art gallery/ furniture stores, restaurant, and residential.**

- 10) That the subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required **in that all applicable fees (including Town Center specific fees) will be collected prior to issuance of permits and/or certificates of occupancy.**
- 11) That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services **in that the project will acquire will serve letters from the sewer, water, and power (electricity) utility providers, and the project has been reviewed and given conditional approval from the Orange County Fire Authority (OCFA).**

E) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Variance V21-0001, subject to conditions:

- 1) That the strict or literal interpretation and enforcement of the specified regulation(s) would result in practical difficulty or unnecessary physical hardships inconsistent with the objectives of this Chapter **in that the topography of the site slopes downward from Del Prado Avenue such that the overall site has a lower average elevation (145.725') than its elevation along Del Prado Avenue. As a result, applying the required eighteen (18) foot, ground floor-to-floor height dimension at the frontage while also adhering to the forty (40) foot building height maximum would result in commercially**

obsolete and infeasible floor-to-ceiling heights of eight (8) feet maximum for the proposed residential units on the upper floors above the commercial suites. The 18-foot ground floor-to-floor height requirement at the building frontage would therefore result in practical difficulty and unnecessary physical hardships inconsistent with the objectives of the TCP.

- 2) That there are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use of the property which do not apply generally to other properties in the same zoning district in that **in that the vertical elevation along the sidewalk of Del Prado Avenue is approximately eighteen (18) inches above the average elevation on site of 145.725' (the average elevation is the point from which building height is measured). This elevation difference constrains the building design on this site in a manner that does not occur on other sites where the average elevation is at or above the sidewalk elevation along the commercial frontage.**
- 3) That the strict or literal interpretation and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district with similar constraints **in that at least two of the recently constructed mixed-use projects would have been constrained by an average site elevation (using the amended TPC methodology) lower than the elevation of the sidewalk along their commercial frontage, where ground floor commercial spaces are required to have an 18-foot floor-to-floor dimension, but they were not subject to the amended method for calculating building height (because they were approved prior to the amendment methodology). In addition, no other properties with similar constraints have been developed subsequent to adoption of the current method for measuring building height in the Town Center.**
- 4) That the granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district with similar constraints **in that no properties within the TCP area with a similar front-to-rear elevation change have sought and been**

denied relief (through issuance of a variance) from the eighteen (18) foot ground floor-to-floor height minimum for commercial suites.

- 5) That the Variance request is made on the basis of a hardship condition and not as a matter of convenience **in that because the sidewalk along Del Prado Avenue is approximately eighteen 18-inches above the average elevation of the site (the average elevation is the point from which building height is measured), the overall building height along Del Prado when measured from the sidewalk is limited to less than forty (40) feet. Therefore, maintaining an 18-foot ground floor-to-floor minimum height for the commercial suites would result in limiting the residential units above the commercial suites to a maximum of eight (8) foot floor-to-ceiling heights, which are commercially obsolete and infeasible.**
- 6) That the granting of the Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity **in that the granting of the variance would not change the overall height or look of the structure because it is a restructuring of plate heights behind the exterior building façade. Granting the variance results in a building that not only provides a commercially acceptable floor-to-ceiling height for the residential units, but also results in more than adequate dimensions for ground floor commercial suites, all while complying with the maximum TCP building height of forty (40) feet; therefore, granting the Variance will not be detrimental to public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.**
- 7) That the Variance approval places suitable conditions on the property to protect surrounding properties and does not permit uses which are not otherwise allowed in the zone **in that the reduction of the ground floor-to-floor height is a deviation from development standards and does not permit uses which are not otherwise allowed in the zone. The reduction in the ground floor-to-floor height requirement affects the interior elevation of the commercial tenants only which are comprised of a restaurant, retail space and two (2) art gallery/ furniture stores.**

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- 8) That granting of the Variance would not result in adverse impacts, either individually or cumulatively, to coastal access, public recreation opportunities, or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan **in that the reduction in the ground floor-to-floor heights of commercial suites within the mixed-use building is not related to- and would not result in- adverse impacts, either individually or cumulatively, to coastal access, public recreation opportunities, or coastal resources.**
- 9) Variances from the terms of the zoning ordinances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. **The topography of the site slopes downward from Del Prado Avenue such that the overall site has a lower average elevation (145.725') than its elevation along Del Prado Avenue. As a result, applying the required eighteen (18) foot, ground floor-to-floor height dimension at the frontage while also adhering to the forty (40) foot building height maximum would result in commercially obsolete and infeasible floor-to-ceiling heights of eight (8) feet maximum for the proposed residential units on the upper floors. The 18-foot ground floor-to-floor height requirement at the building frontage would therefore result in practical difficulty or unnecessary physical hardships inconsistent with the objectives of the TCP.**
- 10) Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. **Properties within the TCP area generally do not experience a similar elevation change and would not experience the same hardship when including two (2) levels of residential units above an eighteen (18) foot ground floor-to-floor height minimum. The variance granted in the floor-to-floor minimum is no more than needed to allow for 9-foot residential floor to ceiling heights in the units above the commercial suites.**

- 11) A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property. The provisions of this section does not apply to conditional use permits. **Reduction of the ground floor-to-floor height is a deviation from development standards and does not permit uses which are not otherwise allowed in the zone.**

Conditions of Approval:

A. General:

1. Approval of this application permits a request to develop a new mixed-use structure comprised of eighteen (18) residential condominium units and 4,963 square feet of commercial space with reduced ground floor-to-floor height, comprised of one restaurant with outdoor dining, a retail suite and two art gallery/ furniture stores within the Town Center Plan area. 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, and the Dana Point 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 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

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determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plans, they 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 Owner 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. Owner's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding.

The Owner 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 Owner or the Owner's agents, employees, or contractors. Owner's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding. The Owner 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 Owner and Owner'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. This resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point Building/Safety and Engineering Division for plan check for Building and Grading Permits.
8. The Owner and Owner's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City

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expense in ensuring compliance with these conditions.

9. The construction site shall be posted with signage indicating that construction shall not commence before 7:00 a.m. and must cease by 8:00 p.m., Monday through Saturday, and no construction activity is permitted on Sundays or Federal holidays.
10. All proposed finishes, including but not limited to: stucco, wood details, paint color, and railings shall be reviewed and approved in the field prior to installation to ensure consistency with the architectural design and detail approved by Planning Commission.
11. All exterior building lights shall be aesthetically consistent with the approved architecture and proportionally consistent with the area for which they are located. All exterior light sources shall have light cutoffs to avoid light trespass and offsite glare.
12. No signs are approved associated with this project. A separate Master Sign Program, including any way finding signage, needs to be developed and approved prior to certificate of occupancy. All signs, materials, and methods of illumination should be of high quality to match the architecture of the building.
13. All roof mounted equipment (mechanical, electrical, plumbing, HVAC) including all outside utilities and antennas shall be at or below the roof mounted equipment screening.
14. The proposed uses shall comply with the provisions of the City's Noise Ordinance at all times.
15. The applicant shall ensure that no activities take place contrary to the public health, safety, and welfare.
16. Deliveries and refuse collection shall be prohibited between the hours of 10:00 P.M. and 7:00 A.M. daily, unless otherwise approved by the Director of Community Development.
17. The applicant shall be responsible for coordination with SDG&E, AT&T California, SCWD, Southern California Gas Company, and Cox Communication Services for the provision of all utility services.
18. The approved plans include an "Optional Proposed Parkway" sheet which illustrates the proposed right-of-way/ parkway outdoor dining area as well as an alternative "Street Level-Existing Parkway" sheet

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with no outdoor dining area. This grants the current applicant or any future applicant the flexibility to include or remove the proposed outdoor dining area. If the applicant chooses to remove the proposed right-of-way/ parkway outdoor dining area, all affected plan-sheets shall be modified to reflect revision.

19. An encroachment permit shall be obtained prior to any work within the public right-of-way. All proposed improvements within the City of Dana Point streets and alley right-of-way require an encroachment permit. Any City-approved permanent right-of-way encroachments may require an easement, or other instrument to address said improvements in the right-of-way, including long term maintenance, approved by the City.
20. Building materials, unlicensed vehicles, construction equipment, portable toilets, and construction-related items shall not be placed in the public right-of-way unless otherwise approved by the Public Works Director/City Engineer.
21. The applicant shall use all acceptable means and methods necessary to prevent dust and off-site siltation impacting the neighboring businesses and residents.
22. Any private improvements remaining within the public right-of-way shall require a Removal and Maintenance Agreement, an easement, or other similar instrument, as approved by the Public Works Director/City Engineer.
23. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures and temporary desiltation/detention basins as required. The applicant shall maintain the temporary basins and erosion control devices until the Director of Public Works approves of the removal of said facilities. Failure to do so may result in fines for illicit discharge and shall obligate the City to repair/replace as appropriate and charge the applicant.
24. 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, per the City's standard encroachment conditions and other applicable standards, within ten working days unless otherwise approved by the Public Works Director/City Engineer.
25. In the event of construction ceasing for a period of longer than one

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month, additional landscaping and screening may be required and installed at the owner's expense. Landscaping and screening requirements shall be established by the Community Development Director and Public Works Director/City Engineer.

26. All above-grade utility enclosures, including power transformers, and fire service structures shall be located outside of the building, on private property, and screened from the public right-of-way. Should adequate clearance and screening not be provided, additional architectural plan changes may be required at the discretion of the Community Development Director and Public Works Director/City Engineer.
27. The project shall provide all necessary pedestrian protection along the project perimeter, including Del Prado and Old Golden Lantern for the duration of the project. A separate Encroachment Permit and agreement shall be issued to address pedestrian access around the Development. The pedestrian protection shall be in compliance with the current Building Code requirements, as well as all applicable Traffic Safety guidelines, including, but not limited to, the Work Area Traffic Control Handout. All sidewalks shall remain open to the public unless otherwise approved by the Director of Public Works/City Engineer. If a sidewalk is allowed to be closed, an alternative pedestrian path of travel meeting current traffic safety standards shall be provided to the satisfaction of the Director of Public Works/City Engineer. Traffic control to address pedestrian access shall be per the City's Standard Encroachment Permit Conditions and shall be reviewed/approved by the Public Works Director/City Engineer.
28. The applicant shall submit written evidence to the satisfaction of the Director of Community Development that a certified paleontological/archaeological monitor has been retained to observe grading activities and salvage and catalogue fossils and artifacts as necessary. The certified paleontological / archaeological monitor shall be present at the pre-grade conference, shall establish procedures for paleontological and archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the findings.
29. Prior to any submittal to the City of Dana Point, an address assignment and address exhibit shall be submitted to the Public Works Department for review and approval.

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30. All loading spaces shall be reviewed and approved consistent with the requirements of the Dana Point Zoning Ordinance.
31. Final layout (i.e., parking stalls, striping, aisle widths, etc.) shall be reviewed prior to issuance of building permits for the parking structure to ensure compliance with the Dana Point Zoning Ordinance and the Town Center Plan.
32. All tree placements and hardscape in or near the City right of way shall be reviewed by the Public Works Department to ensure that there is no impact to required sight distance.
33. No construction vehicles or employee parking shall be allowed on Santa Clara Avenue.
34. Building(s) shall comply with the 2019 Building Code with all local amendments.
35. Building plan check submittal shall include the following construction documents:
 - Building Plans (4 sets)
 - Electrical/Plumbing/Mechanical plans by a Registered Design Professionals
 - Energy Calculations (2 sets)
 - Structural Calculations (2 sets)
 - Soils/Geology Report (3 sets)
 - CASp Report (incorporated into the plans)
 - Fire/Life/Safety Code Analysis Report (exiting, occupancy separation, fire-rating, etc.).

All documents prepared by a registered-design-professional shall be wet-stamped & signed.
36. Fire Department review is required. Submit plans directly to the Orange County Fire Authority (OCFA) for their review and approval.

B. Prior to City approval of the Final Map the applicant shall meet the following conditions:

37. A proposed Final Map shall be submitted for review and approval in accordance with requirements of the Public Works Department and Community Development Department. The final map must be in

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substantial compliance with Tentative Tract Map as determined by the Director of Community Development and the Director of Public Works/City Engineer. Said map shall be prepared as required by the City of Dana Point Subdivision Code.

38. Any and all taxes and fees required to be paid to the County of Orange shall be paid to the County of Orange. The Final Map submitted to the City for signatures shall have the County Treasurer-Tax Collector's Certificate signed. Please note this separate process, differing from the County of Orange process.
39. All existing and proposed easements shall be shown and labeled on the Final Map clearly indicating the easement ownership, location, purpose and width. A copy of the recorded easements shall be included along with the plan submittal for review by the Public Works Director/City Engineer. The Final Map shall also include a note to identify any easements proposed to be vacated with the Map.
40. All easements vacated, relocated, or released per separate instrument shall be noted on the map. The separate instrument or quit-claim documents from the governing utility shall be submitted.
41. Utility easements shall be provided to the specifications of the appropriate utility companies and subject to review and approval by the Director of Public Works.
42. The applicant shall make a separate submittal of the Final Map to the County of Orange for review and approval. A copy of the County Surveyor approval shall be submitted to the Public Works Department.
43. The Final Map shall clearly state the subdivision is for condominium purposes.
44. The applicant shall enter into an encroachment agreement with the City of Dana Point for any private improvements below or above the public right-of-way.
45. Applicant shall provide to the City a copy of a current title report not less than six months old and any other survey documentation in relation to the subject subdivision.
46. Applicant shall provide to the City a subdivision guarantee not less than six months old from the title company.

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47. As a part of the Final Map application, the applicant shall submit a copy of the proposed CC&Rs and Articles of Incorporation of the Owners' Association for review and approval by the Director of Community Development, the Public Works Director/City Engineer, and the City Attorney. The CC&Rs shall include:
- a. A statement that prohibits amendment of the document without review and approval by the City Attorney, the Director of Community Development, and the Public Works Director/City Engineer at any time prior to or preceding recordation of the Final Tract Map.
 - b. A method to ensure resolution of any disputes regarding maintenance of any commonly held portions of the site, any common walls, or disputes regarding the maintenance of the residential versus retail portions of the building shall be included in CC&R's.
 - c. Reflect common access easements, and maintenance responsibility of all recreation areas, common walls, access ways, parking areas, landscaping and grounds by the parties common to the CC&Rs.
 - d. An acceptable means for maintaining the easements within the subdivision and to distribute the cost of such maintenance in an equitable manner among the owners of the units within the subdivision.
 - e. Residents shall park their vehicles (operable automobiles, motorcycles, scooters, etc.) in the assigned parking spaces within the parking structure. No non-operable vehicles, boats, trailers, jet skis, etc. shall be parked in the parking structure.
 - f. Provisions which prohibit any obstructions within any fire protection access easement and shall also require approval of the Orange County Fire Authority for any modifications.
 - g. An acceptable means for the separation of ownership for the residential and commercial spaces.
 - h. Clearly delineate the maintenance responsibility of all commercial tenants, commercial common walls, commercial access ways, commercial parking areas, landscaping, and grounds by the parties' common to the CC&Rs and lease agreements.

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- i. Clearly assign maintenance responsibility of the Homeowners' Association for landscaping, irrigation and other improvements installed on City property (if any) for the benefit of the Project.
 - j. Include the Final Water Quality Management Plan (WQMP), which will be recorded as part of the CC&R's.
 - k. Implement conditions on and maintenance provisions for all structural and non-structural improvements and Best Management Practices (BMPs) indicated in the Final WQMP.
 - l. Provisions for the repair, replacement, and maintenance of all South Coast Water District (SCWD) surface improvements other than asphalt paving shall be the responsibility of the Owner.
48. The applicant shall submit "will serve" letters from the applicable water and sewer district.
49. The stamped approved Fire Master Plan shall be submitted to the City of Dana Point Public Works Department.
50. A note shall be placed on the map stating that all residential structures shall be protected by an approved automatic fire sprinkler system.
51. All monuments shall be set, or a security provided, to ensure all monuments will be set in accordance with the County of Orange and City of Dana Point standards.
52. Applicant shall enter into a Subdivision Improvement Agreement for the design, construction, and installation of the private and public improvements, as needed, in accordance with City plans and specifications. A security, for an amount equal to 100 percent of the approved Engineer's cost estimate, as verified by the City Engineer, shall be posted, to guarantee the performance of work described in the Subdivision Improvement Agreement will be required as needed.
- B. Prior to or at the time of building department submittal the applicant shall meet the following conditions:**
53. The applicant shall apply for a grading permit prior to or concurrently with any building permit application.
54. The approved plans include both architectural sheets illustrating floor

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plans and sections for residential units with mezzanines designed per the new "Mezzanine" definition pursuant to ZTA17-0001 (Ordinance 18-01) as well as an alternate sheet illustrating floor plans and sections for residential units with mezzanines designed per the current definition of "Mezzanine" identified in the City's existing certified LCP. The new "Mezzanine" design may be permitted at any time after the subject entitlement is approved subject to the approval by the Coastal Commission of an amended certified LCP which includes the new "Mezzanine" definition.

55. Minimum roofing classification is Class "A".
56. Building Code Analysis: Provide building code analysis showing conformance to the Chapter 3 and 5 of the CBC. Specify occupancy group(s), type(s) of construction, including fire sprinklers, location on property, actual and allowable floor area, building height, number of stories, and conforming exiting.
57. Exiting Plan & Analysis: Plans should include an occupant load analysis on the plans and provide an "Exit Plan" to show a clear and dimensioned Means of Egress system that provides a continuous, unobstructed exit from any occupied point in the building to a public way.
58. Fire-rated Construction: Plans should clearly identify the locations of the Fire Areas, Fire Walls, Fire Barriers, Fire Partitions, and all Occupancy separations. Provide complete legends and details on the plans.
59. Third party inspection by an independent certified deputy inspector for fire-stopping, fire-resistant penetrations and joints are required. (CBC Sections 1704, 1705, 1705.16)
60. Fire sprinkler system is required.
61. Plans should clearly show compliance with CBC Chapters 11A (Housing Accessibility for Newly Constructed Covered Multifamily Dwellings) and 11B Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing). A Certified Access Specialist (CASP) report is required and shall be incorporated onto the plans.
62. Please provide analysis and a summary matrix of the accessible and/or adaptable units on the Title Sheet.

63. Provide an Accessibility and Exit Analysis for the Building/Development.
64. Accessible route: All buildings of covered multifamily dwellings and related facilities such as parking spaces, laundry, storage, and other facilities for the use of the residents; passenger drop off points; the public way; and any adjacent public transportation stops, shall be connected by an accessible route of travel.
65. 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.
66. 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.
67. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CALGreen requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.
68. In Group R occupancies (2 units or more) wall and floor-ceiling assemblies separating dwelling units or guest rooms from each other and from public space such as interior corridors and service areas shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies.
69. Provide construction details for penetrations or openings in construction assemblies for piping, electrical devices, recessed cabinets, bathtubs, soffits, or heating, ventilating or exhaust ducts to be sealed, lined, insulated or otherwise treated to maintain the required smoke, fire and sound/noise ratings.
70. Provide blow-up details of all fire-rated construction and sound & noise (acoustical) attenuation assemblies. Call out all construction, finish materials and their approval numbers from approved testing agencies.
71. Separate review, approval, and permits are required for:
 - Separate Structures
 - Retaining Walls

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- Site Walls over 3 ft.
- Fire Sprinklers
- Swimming Pool/Spa
- Signs

C. Conditions required and enforced by the Orange County Fire Authority

72. The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. OCFA approval shall be obtained on each plan prior to the event specified.

Prior to OCFA clearance of a final map or issuance of a precise grading permit or a building permit, if a grading permit is not required:

- *Fire master plan (service code PR145).*

Prior to issuance of a building permit:

- *Architectural (service codes PR200-PR272).*
- *Underground piping for private hydrants and fire sprinkler systems (service code PR470-PR475).*
- *Fire sprinkler system (service codes PR400-PR465).*

Prior to concealing interior construction:

- *Fire alarm system (service code PR500-PR520).*
- *Hood and duct extinguishing system (service code PR335).*

73. **Temporary/ Final Occupancy Inspections:** Prior to issuance of temporary or final certificate of occupancy, all OCFA inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested. Inspections shall be scheduled at least five days in advance by calling OCFA Inspection Scheduling at 714-573-6150.
74. **Secured Fire Protection Agreement:** Prior to clearance of a final map for recordation, or issuance of a building permit, whichever comes first, the applicant or responsible party shall enter into a secured fire protection agreement with OCFA Strategic Services (714-573-6199) to mitigate additional fire service impacts resulting from the project.
75. **Preconstruction Meeting:** Before commencement of construction, the applicant or responsible party shall attend a pre-construction meeting with an OCFA inspector. Call OCFA Inspection Scheduling at

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714-573-6150 at least five days in advance to schedule and pay for the pre-construction meeting.

76. **Lumber – drop Inspection:** After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection.

D. Conditions required and enforced by the South Coast Water District

77. All water and sewer improvements shall be designed and constructed in accordance with SCWD Standard Specifications and Standard Plans. Refer to Engineering web page for access to SCWD Standards at:
https://www.scwd.org/depts/engineering/standards_and_specs/default.htm
78. If this is a non-individual homeowner project with a landscaping area (including pools or other water features) exceeding 2,500 square feet, a separate irrigation meter shall be installed in compliance SCWD Ordinance No. 222 relating to landscape water efficiency. Compliance with this code requirement is required at the time of issuance of building permits.
79. Refer to SCWD Ordinance No. 229 for connection fee requirements for this Project. Fees shall be assessed based on water meter sizes for the Project.
80. Prior to any submittal, SCWD requires final design and details to address the service connections. At entitlement, the applicant assumes that new water services can be connected to the SCWD 8-inch water main in Old Golden Lantern Road. Location of water services and meters and other design details will be determined based on water demand requirements and resolution of other unknowns during the project design phase. These design details will be finalized when the full plan review is complete, and all associated fees are paid.
81. Prior to the issuance of a Grading Permit, plans showing the proposed connection locations and sizes to SCWD sewer and water mains shall be submitted to SCWD for review and approval prior to issuance of grading permits. SCWD shall solely determine all point of connection locations for all sewer, potable water, and recycled water services.

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82. Prior to the issuance of a Building Permit, SCWD requires a private water system with separate water service for fire protection and domestic water shall be provided and shown on plans submitted to the Water Engineering Division of SCWD.
83. Prior to the issuance of a Building Permit, SCWD requires that water submetering shall be furnished and installed by the Owner/Developer and a water submeter shall be installed to each individual unit. Provisions for the ongoing maintenance and operation (including meter billing) of the submeters shall be the responsibility of the Owner/Developer and included and recorded in the Master CC & Rs for the project.
84. Prior to the issuance of a Building Permit, SCWD requires that all backflow equipment shall be located above ground outside of the street setback area in a manner fully screened from all public streets and alleys. Any other large water system equipment shall be installed to the satisfaction of SCWD outside of the street setback area in a manner fully screened from all public streets and alleys. Said information shall be specifically shown on plans and approved by SCWD.
85. Prior to the issuance of a Building Permit, SCWD requires that all requests for new water services, sewer laterals, backflow equipment, or fire lines, as well as any modifications, relocations, or abandonments of existing sewer laterals, water services, backflow equipment, and fire lines, shall be coordinated and permitted through SCWD.
86. Prior to the issuance of a Building Permit, SCWD requires that all existing sewer laterals, water services and fire services shall conform to current SCWD Standards. Any sewer, water service and/or fire line that does not meet current standards shall be upgraded if continued use is necessary or abandoned if the existing service is no longer needed. The owner/developer shall be responsible for the costs to upgrade or to abandon any sewer, water service or fire line.
87. Prior to the issuance of a Building Permit, SCWD requires the Owner shall irrevocably offer to dedicate to SCWD (i) an easement for all large domestic above-ground water meters, including a five (5)-foot wide easement around the fire hydrant and/or water meter pad, (ii) a twenty (20) foot wide easement for all water service mains and service laterals all to the satisfaction of SCWD. The easements shall be granted on SCWDs standard water easement deed. The easement deeds shall include language that requires the Owner to be responsible for

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restoring any special surface improvements, other than asphalt paving, including but not limited to colored concrete, bricks, pavers, stamped concrete, decorative hardscape, walls or landscaping that becomes damaged during any excavation, repair or replacement of SCWD owned water facilities. Provisions for the repair, replacement and maintenance of all surface improvements other than asphalt paving shall be the responsibility of the Owner and included and recorded in the Master CC & Rs for the project.

88. Prior to the issuance of a Building Permit, SCWD requires that the developer/owner shall submit to SCWD Water Engineering Division: (i) an estimate of sewerage generation, including but not limited to calculation of average sewer flow and peak sewer flow for the project; (ii) the maximum fire flow rate and maximum day and peak hour water demands for the project, including the fixture unit demand and fire sprinkler demand; and (iii) the recycled water irrigation system demand for the project. This information will be used to determine the adequacy of the existing sewer, potable water and recycled water systems to serve the estimated demands of the project. Any off-site sewer or water system improvements required to serve the project shall be done in accordance with SCWD's Ordinances and Regulations.
89. Prior to the issuance of a Building Permit, SCWD requires that individual water service and/or fire line connections will be required for each parcel or residential, commercial, industrial unit per SCWD Ordinances and Regulations.
90. Prior to the issuance of a Building Permit, SCWD requires the applicant shall contact SCWD Water Engineering for recycled water system requirements and specific water conservation measures to be incorporated into the building and landscape construction plans.
91. Prior to the issuance of a Building Permit, SCWD requires the following minimum horizontal clearances shall be maintained between proposed water lines and other facilities:
 - 10-feet minimum separation (outside wall-to-outside wall) from sanitary sewer mains and laterals.
 - 5-feet minimum separation from all other utilities, including storm drains, gas, and electric.
92. Prior to the issuance of a Building Permit, SCWD requires that no public water main or public water facilities shall be installed in private alleys or paseo areas.

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93. Prior to the issuance of a Building Permit, SCWD requires that no public water mains or laterals allowed under parking stalls or parking lots. As required by SCWD, a private water system with separate water service for fire protection and domestic water shall be provided and shown on plans submitted to the Water Engineering Division of SCWD.
94. As required by SCWD, a private water system with separate water service for fire protection and domestic water shall be provided and shown on plans submitted to the Water Engineering Division of SCWD.
95. As required by SCWD, water submetering shall be furnished and installed by the Owner/Developer and a water submeter shall be installed to each individual unit. Provisions for the ongoing maintenance and operation (including meter billing) of the submeters shall be the responsibility of the Owner/Developer and included and recorded in the Master CC & Rs for the project.
96. As required by SCWD, all backflow equipment shall be located above ground outside of the street setback area in a manner fully screened from all public streets and alleys. Any other large water system equipment shall be installed to the satisfaction of SCWD outside of the street setback area in a manner fully screened from all public streets and alleys. Said information shall be specifically shown on plans and approved by SCWD.
97. As required by SCWD, all requests for new water services, sewer laterals, backflow equipment, or fire lines, as well as any modifications, relocations, or abandonments of existing sewer laterals, water services, backflow equipment, and fire lines, shall be coordinated and permitted through SCWD.
98. As required by SCWD, all existing sewer laterals, water services and fire services shall conform to current SCWD Standards. Any sewer, water service and/or fire line that does not meet current standards shall be upgraded if continued use is necessary or abandoned if the existing service is no longer needed. The owner/developer shall be responsible for the costs to upgrade or to abandon any sewer, water service or fire line.
99. As required by SCWD, the Owner shall irrevocably offer to dedicate to SCWD (i) an easement for all large domestic above-ground water

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meters, including a five (5)-foot wide easement around the fire hydrant and/or water meter pad, (ii) a twenty (20) foot wide easement for all water service mains and service laterals all to the satisfaction of SCWD. The easements shall be granted on SCWDs standard water easement deed. The easement deeds shall include language that requires the Owner to be responsible for restoring any special surface improvements, other than asphalt paving, including but not limited to colored concrete, bricks, pavers, stamped concrete, decorative hardscape, walls or landscaping that becomes damaged during any excavation, repair or replacement of SCWD owned water facilities. Provisions for the repair, replacement and maintenance of all surface improvements other than asphalt paving shall be the responsibility of the Owner and included and recorded in the Master CC & Rs for the project.

100. As required by SCWD, the developer/owner shall submit to SCWD Water Engineering Division: (i) an estimate of sewerage generation, including but not limited to calculation of average sewer flow and peak sewer flow for the project; (ii) the maximum fire flow rate and maximum day and peak hour water demands for the project, including the fixture unit demand and fire sprinkler demand; and (iii) the recycled water irrigation system demand for the project. This information will be used to determine the adequacy of the existing sewer, potable water and recycled water systems to serve the estimated demands of the project. Any off-site sewer or water system improvements required to serve the project shall be done in accordance with SCWD's Ordinances and Regulations.
101. As required by SCWD, individual water service and/or fire line connections will be required for each parcel or residential, commercial, industrial unit per SCWD Ordinances and Regulations.
102. As required by SCWD, the applicant shall contact SCWD Water Engineering for recycled water system requirements and specific water conservation measures to be incorporated into the building and landscape construction plans.

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

104. The applicant shall submit a haul route for review and approval by Public Works for the Grading and Excavation phase of construction. No hauling of equipment or materials shall be allowed without advanced written approval of the submitted haul route. The haul route

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shall be clear and ensure that no construction vehicles and equipment shall be allowed in the surrounding residential areas, including Santa Clara Avenue.

105. The applicant shall apply for a Rough Grading Permit. The application will include a rough grading plan, in compliance with City standards, for review and approval by the Director of Public Works/City Engineer. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, the Dana Point Municipal Code, the Grading Manual, and all other applicable standards. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works/City Engineer and conform to the ultimate PCH/Del Prado Street Plan.
106. The Grading plans shall include any ramp locations, temporary drainage during excavation, bicycle/pedestrian path of travel on adjacent streets (including temporary barriers, i.e., k-rail), temporary fencing, and required safety pedestrian protection. All existing improvements to be protected in place. The sidewalk along Del Prado, and all other public streets, shall remain open at all times.
107. A detailed design level geotechnical report shall be prepared, submitted and reviewed by the Public Works Director/City Engineer.
108. The applicant shall apply for all separate Building Permits related to any excavation. The applicant shall include all plans and documents in their submittal as required by the current Building Department submittal policies as required. This would include all shoring required to accomplish the rough grading.
109. If the applicant determines, however, that use of the public right of way is necessary to accomplish the construction of their Project, a separate agreement between the applicant and City of Dana Point shall be prepared and approved by the City Engineer, and be paid for entirely by the applicant. The agreement shall be reviewed and approved by the City of Dana Point prior to the issuance of any shoring or related permit. All review fees for the agreement shall be reimbursed on a time and materials basis prior to issuance of the shoring permit.
110. The shoring permit application shall include any traffic control and/or protective barriers to be installed between the pedestrian path of travel, vehicle travel lanes, and the work area per the Public Works Director/City Engineer.

111. Surety to guarantee the completion of the project grading and drainage improvements, including erosion control and WQMP elements, in an amount equal to 100 percent of the approved Engineer's cost estimate shall be posted to the satisfaction of the Director of Public Works/Public Works Director/City Engineer and the City Attorney. The incremental release of bonds shall be per agreement with Director of Public Works/City Engineer.
112. A separate surety to guarantee the completion of the project shoring and protection of neighboring property and neighboring improvements, in an amount equal to 100 percent of the cost shall be posted to the satisfaction of the Public Works Director/City Engineer and the City Attorney. The incremental release of bonds shall be per agreement with Director of Public Works/City Engineer.
113. The applicant shall concurrently apply and obtain the following permits: Grading permit, temporary and permanent shoring permits (as necessary), retaining wall permits, and any necessary Building permits for structural components of the rough grading.
114. The applicant shall obtain coverage under the state NPDES General Permit for Construction Activities. The project applicant shall apply for coverage under the State electronic system. Approved application and registration shall be provided prior to permit issuance.
115. The Public Works Director/City Engineer reserves the right to approve and issue a phased grading permit, partial grading permit or other grading permit in accordance with the above Conditions of Approval.
116. A storm drain improvement plan shall be submitted and approved for all impacted public drainage facilities. The improvement plans may be a part of the precise grading and/or street improvement plans and permit, although the public drainage impacts shall be review and approved prior to Rough Grading Permit issuance.
117. The applicant shall apply for a Precise Grading Permit. The application will include a grading plan and soils report, in compliance with City standards, for review and approval by the Director of Public Works/City Engineer. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works.

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118. The applicant shall submit a final landscape and irrigation plan for review and approval by the Public Works and Community Development Departments. The landscape and irrigation plans shall include work in the public right of way adjacent to the Project, if any.
119. The applicant shall prepare all necessary reports and implement all required actions, to meet current water quality regulations including, but not limited to, a Water Quality Management Plan, a Storm Water Pollution Prevention Program, and all other required water quality-related reports/actions.
120. The applicant shall submit street improvement plans concurrently with the Precise Grading Plans showing street improvements on all adjacent streets. The street improvement plans shall detail the proposed improvements and adhere to City standards and City Standard Encroachment Permit Conditions, the Lantern District Plan and Lantern District standard details. Street improvement plans shall specifically detail the proposed bulb out on the corner of Del Prado/Old Golden Lantern and any impact to decorative paver crosswalks treatments on Del Prado. All needed design adjustments shall be at the expense of the applicant.
121. Applicant shall obtain written approval for any work proposed on adjoining properties.
122. The precise grading plan shall include a final utility plan as approved by South Coast Water District, San Diego Gas and Electric, and all other utilities identifying all improvements, including off-site improvements, required to provide adequate services to the proposed development, for each phase.
123. The final utility plan(s) shall include the final approved location of all meters, backflow prevention devices, vaults, and other associate equipment for all utilities and fire prevention. All fire prevention equipment, utility meters, utility equipment, etc., servicing the development shall be within the proposed development and not in the public right-of-way unless previously approved by the Public Works Director/City Engineer
124. No direct connections to catch basins will be allowed in the final utility plan(s). All storm drainage shall be directed to an approved outlet, to approval by the Public Works Director/City Engineer.

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125. Surety to guarantee the completion of the project grading and drainage improvements, including erosion control, in an amount equal to 100 percent of the approved Engineer's cost estimate shall be posted to the satisfaction of the Public Works Director/City Engineer and the City Attorney.
126. Prior to any work or permit issuance, the applicant shall submit a Parking Management Plan that addresses building permits, the vertical phase of construction, construction worker parking, construction material deliveries, and mechanisms to avoid impacts to surrounding residential streets and neighborhoods. No construction parking is allowed on residential streets at any time, and the applicant shall take all necessary steps to prevent said parking. The parking management plan shall outline the parking needs for construction activities and limit the impact of construction employee parking and construction equipment parking on surrounding businesses and residents. The plan shall clearly state that no construction parking is allowed along Santa Clara Ave, Del Prado or surrounding residential streets.

F. Prior to Issuance of a Building Permit or release on certain related inspections, the applicant shall meet the following conditions:

128. Approvals are required from:
 - Planning Department
 - Public Works
 - Orange County Fire Authority
 - Health Department Approval
 - Obtain "Will Serve" letter from SCWD. This letter needs to specify any requirements for grease trap(s) or interceptor(s).
 - Provide an SDG&E service work order for proposed service location.
 - Cal/OSHA (for chair lifts & elevators)
129. Verification of all applicable conditions of approval is required by each City Department responsible for compliance with the applicable conditions.
130. "Rough Grade/Pad Certification" or "Grading Release Form" is required from City Engineer.
131. All applicable supplemental/development impact fees shall be paid prior to building permit issuance.

132. The applicant shall submit a haul route for review and approval by Public Works for the Building Permit and Vertical phase of construction. No hauling of equipment or materials shall be allowed without advanced written approval of the submitted haul route. The haul route shall be clear and ensure that no construction vehicles and equipment shall be allowed in the surrounding residential areas, including Santa Clara Avenue.
133. Prior to commencement of framing, the applicant shall submit a setback certification, by survey that the structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines included as part of CDP21-0002/SDP21-0006/VTM21-0001/V21-0001. The City's standard "Setback 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.
134. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structure is in compliance with plans approved by the Planning Commission and the structure heights included as part of CDP21-0002/SDP21-0006/VTM21-0001/V21-0001. 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.
135. The applicant shall submit, to the Public Works and Engineering Department, a copy of the recorded Final Map as approved by the City and recorded with the Office of the County Recorder.
136. A licensed land surveyor shall document all pad grades to the nearest 0.1-feet to the satisfaction of the Public Works Director/City Engineer and the Director of Community Development. The civil engineer and/or surveyor shall specifically certify in writing that the elevation of the graded pad follows the vertical (grade) position approved for the project.
137. The applicant shall submit a Geotechnical rough grade certification for review and approval by the Public Works Director/City Engineer by separate submittal. The rough grade certification by the geotechnical engineer (the City's standard Geotechnical Engineer's

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Certification Form for Rough Grading) shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

138. An as-graded geotechnical report and certification shall be prepared by the project geotechnical consultant following grading of the subject site. The report shall include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The as-graded report shall be reviewed and approved by Public Works prior to Building Permit issuance.
139. The applicant shall submit a separate certification for all shoring construction and activities from the geotechnical professional for review and approval by the Public Works Director/City Engineer by separate submittal.
140. The development shall include sufficient lighting for public sidewalk safety, including lighting for the commercial spaces and surrounding public sidewalks. Public sidewalk lighting shall follow the Parking Facility Development Standards and be directed away from adjacent properties.
141. The applicant shall enter into an agreement with the City's waste collection franchise holder to ensure that trash collection services shall include moving of all trash containers and/or bins to the truck and return of containers and/or bins to the inside of the designated trash areas. At no time shall containers and/or bins be stored on the sidewalk. All collection activities shall be done at a time approved by the applicant and City of Dana Point.
142. The applicant shall be responsible for the proposed irrigation of any proposed parkway landscaping. The irrigation shall be a part of an irrigation plan showing the irrigation connection point and all irrigation in the right-of-way.

PLANNING COMMISSION RESOLUTION NO. 22-03-28-XX
CDP21-0002/SDP21-0006/VTM21-0001/V21-0001
PAGE 37

- 143. The applicant shall provide a permit from South Coast Water District for water and sewer services and construct all necessary public and private infrastructure improvements to support said services.
- 144. The applicant shall prepare documentation or dedicate, as necessary, any public street, highway, drainage, utility, and pedestrian access easements for 5 feet northerly of existing alley right-of-way in the rear of the Project as required per the Town Center Plan.

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

- 145. Prior to certificate of occupancy, the applicant shall follow the Arts in Public Places process pursuant to DPZC 9.05.240, and all required/approved public art components shall be installed, or if applicable, required fees shall be paid.
- 146. The applicant shall schedule a final inspection with the Planning Division at the site that shall include a review of, among other things, landscaping, finish architecture/materials, approved through discretionary action, and compliance with any outstanding project conditions of approval.
- 147. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 148. A written certification per City standards and approval by the Geotechnical Engineer approving the grading as being substantially in conformance with the approved precise grading plan.
- 149. A written certification per City standards and approval by the Civil Engineer approving the grading as being substantially in conformance with the approved grading plan and which specifically approves construction of line and grade for all engineered drainage devices and retaining walls.
- 150. All work in the right-of-way shall be completed in conformance with the Encroachment Permit, the Encroachment Permit Conditions, the Lantern District Plan, the Town Center Standards and Construction Details to the satisfaction of the Public Works Director/City Engineer.
- 151. An As-Built Grading Plan shall be prepared by the Civil Engineer of

PLANNING COMMISSION RESOLUTION NO. 22-03-28-XX
CDP21-0002/SDP21-0006/VTM21-0001/V21-0001
PAGE 38

Record.

152. All outstanding fees associated with any part of the entire project shall be paid.
153. All permanent BMP's shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
154. The applicant shall obtain all utility agencies' final approval of the project improvement plans.
155. All works of improvements outlined in the Subdivision Improvement Agreement shall be completed and approved by the City of Dana Point.
156. 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.
157. A deed restriction shall 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.
158. 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.
159. 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.
160. The applicant shall provide a distribution list for the approved Project WQMP and Operations and Maintenance Manual.
161. All landscaping and irrigation shall be installed per the approved final

PLANNING COMMISSION RESOLUTION NO. 22-03-28-XX
CDP21-0002/SDP21-0006/VTTM21-0001/V21-0001
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landscape and irrigation plan.

162. The applicant shall submit, to the Public Works and Engineering Department, a copy of the recorded Final Map as approved by the City Council and recorded with the Office of the County Recorder.

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 March, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eric Nelson, Chair
Planning Commission

ATTEST:

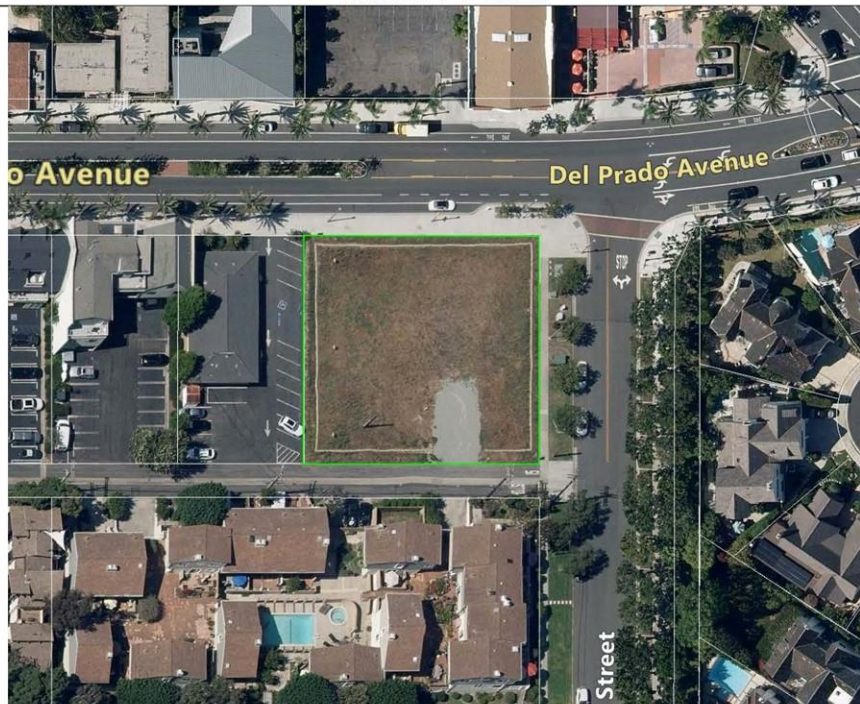
Brenda Wisneski, Director
Director of Community Development

SUPPORTING DOCUMENT 2: Vicinity Map



City of Dana Point
CDP21-0002; SDP21-0006; VTTM21-0001; V21-0001
Danny Giometti, Senior Planner
Community Development Department
33282 Golden Lantern
Dana Point, CA 92629-1805

VICINITY MAP



Project : CDP21-0002; SDP21-0006; VTTM21-0001; V21-0001

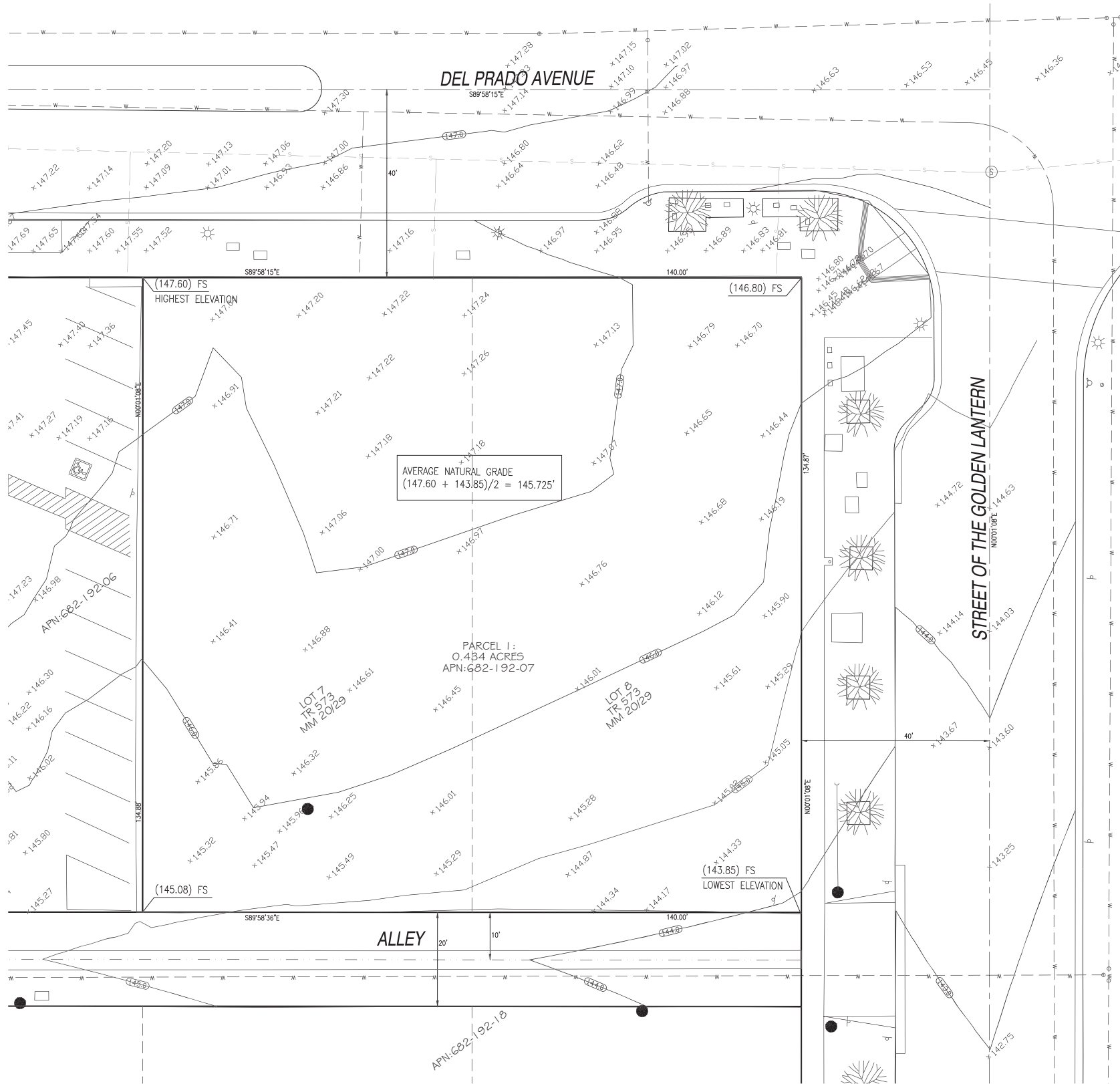
Applicant: Brattle Street Ventures, LLC

Location: 24722 Del Prado Avenue



SUPPORTING DOCUMENT 3: Architectural Plans

ATTACHMENT



ADDRESS:
24722 DEL PRADO, DANA POINT, CA

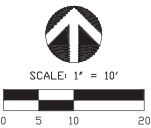
LEGAL DESCRIPTION
REAL PROPERTY IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 7 AND 8 IN BLOCK "R" OF TRACT NO. 573, DANA POINT SUBDIVISION, AS SHOWN ON A MAP RECORDED IN BOOK 20, PAGE 29 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.
APN: 682-192-07

DATE OF SURVEY:
APRIL 26, 2016

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS N00°01'08"E ALONG THE CENTERLINE OF OLD GOLDEN LANTERN ON TRACT NO. 573 OF MISCELLANEOUS MAPS, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA.

BENCH MARK:
ORANGE COUNTY O.C.S. BENCH MARK
BM NO. 3P-25-69R86

GENERAL INFORMATION:
- CONTOUR INTERVAL IS 1 FOOT.
- ALL DIMENSIONS ARE APPROXIMATE



OWNER/DEVELOPER:
BRATTLE STREET VENTURES LLC
44420 LAKESIDE DRIVE
INDIAN WELLS, CA 92210
(949) 463-2305

PREPARED BY :
KES TECHNOLOGIES INC
CIVIL ENGINEERING
LAND PLANNING AND SURVEYING
1 VENTURE STE 100
IRVINE, CALIFORNIA 92618
PHONE: (949) 339-5333



BRATTLE STREET VENTURES, LLC

DEL PRADO MIX-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

| TOPOGRAPHIC SURVEY | |
|--------------------|--|
| JOB #: 3P-001 | |
| DRAWN BY: JSK | |
| CHECKED BY: AM | |
| SCALE: 1"=10' | |
| DATE: 7/21/21 | |
| REVISIONS: | |
| △ | |
| △ | |
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| △ | |
| △ | |

TS

07-16-2021

APPLICABLE CODES:
2019 CBC, CEC, CMC, CPC, CRC, CFC AND CITY OF DANA POINT MUNICIPAL CODE

OCCUPANCY ANALYSIS:

| USE | OCC. GROUP | LOAD FACTOR | AREA | OCCUPANT LOAD |
|--------------------------|------------|-------------|----------------------|---------------|
| RESTAURANT | A-2 | 15 | 1,833 SF | 122 |
| RETAIL | M | 60 | 3,130 SF | 52 |
| STORAGE | S-2 | 300 | 1,459 SF | 5 |
| PARKING | S-2 | 200 | 7,352 SF + 16,755 SF | 37 + 84 = 121 |
| RESIDENTIAL CONDOMINIUMS | R-2 | 200 | 28,746.5 SF | 144 |
| TOTAL | | | | 454 |

NOTE: OCCUPANCY SQUARE FOOTAGE DOES NOT INCLUDE CIRCULATION AREA

TYPE OF CONSTRUCTION:

| | | | |
|--|-------|-------------------|------------|
| RESIDENTIAL: | III-A | FULLY SPRINKLERED | WOOD FRAME |
| RETAIL / PARKING: | I-A | FULLY SPRINKLERED | CONCRETE |
| SPRINKLER SYSTEM SHALL COMPLY WITH NFPA 13 | | | |

MAXIMUM NUMBER OF STORIES ALLOWED (TABLE 504.4)
MAX. # OF "R-2" RESIDENTIAL STORIES ALLOWED: 4 STORIES ALLOWED / 2 PROPOSED3
MAX. # OF "M" RETAIL STORIES ALLOWED: 4 STORIES ALLOWED / 1 PROPOSED
MAX. # OF "A" RESTAURANT STORIES ALLOWED: 3 STORIES ALLOWED / 1 PROPOSED

MAXIMUM BUILDING HEIGHT ALLOWED (TABLE 504.3)
MAX. BLDG. HEIGHT FOR "R-2" RESIDENTIAL: 70'-0" (SPRINKLERED WITHOUT AREA INCREASE)
MAX. BLDG. HEIGHT FOR "M" RETAIL: 70'-0" (SPRINKLERED WITHOUT AREA INCREASE)
MAX. BLDG. HEIGHT FOR "A" RESTAURANT: 70'-0" (SPRINKLERED WITHOUT AREA INCREASE)

ALLOWABLE AREA PER STORY (MIXED USE) (TABLE 506.2) - INCLUDING COMMON AREAS

FOR "R-2": (TYPE III-A) A1= 36,000
FOR "A-2": A1= 34,500 / N1= 11,500
FOR "M": A1= 42,000 / N1= 14,000

"A-2" GROUND LEVEL
Aa=[34,500 + (11,500 x 0)]
ALLOWABLE AREA: (Aa) = 34,500

"M" GROUND LEVEL
Aa=[42,000 + (14,000 x 0)]
ALLOWABLE AREA: (Aa) = 42,000

| | | |
|--|---|--|
| "R-2" PASEO COURT LEVEL Aa=[36,000 + (12,000 x 0)] ALLOWABLE AREA: (Aa) = 36,000 | "R-2" SECOND LEVEL Aa=[36,000 + (12,000 x 0)] ALLOWABLE AREA: (Aa) = 36,000 | "R-2" THIRD LEVEL Aa=[36,000 + (12,000 x 0)] ALLOWABLE AREA: (Aa) = 36,000 |
|--|---|--|

"R-2" PROPOSED TOTAL: 28,746.5 SF

EGRESS WIDTH:
R-2 = 36"
S-2 = 36" CBC 1005.3.1 EXCEPTION 1

AREA SEPARATION:
HORIZONTAL BETWEEN III-A AND I-A 3 HR
ELEVATOR SHAFT 2 HR
EXIT STAIRS 1.5 HR

EXITS REQUIRED:
BASEMENT GARAGE 2
RESIDENTIAL CONDOS 1 PER UNIT
RESIDENTIAL COMMON AREAS 2
(CORRIDORS & PASEO COURT)
EXIT EGRESS WIDTH: PER CBC 1005.3.1

NOTE: ALL SIGNS WILL BE SUBMITTED UNDER A SEPARATE SIGNAGE PROGRAM APPLICATION

NOTE: COMMERCIAL SPACES AND RESIDENTIAL UNITS COMPLY WITH ALL ADA REGULATIONS
ALL EXTERIOR AND PARKING SPACES COMPLY WITH ALL ADA REGULATIONS

| RES. STORAGE SPACE REQUIRED: 250CU.FT./UNIT | |
|--|---------------|
| 18 x 250 CF: 4,500 CF | |
| STORAGE PROVIDED: | |
| UNIT # | VOLUME CU.FT. |
| 101 | 299 |
| 102 | 285 |
| 103 | 285 |
| 104 | 303 |
| 105 | 289 |
| 106 | 289 |
| 201 | 303 |
| 202 | 289 |
| 203 | 258 |
| 204 | 264 |
| 301 | 281 |
| 302 | 291 |
| 303 | 250 |
| 304 | 251 |
| 305 | 260 |
| 306 | 306 |
| 307 | 309 |
| 308 | 265 |
| TOTAL: | 4,807 CF |

DEL PRADO AND OLD GOLDEN LANTERN, DANA POINT
ZONING:
ZONE: TOWN CENTER, MIXED USE TC-MU
SCOPE OF WORK: VACANT LOT, NEW CONSTRUCTION, NO DEMOLITION REQUIRED
LOT AREA 18,882 SF

| SETBACKS: | | |
|---------------------|--|---|
| TC-MU ZONE | ALLOWABLE | PROPOSED |
| DEL PRADO: | NO SETBACK AT GROUND LEVEL, W/ A MINIMUM OF 75% OF THE PROPERTY LINE BUILD-UP, WITHIN 10' SETBACK PORTIONS OF BUILDING ABOVE 2ND FLOOR OR 30' SHALL BE SETBACK 10' | NO SETBACK AT GROUND LEVEL, 10' SETBACK ABOVE 30' |
| OLD GOLDEN LANTERN: | NO SETBACK AT GROUND LEVEL, 10' SETBACK ABOVE 20' | NO SETBACK AT GROUND LEVEL, 10' SETBACK ABOVE 20' |
| ALLEY SIDE: | 5' AT GROUND LEVEL, ABOVE 20' SETBACK 15' | 5' AT GROUND LEVEL, ABOVE 20' SETBACK 15' |
| NORTH SIDE: | 0' AT GROUND LEVEL, ABOVE 20' AND 40' FROM DEL PRADO SETBACK 5' | 0' AT GROUND LEVEL, ABOVE 20' AND 40' FROM DEL PRADO SETBACK 5' |

| BUILDING MAXIMUM HEIGHT MEASUREMENT | |
|-------------------------------------|----------|
| LOWEST ELEVATION OF SITE | 143.85' |
| HIGHEST ELEVATION OF SITE | 147.60' |
| AVERAGE ELEVATION OF SITE | 145.725' |
| 40 FEET ABOVE AVERAGE ELEVATION | 185.725' |
| PROPOSED BUILDING HEIGHT | 185.645' |

| ALLOWABLE BUILDING HEIGHT ABOVE AVERAGE GRADE | | |
|---|-----------|----------|
| TC-MU ZONE | ALLOWABLE | PROPOSED |
| BUILDING HEIGHT | 40' | 39'-11" |

| LOT COVERAGE / BUILDABLE AREA | |
|-------------------------------|-----------|
| TC-MU ZONE | AREA (SF) |
| LOT AREA NET | 18,882 SF |
| BLD'G FOOTPRINT | 17,491 SF |

| DENSITY / FLOOR AREA RATIO (FAR) (SF) | | | | |
|---------------------------------------|-----------------|----------------|----------------|---------------|
| TC-MU ZONE | ALLOWABLE (FAR) | PROPOSED (FAR) | ALLOWABLE (SF) | PROPOSED (SF) |
| PROJECT DENSITY | 2.5 | 1.9 | 47,205 SF | 36,030 SF |

| PROGRAM AREA SUMMARY | | |
|----------------------------------|---|-------------|
| FLOOR LEVEL | USE | AREA (SF) |
| BASEMENT | SUBTERRANEAN RESIDENTIAL PARKING | 16,755 SF |
| | STAIRS AND ELEVATOR LOBBY | 723 SF |
| | RESIDENTIAL STORAGE | 850 SF |
| | UTILITIES / MECHANICAL | 301 SF |
| STREET LEVEL | RETAIL | 3,130 SF |
| | RESTAURANT | 1,833 SF |
| | COMMERCIAL PARKING | 7,352 SF |
| | UTILITIES | 617 SF |
| | TRASH | 409 SF |
| | BICYCLE STORAGE | 514 SF |
| | RESIDENTIAL LOBBY / ELEVATOR AND STAIRS | 797 SF |
| | NORTH EXIT STAIRS AND CORRIDOR | 265 SF |
| | RAMP TO BASEMENT PARKING | 1,786 SF |
| | | 4,963 SF |
| PASEO COURT LEVEL RESIDENTIAL | PASEO COURT | 2,414 SF |
| | SOUTH EXIT STAIRS AND ELEVATOR | 296 SF |
| | NORTH EXIT STAIRS | 177 SF |
| | RESIDENTIAL STORAGE | 180 SF |
| | RESIDENTIAL LOFTS UNITS 101 TO 106 | 11,360.5 SF |
| SECOND LEVEL RESIDENTIAL | WALKWAY | 1,095 SF |
| | SOUTH EXIT STAIRS AND ELEVATOR | 271 SF |
| | NORTH EXIT STAIRS | 177 SF |
| | RESIDENTIAL UNITS 201 TO 204 | 6,283 SF |
| THIRD LEVEL RESIDENTIAL | WALKWAY | 1,436 SF |
| | SOUTH EXIT STAIRS AND ELEVATOR | 271 SF |
| | NORTH EXIT STAIRS | 177 SF |
| | RESIDENTIAL UNITS 301 TO 308 | 11,103 SF |

RESIDENTIAL MEZZANINE AREA: PER 2019 CRC SECTION 325.3
AREA LIMITATION EXCEPTION: THE AGGREGATE AREA WITHIN A DWELLING UNIT EQUIPPED WITH A FIRE SPRINKLER SYSTEM SHALL NOT BE GREATER THAN ONE-HALF OF THE FLOOR AREA OF THE ROOM BELLOW, PROVIDED THE FOLLOWING REQUIREMENTS:
1- EXCEPT FOR CLOSETS AND BATHROOMS, THE MEZZANINE IS OPEN TO ROOM IN WHICH IS LOCATED
2- THE OPENING TO THE ROOM IS IS UNOBSTRUCTED EXCEPT FOR WALLS NOT MORE THAN 42" IN HEIGHT, COLUMNS AND POSTS

| OPEN SPACE REQUIRED | | | | |
|--|--------|-------------------|---|----------------|
| PRIVATE OPEN SPACE REQUIRED | | | | |
| TC-MU ZONE REQUIRES 100 SF OF PRIVATE OPEN SPACE PER UNIT | | | | |
| UNIT TYPE | UNIT # | SQUARE FOOT | SQ FT REQUIRED | SQ FT PROVIDED |
| 1 BEDROOM | 301 | 1,467 | 100 | 733 |
| | 302 | 1,302 | 100 | 131 |
| | 303 | 1,302 | 100 | 287 |
| | 304 | 1,232 | 100 | 241 |
| 2 BEDROOM | 101 | 1,944 | 100 | 189 |
| | 102 | 1,840.5 | 100 | 187 |
| | 103 | 1,805 | 100 | 187 |
| | 104 | 1,840.5 | 100 | 187 |
| | 105 | 1,805 | 100 | 187 |
| | 106 | 2,125.5 | 100 | 187 |
| | 201 | 1,907 | 100 | 106 |
| | 202 | 1,436 | 100 | 0 |
| | 203 | 1,466 | 100 | 81 |
| | 204 | 1,474 | 100 | 81 |
| | 305 | 1,442 | 100 | 310 |
| | 306 | 1,473 | 100 | 148 |
| | 307 | 1,472 | 100 | 148 |
| | 308 | 1,413 | 100 | 148 |
| TOTAL PRIVATE OPEN SPACE REQUIRED: 1,800 SF | | | TOTAL PRIVATE OPEN SPACE PROVIDED: 3,538 SF | |
| TOTAL RESIDENTIAL AREA: 28,746.5 SF | | | | |
| COMMON OPEN SPACE REQUIRED | | | | |
| TC-MU ZONE REQUIRES 100 SF OF COMMON OPEN SPACE PER UNIT | | | | |
| TOTAL RESIDENTIAL COMMON OPEN SPACE REQUIRED: 18 x 100 SF = 1,800 SF | | | | |
| RESIDENTIAL COMMON OPEN SPACE PROVIDED: | | | | |
| | | PASEO COURT | 2,414 SF | |
| | | WALKWAY 2ND FLOOR | 1,095 SF | |
| | | WALKWAY 3RD FLOOR | 1,436 SF | |
| TOTAL RESIDENTIAL COMMON OPEN SPACE PROVIDED: | | | 4,945 SF | |
| NOTE: 50% OF D.U. MAY COMBINE PRIVATE AND COMMON OPEN SPACE REQUIREMENTS | | | | |

| |
|---|
| RESIDENTIAL LOCKABLE STORAGE REQUIRED: 250 CU FT / UNIT |
| TOTAL LOCKABLE STORAGE SPACE REQUIRED: 18 x 250 = 4,500 CU FT |
| TOTAL LOCKABLE STORAGE SPACE PROVIDED = 4,807 CU FT |

| COMMERCIAL PARKING - REQUIRED AND PROVIDED PER DANA POINT ZONING CODE SECTION 9.35.080 (e) | | | | |
|--|--------------------------------|----------|----------------------|--------------------|
| COMMERCIAL SPACE | | SF-GFA | | |
| COMMERCIAL SPACE A | | 1,833 | | |
| COMMERCIAL SPACE B | | 1,142 | | |
| COMMERCIAL SPACE C | | 1,106 | | |
| COMMERCIAL SPACE D | | 882 | | |
| | TOTAL | 4,963 | | |
| COMMERCIAL PARKING STALLS REQUIRED BY USE | | | | |
| SPACE "A" | RESTAURANT 20% GFA | AREA | PARKING RATIO | PARKING REQUIRED |
| SPACE "A" | RESTAURANT ABOVE 20% GFA | 992.6 SF | 1 STALL / 220 SF-GFA | 4.51 |
| | | 840.4 SF | 1 STALL / 100SF-GFA | 8.40 |
| | TOTAL "A" | 1,833 SF | | 12.91 |
| SPACE "B" | ART GALLERY OR FURNITURE STORE | 1,142 SF | 1 STALL / 500 SF-GFA | 2.28 |
| SPACE "C" | ART GALLERY OR FURNITURE STORE | 1,106 SF | 1 STALL / 500 SF-GFA | 2.21 |
| SPACE "D" | RETAIL | 882 SF | 1 STALL / 220 SF-GFA | 4.01 |
| | SUBTOTAL | 3,130 SF | | 8.50 |
| | TOTAL GFA | 4,963 SF | | 21.41 OR 21 Stalls |
| COMMERCIAL PARKING STALLS REQUIRED: 21 | | | | |
| COMMERCIAL PARKING STALLS PROVIDED: 21 | | | | |
| ADA COMMERCIAL PARKING STALLS REQUIRED AND PROVIDED PER DANA POINT ZONING CODE SECTION 9.35.080 (c): 1 | | | | |

| RESIDENTIAL PARKING STALLS - REQUIRED AND PROVIDED PER DANA POINT ZONING CODE SECTION 9.35.080 (e) | | | | | |
|--|-----------|--------------------------|-----------------------|----------------------------------|-------------------------------|
| UNIT TYPE | No. UNITS | PER UNIT STALLS REQUIRED | TOTAL STALLS REQUIRED | PER UNIT VISITOR STALLS REQUIRED | TOTAL VISITOR STALLS REQUIRED |
| 1 BEDROOM | 4 | 1.5 STALLS | 6 | 0.2 | 0.8 |
| 2 BEDROOM | 14 | 2 STALLS | 28 | 0.2 | 2.8 |
| | | | TOTAL | | 3.6 |
| REQUIRED RESIDENTIAL PARKING STALLS: 38 | | | | | |
| PROVIDED RESIDENTIAL PARKING STALLS: 39 | | | | | |
| ADA RESIDENTIAL PARKING STALLS REQUIRED AND PROVIDED PER DANA POINT ZONING CODE SECTION 9.35.080(c): 2 | | | | | |

Architect:

MARCELO E. LISCHE
A.I.A.

2152 Dupont Drive, Suite 255
Suite 255, Irvine, CA 92612
Phone 949-955-1010
e-mail: mlische.ata@gmail.com

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BRATTLE STREET VENTURES, LLC

DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

JOB #: 19C-112030

DRAWN BY:
CHECKED BY:
SCALE:
DATE:

REVISIONS:

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PAGE #

PROJECT DATA AND CODE REVIEW

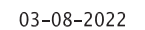
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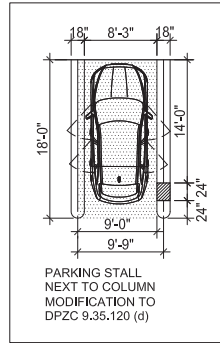
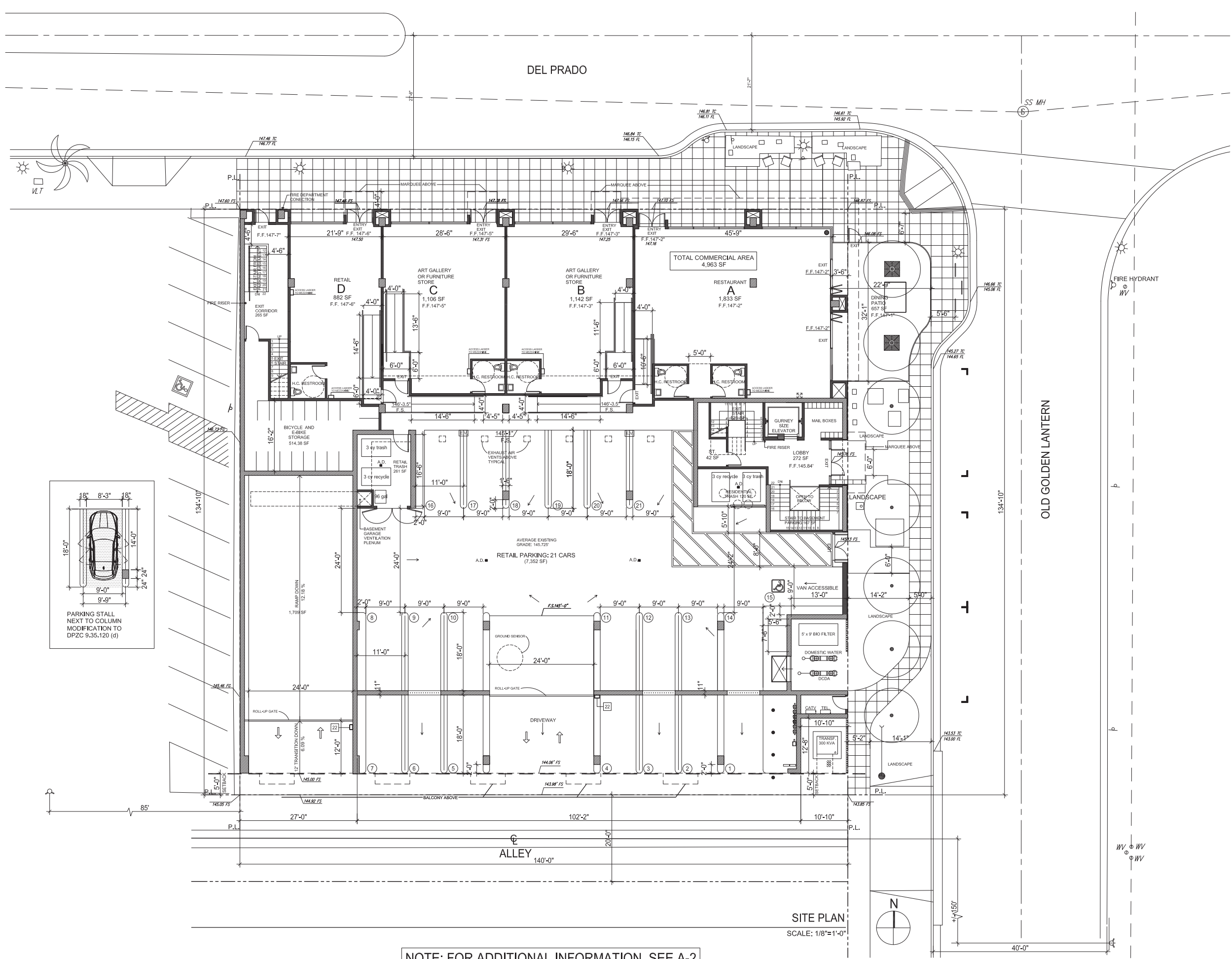
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DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

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PAGE #





NOTE: FOR ADDITIONAL INFORMATION, SEE A-2

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

SITE PLAN W/ OPTIONAL PROPOSED PARKWAY

Architect:
MARCELO E. LISCHÉ A.I.A.
2152 Dupont Drive, Suite 255
Irvine, CA 92612
Phone 949-955-1010
e-mail: mlische.ata@gmail.com

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DEL PRADO MIXED-USE PROJECT
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24722 Del Prado, Dana Point, CA. 92629

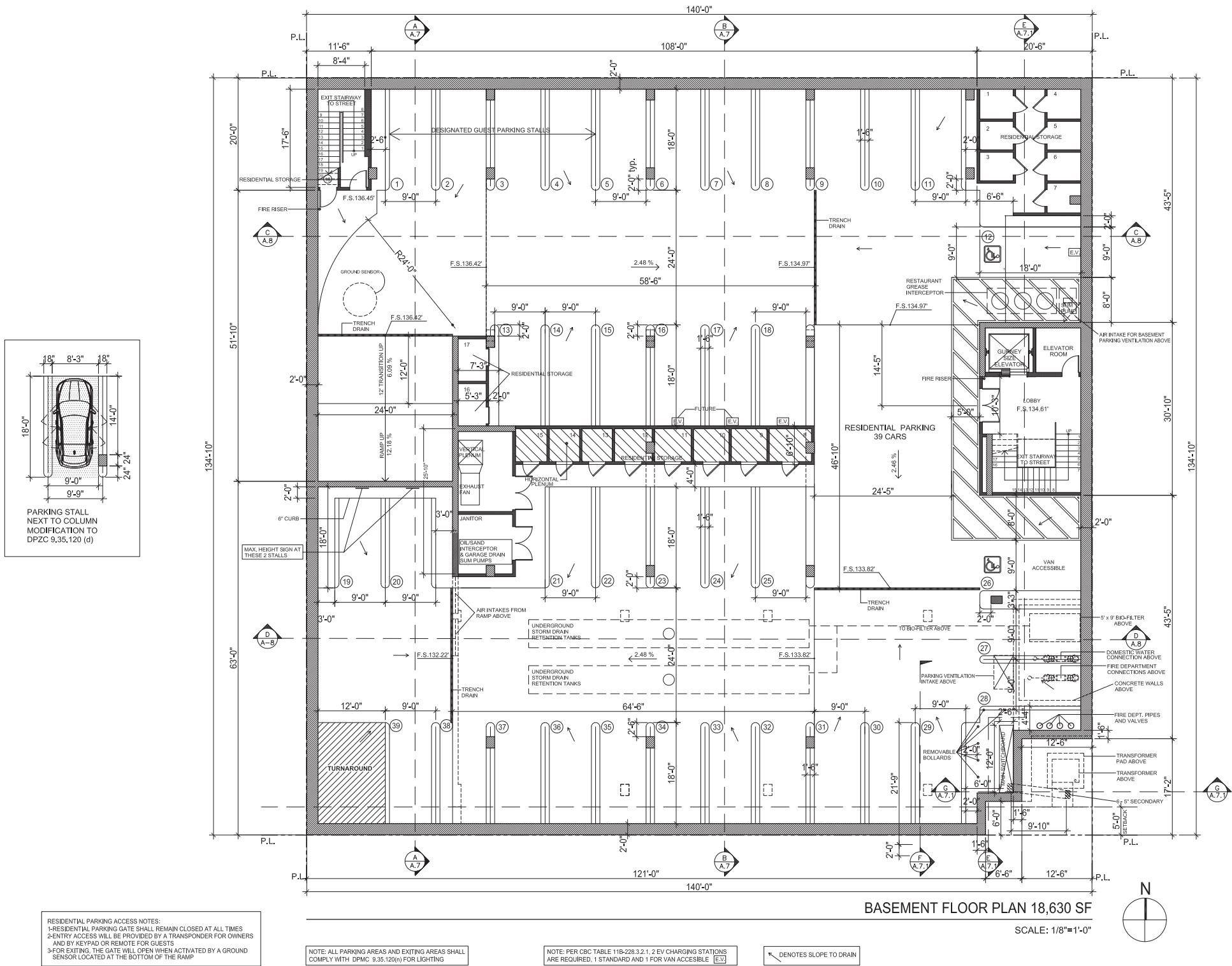
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| JOB #: | 190-112009 |
| DRAWN BY: | |
| CHECKED BY: | |
| SCALE: | 1/8"=1'-0" |
| DATE: | |
| REVISIONS: | |
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RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629**

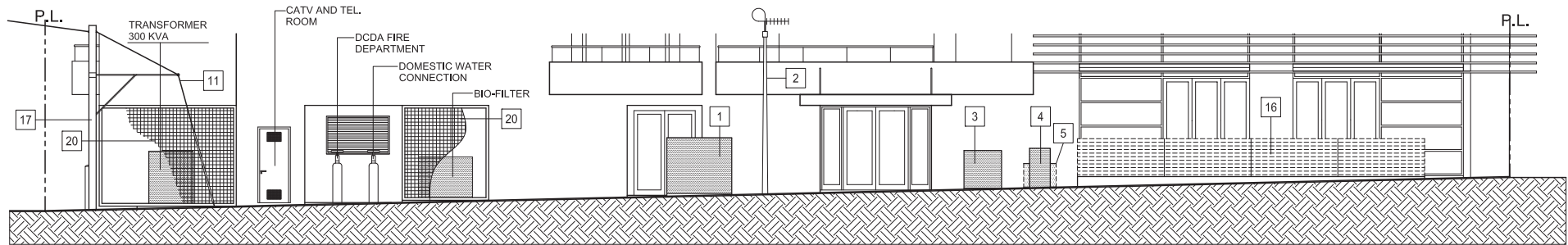
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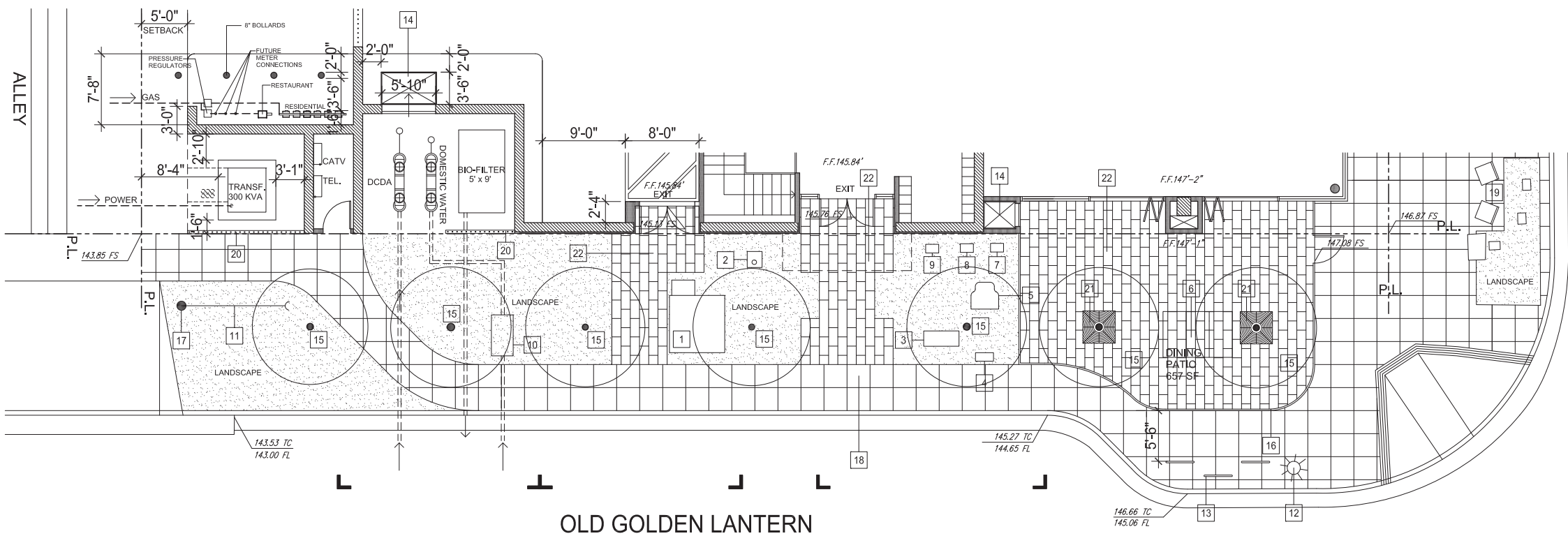


03-08-2022



PARTIAL EAST ELEVATION

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



OLD GOLDEN LANTERN

PARTIAL STREET LEVEL FLOOR PLAN

SCALE: 3/16"=1'-0"

LEGEND

NOTE: PRIVATE WATER METERS WILL BE LOCATED AT EACH RETAIL SPACE AND EACH RESIDENTIAL UNIT

- | | | | |
|----|--|----|--|
| 1 | SDG&E PME-SCADA SWITCH, EXISTING | 12 | STREET LIGHT, EXISTING |
| 2 | SDG&E ANTENNA POLE FOR SCADA SWITCH, RELOCATED | 13 | BICYCLE RACK, RELOCATED |
| 3 | IRRIGATION CONTROLLER-METER, EXISTING | 14 | AIR INTAKE FOR BASEMENT PARKING VENTILATION |
| 4 | AT&T ABOVE GROUND CROSS CONNECT, EXISTING | 15 | PARKWAY TREE, NEW |
| 5 | SDG&E TRANSFORMER FOR STREET LIGHTS, RELOCATED | 16 | 42" HIGH PATIO ENCLOSURE, NEW |
| 6 | SDG&E 3315 HAND HOLE, MAIN CIRCUITRY FOR AREA, EXISTING WITH REMOVABLE VAULT COVER | 17 | POLE, EXISTING |
| 7 | IRRIGATION CONTROL VALVE, RELOCATED | 18 | NEW CONCRETE 30"x 30" PATTERN SIDEWALK TO MATCH EXISTING |
| 8 | IRRIGATION CONTROL VALVE, RELOCATED | 19 | PUBLIC SEATING AREA, EXISTING |
| 9 | IRRIGATION CONTROL VALVE, RELOCATED | 20 | SCREEN |
| 10 | WATER METER, NEW | 21 | TREE WELL GRATE |
| 11 | GUY WIRE, EXISTING MODIFIED | 22 | 12" x 24" CONCRETE PAVERS, PERMEABLE SURFACE |

Architect:
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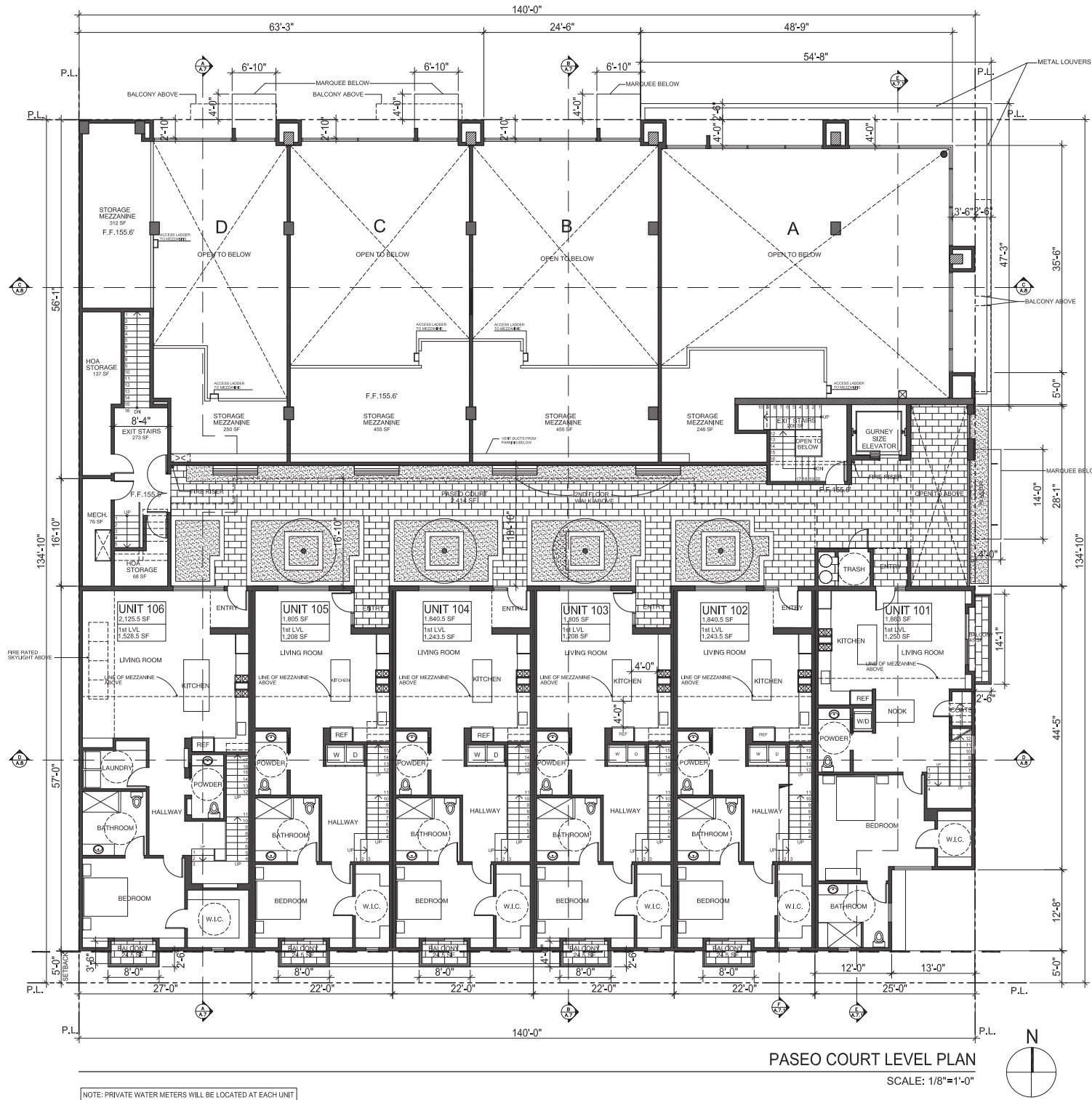
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PASEO COURT AND LOFT UNITS

03-08-2022

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NOTE: PRIVATE WATER METERS WILL BE LOCATED AT EACH UNIT

NOTE: PER CBC AND CRC, SEPARATION BETWEEN RESIDENTIAL UNITS AND BETWEEN RESIDENTIAL UNITS, PARKING STRUCTURE AND COMMERCIAL SPACE WILL BE DESIGNED WITH AN STC 50 SOUND TRANSMISSION CLASS AND AN IIC 50 FOR IMPACT INSULATION CLASS

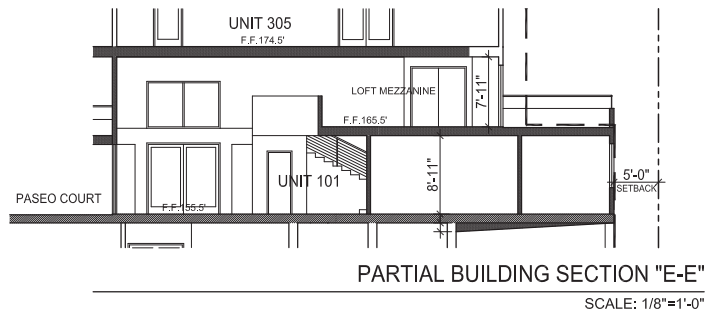
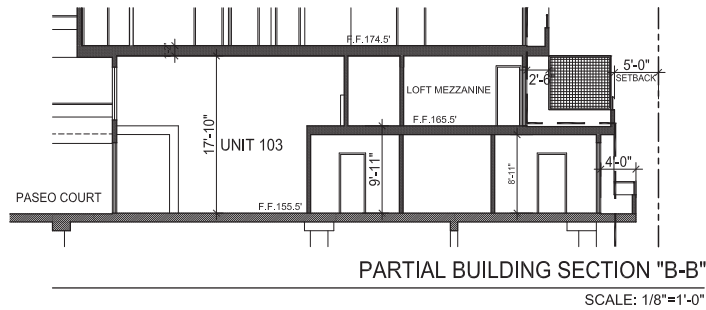
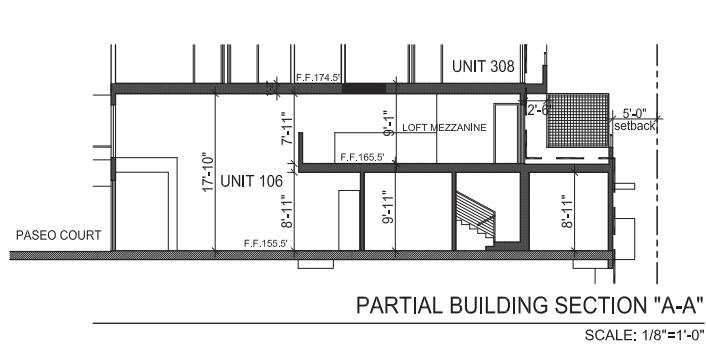
MEZZANINE AREA LIMITATION:
PER CRC 2019, SECTION 502.2.1, EXCEPTION 3, THE AREA OF THE MEZZANINE CAN BE 1/2 OF THE AREA OF THE STORY BELOW, WHEN THE BUILDING IS FULLY SPRINKLERED

NOTE: STORAGE AREAS ARE NON-HABITABLE SPACE

APPROVAL OF LOFT MEZZANINE PLAN IS SUBJECT TO APPROVAL OF AN AMENDED CERTIFIED LOP WHICH INCLUDES THE "MEZZANINE" DEFINITION PER ORDINANCE 18-01

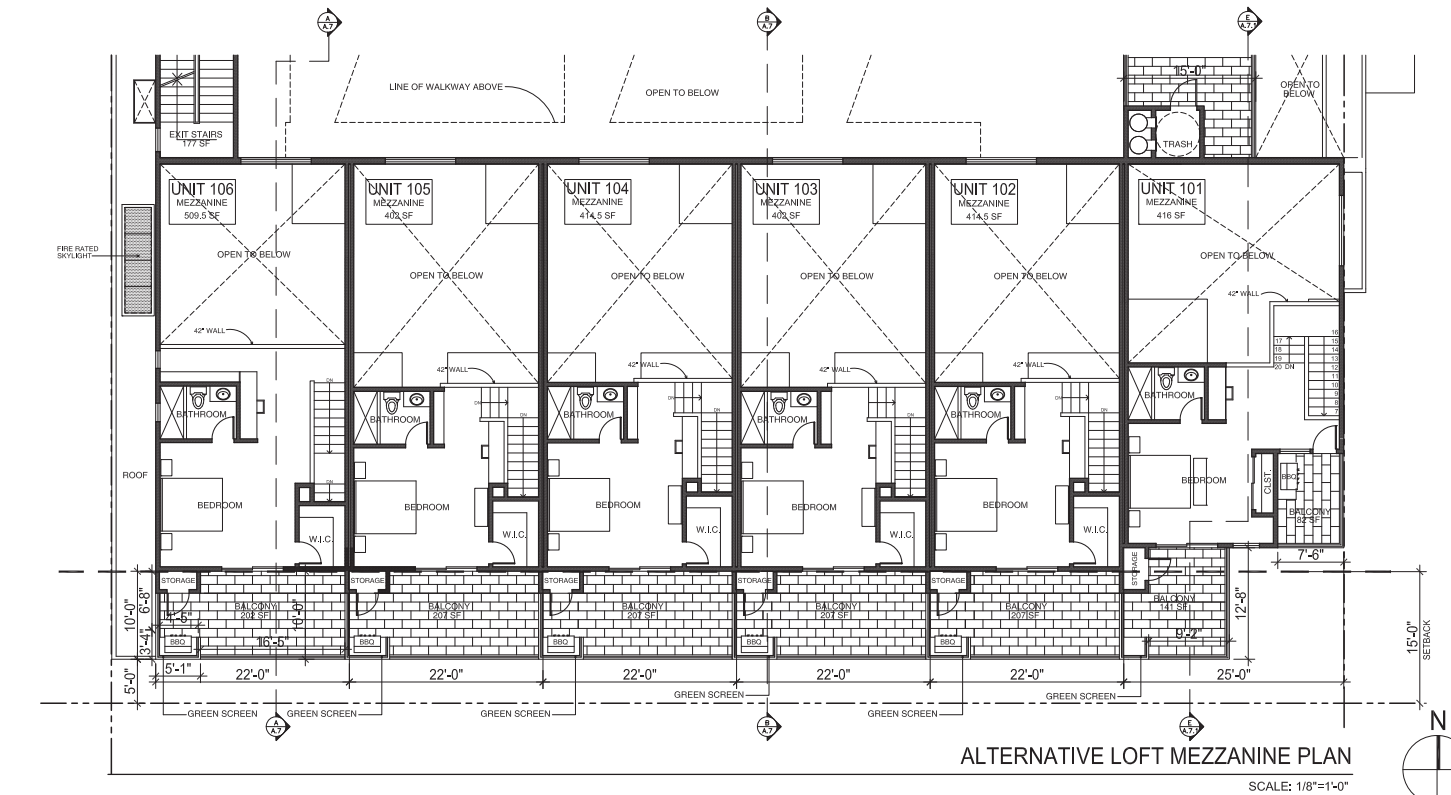
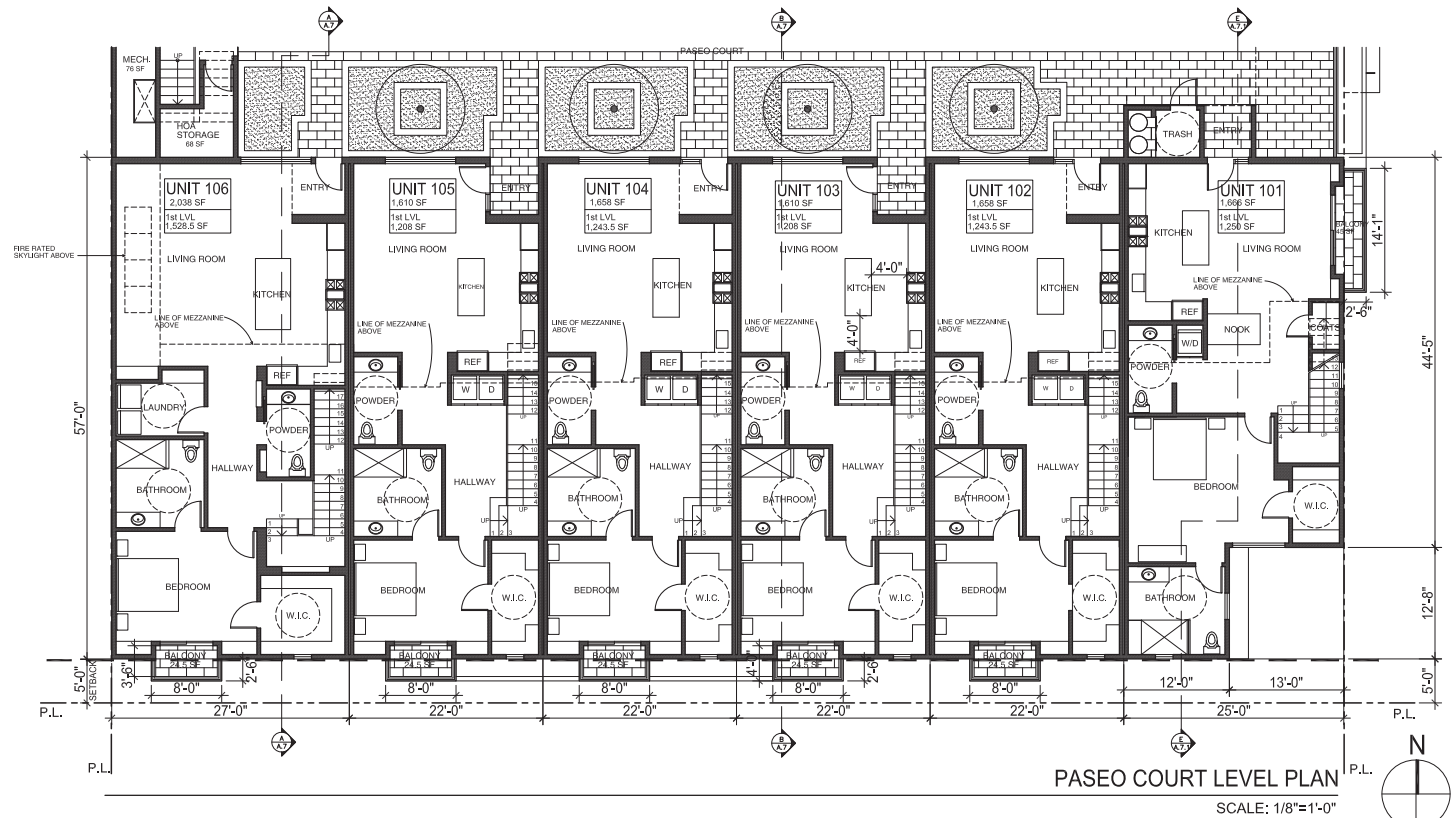
2ND FLOOR AND MEZZANINE PLAN

03-08-2022



| |
|-----------------------------|
| UNIT 101: 1,666 SF |
| UNIT 102: 1,658 SF |
| UNIT 103: 1,610 SF |
| UNIT 104: 1,658 SF |
| UNIT 105: 1,610 SF |
| UNIT 106: 2,038 SF |
| TOTAL LOFT UNITS: 10,240 SF |

TOTAL R-2 RESIDENTIAL CONDOMINIUMS: 27,707 SF



NOTE: PRIVATE WATER METERS WILL BE LOCATED AT EACH UNIT

NOTE: PER CBC AND CRC, SEPARATION BETWEEN RESIDENTIAL UNITS AND BETWEEN RESIDENTIAL UNITS, PARKING STRUCTURE AND COMMERCIAL SPACE WILL BE DESIGNED WITH AN STC 50 SOUND TRANSMISSION CLASS AND AN IC 50 FOR IMPACT INSULATION CLASS

NOTE: STORAGE AREAS ARE NON-HABITABLE SPACE

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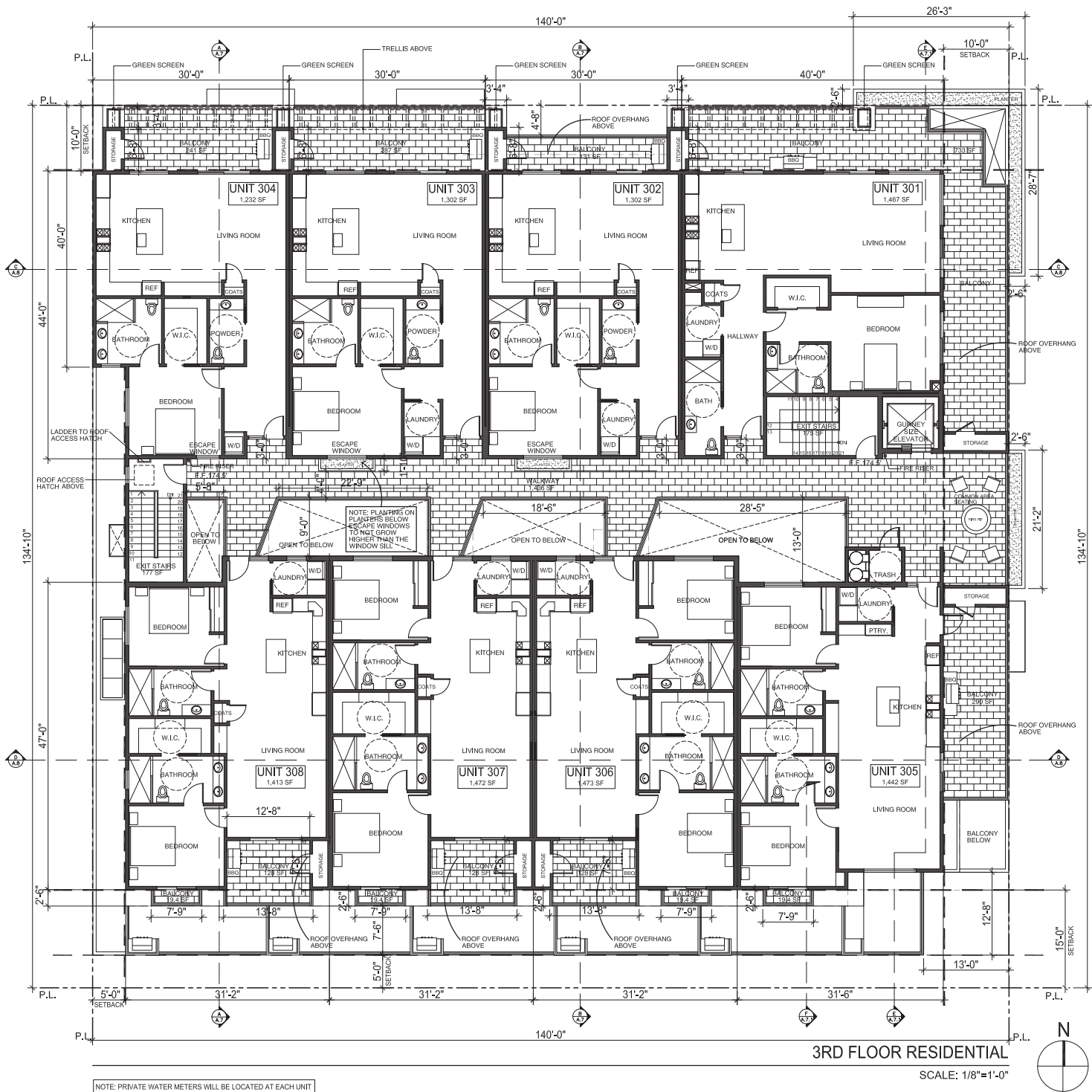
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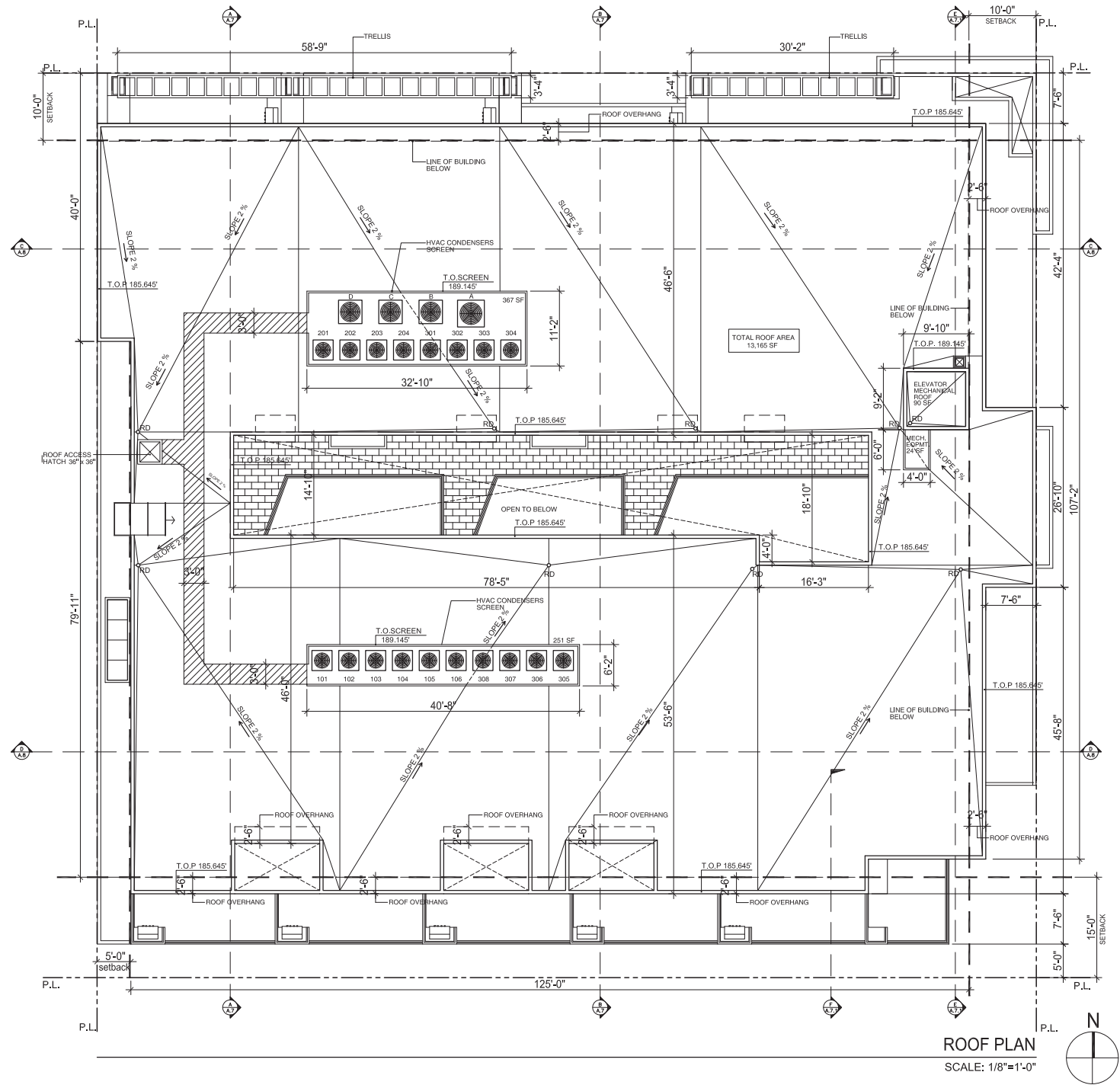
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THIRD FLOOR

03-08-2022



ELEVATION BASELINE (EXISTING AVERAGE GRADE): 145.725'
ELEVATION HEIGHT LIMIT: 40'
MAXIMUM ELEVATION BUILDING HEIGHT: 185.725'
MAXIMUM MECHANICAL SCREEN HEIGHT ALLOWED: 42'
MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

ROOF AREA: 14,638 SF
MECHANICAL EQUIPMENT AREA: 732 SF
■ 5 % OF ROOF AREA

NOTE: ROOF SHALL BE READY FOR INSTALLATION OF SOLAR PANELS

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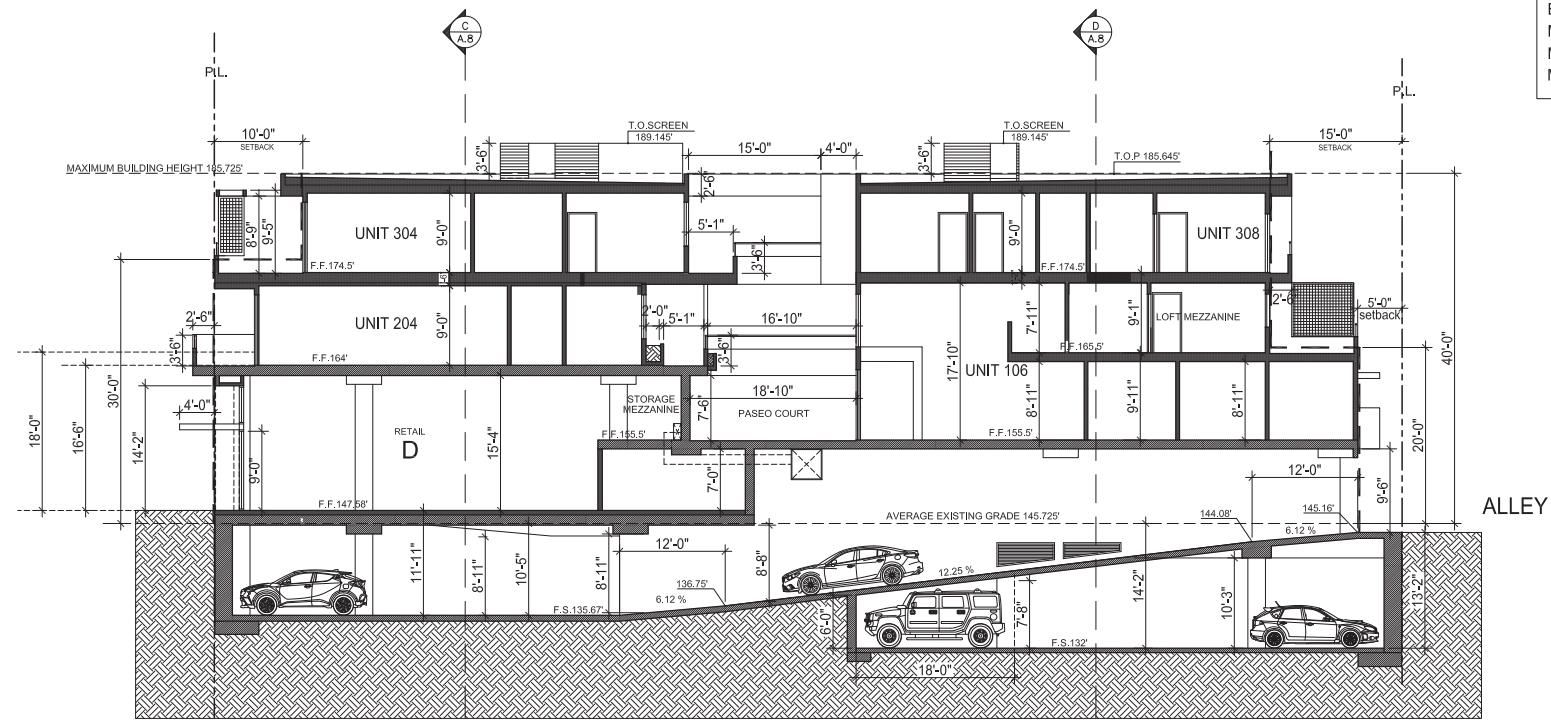
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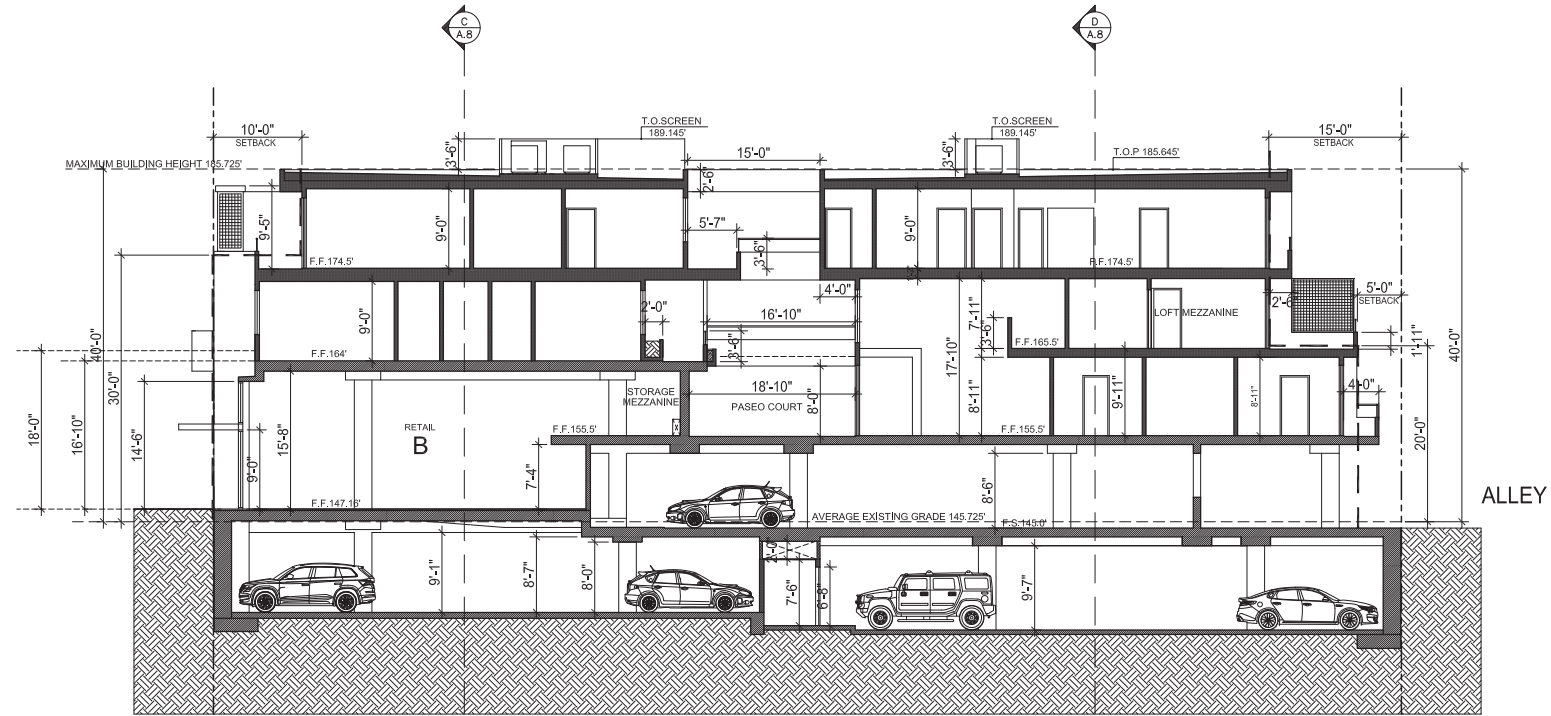
ROOF PLAN

03-08-2022



BUILDING SECTION "A-A"
SCALE: 1/8"=1'-0"

NOTE: PER CBC AND CRC, SEPARATION BETWEEN RESIDENTIAL UNITS AND BETWEEN RESIDENTIAL UNITS, PARKING STRUCTURE AND COMMERCIAL SPACE WILL BE DESIGNED WITH AN STC 50 SOUND TRANSMISSION CLASS AND AN IC 50 FOR IMPACT INSULATION CLASS



BUILDING SECTION "B-B"
SCALE: 1/8"=1'-0"

ELEVATION BASELINE (EXISTING AVERAGE GRADE): 145.725'
ELEVATION HEIGHT LIMIT: 40'
MAXIMUM ELEVATION BUILDING HEIGHT: 185.725'
MAXIMUM MECHANICAL SCREEN HEIGHT ALLOWED: 42"
MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

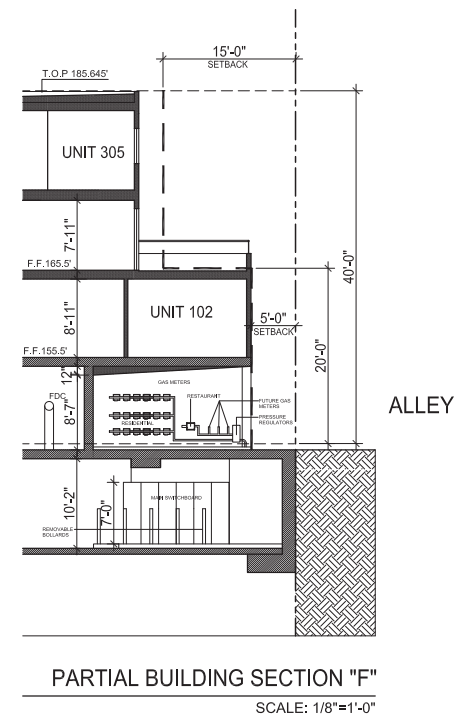
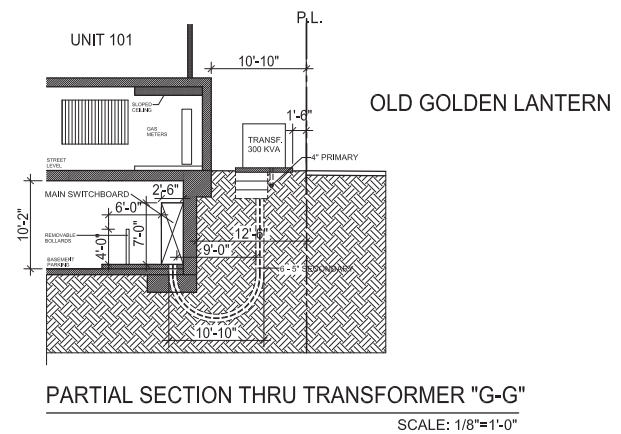
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MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

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BUILDING SECTIONS NORTH-SOUTH

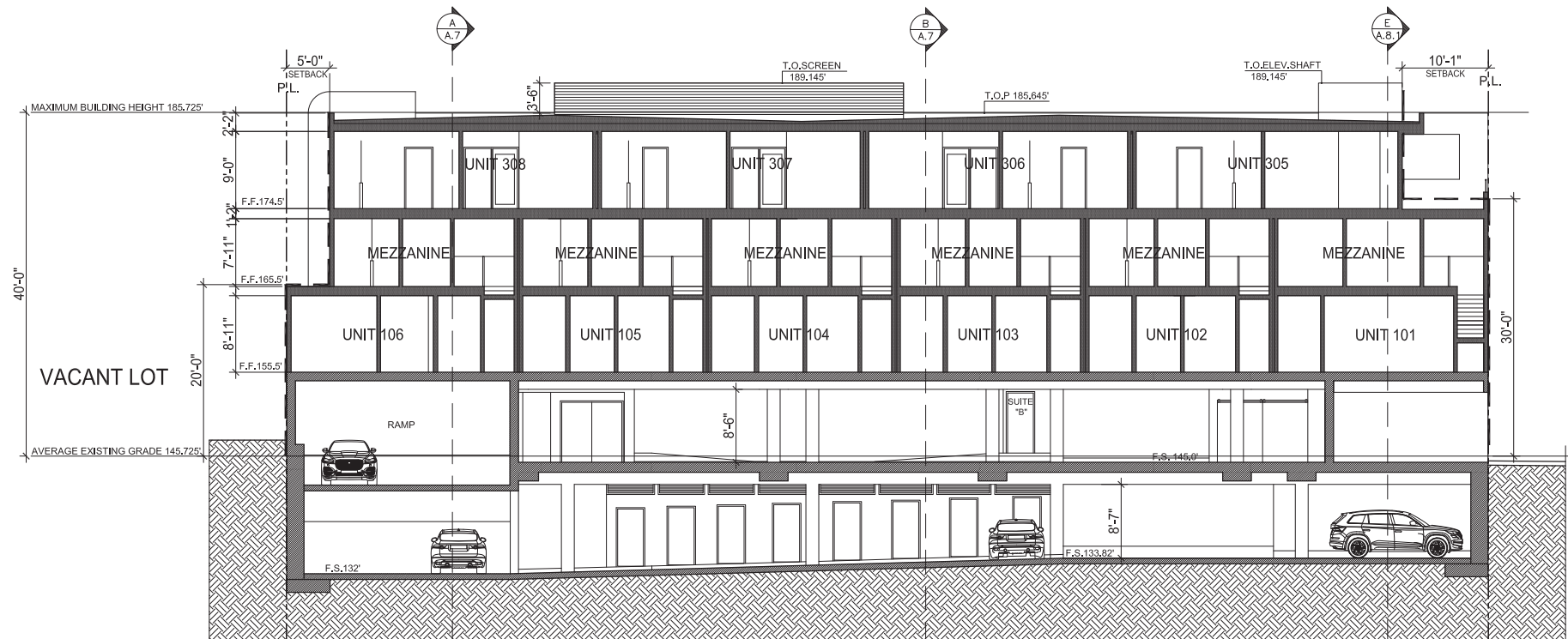
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BUILDING SECTION "C-C"

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

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BUILDING SECTION "D-D"

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

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MAXIMUM MECHANICAL SCREEN HEIGHT ALLOWED: 42"
MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

Architect:
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BUILDING SECTIONS EAST-WEST

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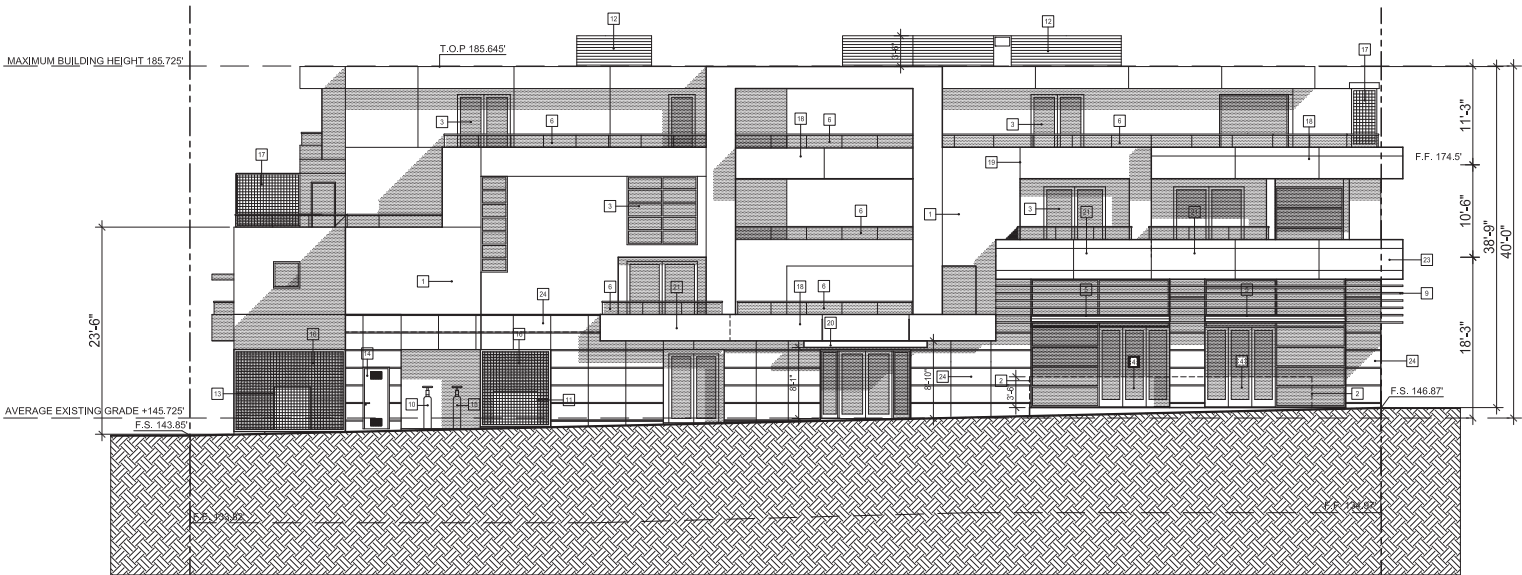
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MAXIMUM MECHANICAL SCREEN HEIGHT ALLOWED: 42"
MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'



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



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

KEYNOTES

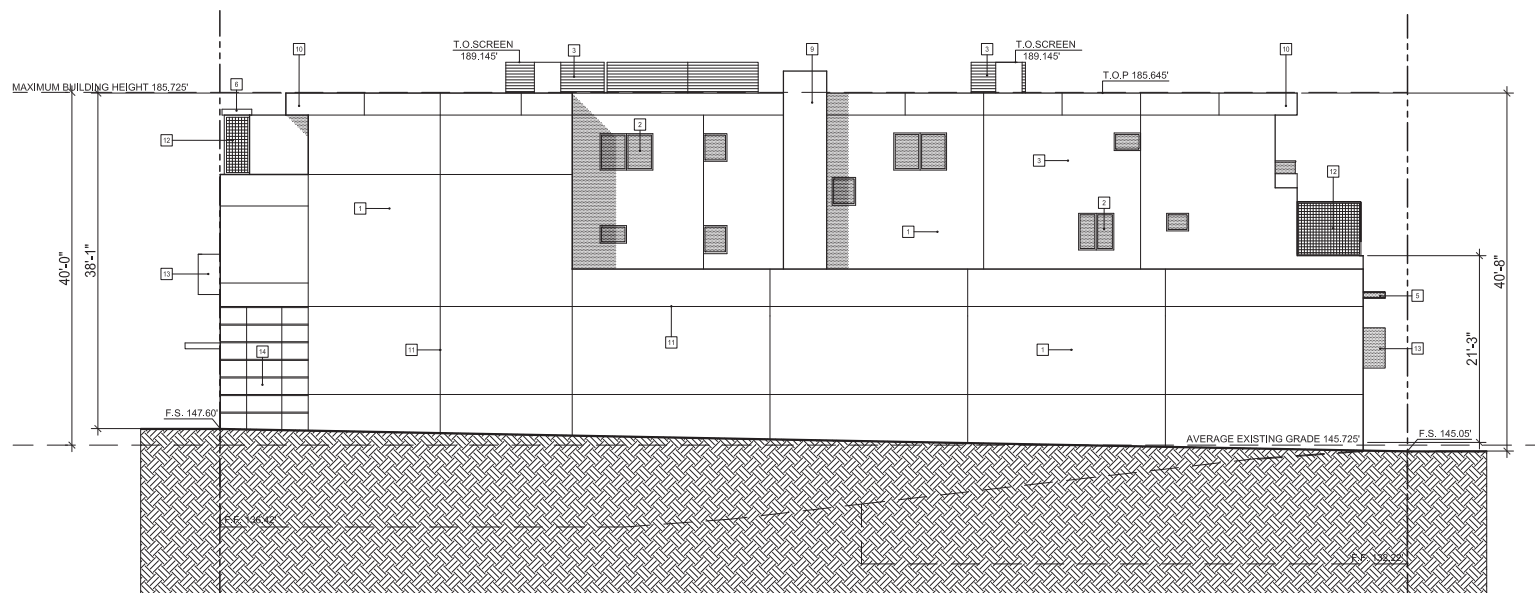
- 1 STUCCO, TYP.
- 2 42" HIGH PATIO FENCE
- 3 BRONZE ANODIZED ALUMINUM DOORS AND WINDOWS, TYP.
- 4 BRONZE ANODIZED ALUMINUM STOREFRONT
- 5 RETRACTABLE AWNING
- 6 1/2" TEMPERED GLASS RAIL, TYP.
- 7 RETAIL METAL MARQUEE, TYP.
- 8 METAL TRELLIS, TYP.
- 9 METAL LOUVERS
- 10 FIRE VALVES
- 11 BIO-FILTER BOX
- 12 ROOF EQUIPMENT SCREEN
- 13 TRANSFORMER
- 14 TELEPHONE AND CATV ROOM
- 15 DOMESTIC WATER CONNECTION
- 16 UTILITY SCREEN
- 17 GREEN SCREEN
- 18 PLANTER
- 19 METAL REGLETS, TYP.
- 20 RESIDENTIAL MARQUEE
- 21 BALCONY
- 22 ROOF OVERHANG
- 23 BUILDING CORNER MARQUEE
- 24 STONE VENEER

ELEVATIONS, NORTH AND EAST

03-08-2022



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



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

ELEVATION BASELINE (EXISTING AVERAGE GRADE): 145.725'
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MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

- KEYNOTES**
- 1 STUCCO, TYP.
 - 2 BRONZE ANODIZED ALUMINUM DOORS AND WINDOWS, TYP.
 - 3 ROOF EQUIPMENT SCREEN
 - 4 1/2" TEMPERED GLASS RAIL, TYP.
 - 5 RESIDENTIAL METAL MARQUEE, TYP.
 - 6 METAL TRELLIS, TYP.
 - 7 TRANSFORMER
 - 8 ROLL-UP GATE
 - 9 GARAGE VENTILATION EXHAUST
 - 10 ROOF OVERHANG
 - 11 METAL REGLETS, TYP.
 - 12 GREEN SCREEN
 - 13 BALCONY
 - 14 STONE VENEER

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e-mail: mlische.ata@gmail.com

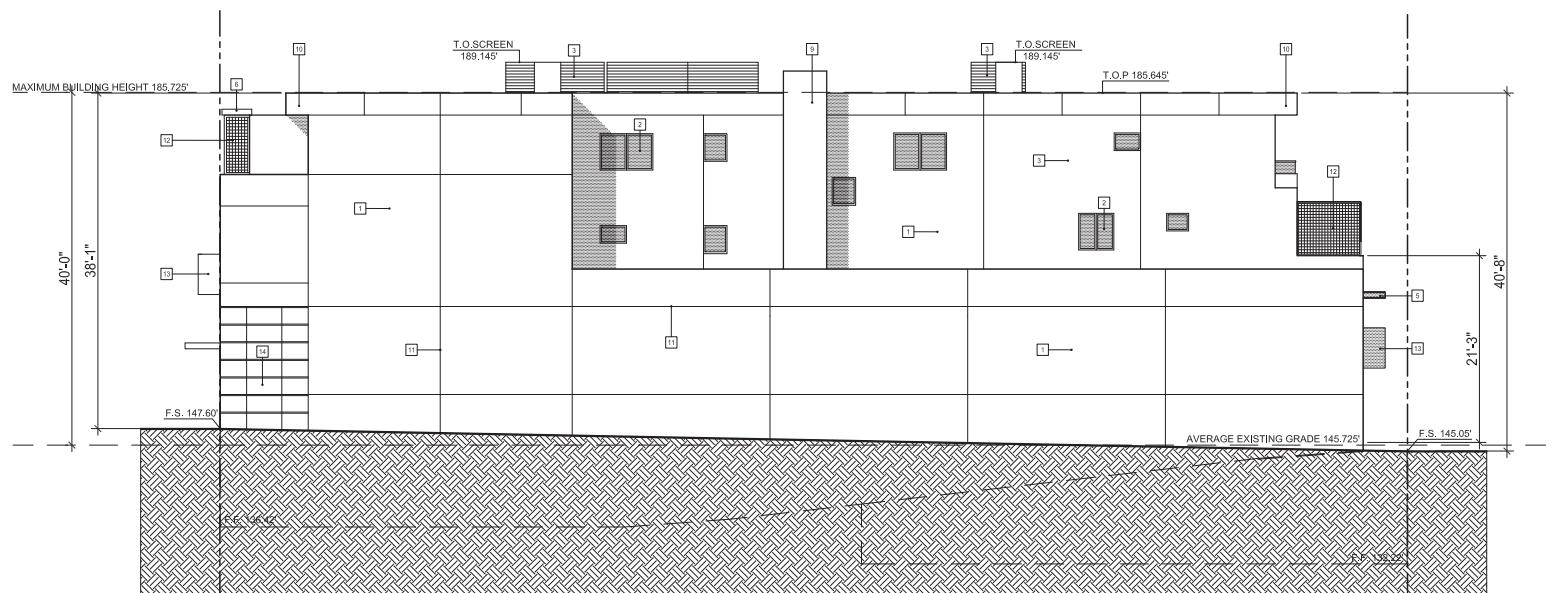
THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY AND COPYRIGHT OF MARCELO E. LISCHE, ARCHITECT, A.I.A. AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT. WRITTEN DIMENSIONS SHALL SUPERSEDE SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOBSITE. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK. MARCELO E. LISCHE, ARCHITECT, A.I.A., ALL RIGHTS RESERVED.

BRATTLE STREET VENTURES, LLC
DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

JOB #: 180-112020
DRAWN BY:
CHECKED BY:
SCALE: 1/8"=1'-0"
DATE:
REVISIONS:
△
△
△
△
△
△



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



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

ELEVATION BASELINE (EXISTING AVERAGE GRADE): 145.725'
ELEVATION HEIGHT LIMIT: 40'
MAXIMUM ELEVATION BUILDING HEIGHT: 185.725'
MAXIMUM MECHANICAL SCREEN HEIGHT ALLOWED: 42"
MAXIMUM MECHANICAL SCREEN ELEVATION: 189.225'

- KEYNOTES**
- 1 STUCCO, TYP.
 - 2 BRONZE ANODIZED ALUMINUM DOORS AND WINDOWS, TYP.
 - 3 ROOF EQUIPMENT SCREEN
 - 4 1/2" TEMPERED GLASS RAIL, TYP.
 - 5 RESIDENTIAL METAL MARQUEE, TYP.
 - 6 METAL TRELLIS, TYP.
 - 7 TRANSFORMER
 - 8 ROLL-UP GATE
 - 9 GARAGE VENTILATION EXHAUST
 - 10 ROOF OVERHANG
 - 11 METAL REGLETS, TYP.
 - 12 GREEN SCREEN
 - 13 BALCONY
 - 14 STONE VENEER

Architect:
MARCELO E. LISCHE A.I.A.
2152 Dupont Drive, Suite 255
Suite 255, Irvine, CA 92612
Phone 949-955-1010
e-mail: mlische.ata@gmail.com

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DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

JOB #: 180-112020
DRAWN BY:
CHECKED BY:
SCALE: 1/8"=1'-0"
DATE:
REVISIONS:
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SUPPORTING DOCUMENT 4: Imagery and Renderings

ATTACHMENT



BRATTLE STREET VENTURES LLC

MIXED-USE PROJECT

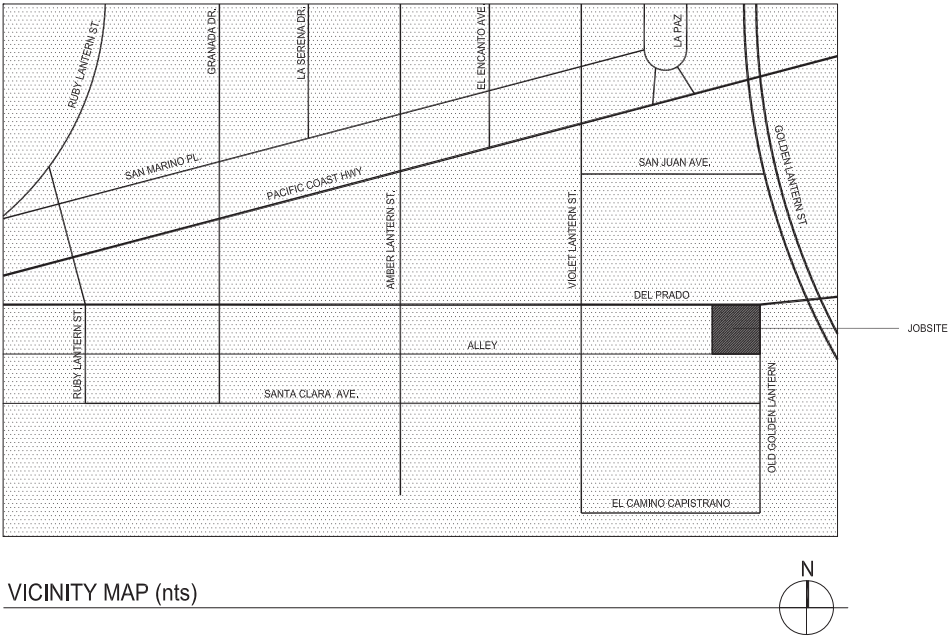
RETAIL – RESTAURANT – RESIDENTIAL

24722 DEL PRADO AVENUE DANA POINT, CALIFORNIA

Development Permit Application
September 30, 2021

PROJECT TEAM

| | | |
|---|--|--|
| OWNER: BRATTLE STREET VENTURES, LLC. Attn: Robert Theel, Manager 44420 Lakeside Drive, Indian Wells, CA. 92210 Tel: 949-463-2305 e-mail: r.theel@outlook.com | LAND USE CONSULTANT: PACIFIC PLANNING GROUP Attn: Karen Martin 668 North Coast Highway, Suite 401Laguna Beach, CA. 92651 Tel: 949-3674286 e-mail: karen@pacificplanninggroup.com | LANDSCAPE ARCHITECTURE: J. DONALD HENRY ASSOCIATES Attn: Don Henry 2246 N. Santiago Street, Santa Ana, CA. 92706 Tel: 949-697-7767 e-mail: don@villagegrennlm.com |
| ARCHITECT: MARCELO E. LISCHE, AIA Attn: Marcelo E. Lische 2152 Dupont Drive, Suite 255, Irvine, CA. 92612 Tel: 949-955-1010 e-mail: mlische.aia@gmail.com | DRY UTILITY CONSULTANT: MORAN UTILITY SERVICES Attn: John Pyles 27121 Calle Arroyo, Suite 220, San Juan Capistrano, CA. 92675 Tel: 949-429-5566 e-mail: paulk@southlandlb.com | |
| CIVIL ENGINEER: KES TECHNOLOGIES, INC. Attn: Daryl Kessler One Venture, Suite 130, Irvine, CA. 92618 Tel: 949-339-5330 e-mail: dkessler@mfkessler.com | M.E.P CONSULTANT: SOUTHLAND ENERGY CONSULTANTS Attn: Paul Kandarian 361 Calle Borrego, San Clemente, CA. 92672 Tel: 949-497-3591 e-mail: johnpyles@moran utility.com | |
| STRUCTURAL ENGINEER: AQX ENGINEERING, INC. Attn: Dal Soo Chung 1520 Brookhollow Drive, Suite 45, Santa Ana, CA. 92705 Tel: 714-662-0510 e-mail: chung@aqxeng.com | ACOUSTICAL CONSULTANT: VENEKLASSEN ASSOCIATES Attn: Pablo Cantero 1711 16th Street, Santa Monica, CA. 90404 Tel: 310-450-1733 e-mail: pcantero@veneklassen.com | |
| GEOTECHNICAL ENGINEER: GEOFIRM Attn: Kevin Trigg 801 Glenneyre Street, Suite F, Laguna Beach, CA. 92651 Tel: 949-497-0270 e-mail: ktrigg@geofirm.com | ADA-ACCESSIBILTY CONSULTANT: CALI CASP CONSULTING SERVICES Attn: Mark Anderson 16835 Algonquin Street, Suite 268, Huntington Beach, CA. 92649 Tel: 714-840-2100 e-mail: caspinspector@gmail.com | |



VICINITY MAP (nts)

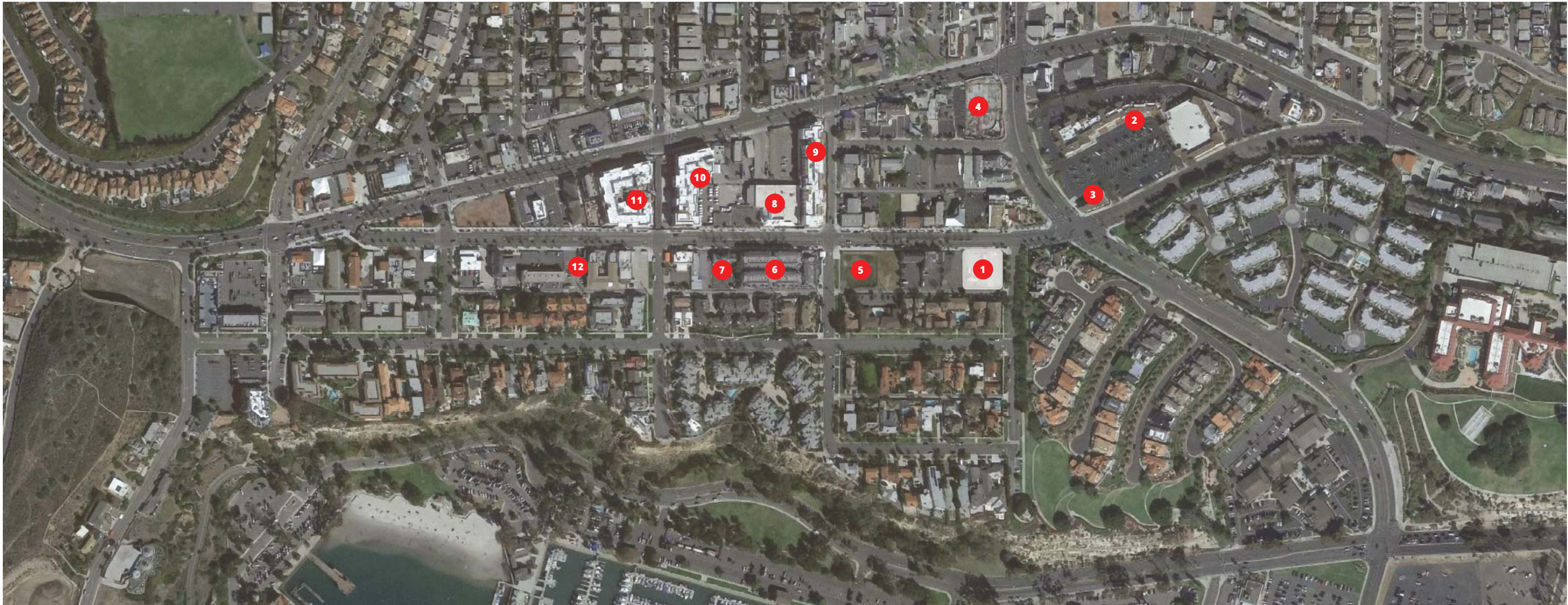
DRAWING INDEX:

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| 2 | | PROJECT TEAM, SHEET INDEX, VICINITY MAP |
| 3 | | SITE CONTEXT, AERIAL PHOTOGRAPH |
| 4 | | ILLUSTRATIVE SITE PLAN |
| 5 | | EXISTING CONDITIONS, PHOTOS N, E, W, S |
| 6 | | IMAGERY - HISTORICAL TC PLAN - STUDIES |
| 7 | | RENDERINGS, PERSPECTIVE |
| 8 | | COLORS AND MATERIALS |
| 9 | | COLOR ELEVATIONS, NORTH AND EAST |
| 10 | | COLOR ELERVATIONS, SOUTH AND WEST |
| 11 | TS | TOPOGRAPHIC SURVEY |
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| 14 | A-0.1 | SITE PLAN W/ OPTIONAL PROPOSED PARKWAY |
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| 16 | A-2 | STREET LEVEL - RETAIL, RESTAURANT & PARKING W/ EXISTING PARKWAY |
| 17 | A-2.1 | STREET LEVEL - RETAIL, RESTAURANT & PARKING W/ OPTIONAL PROPOSED PARKWAY |
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| 20.1 | A-4.1 | ALTERNATE LOFT MEZZANINE PLAN |
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| 24 | A7.1 | SECTIONS N-S |
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BRATTLE STREET VENTURES, LLC

DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

DATE: 03-08-2022



DANA POINT TOWN CENTER - KEY PROJECTS + BUILDINGS

| | | | | | |
|--|--|---|--|--|---|
| 11 Del Prado West-Phase 3 Completed Mixed-Use Project 30 Residential Units 5,600 SF Retail/Restaurant | 9 Del Prado West-Phase 1 Completed Mixed-Use Project 28 Residential Units 5,500 SF Retail/Residential | 7 Union Bank Completed Renovation Project Bank at Street Level Offices at Second Level | 5 Advent Group Approved Mixed-Use Project 18 Residential Units 4,200 SF Retail/Restaurant | 3 Bank of America | 1 Brattle Street Ventures LLC Proposed Mixed-Use Project 18 Residential Units 5,122 SF Retail/Restaurant |
| 12 The Greer Approved Mixed-Use Project 68 Residential Units 10,822 SF Retail/Restaurant | 10 Del Prado West-Phase 2 Completed Mixed-Use Project 56 Residential Units 8,200 SF Retail/Restaurant | 8 Post Office Evening Town Center Parking | 6 Meridian Completed Mixed-Use Project 30 Residential Units 8,000 SF Retail/Restaurant | 4 Charles Company Under Construction Mixed-Use Project 30 Residential Units 9,000 SF Retail/Restaurant | 2 Lantern Bay Shopping Center Ralph's Market, CVS, Shops |

BRATTLE STREET VENTURES LLC
MIXED USED PROJECT
24722 DEL PRADO AVENUE DANA POINT, CA

**AERIAL PHOTO
SITE CONTEXT**

BRATTLE STREET VENTURES, LLC

DEL PRADO MIXED-USE PROJECT
RESIDENTIAL / RETAIL
24722 Del Prado, Dana Point, CA. 92629

DATE: 10-13-2021



SITE PLAN
KEYNOTES

1. RESTAURANT

2. RETAIL SPACE

3. DINING PATIO

4. RESIDENTIAL LOBBY

5. RETAIL PARKING ENTRY

6. RETAIL PARKING

7. RESIDENTIAL PARKING ENTRY

8. UTILITIES

9. PARKWAY IMPROVEMENTS

10. ADJACENT PARKING LOT

11. MULTI-FAMILY UNITS

12. SINGLE FAMILY UNITS

BRATTLE STREET VENTURES LLC

MIXED USED PROJECT

24722 DEL PRADO AVENUE DANA POINT, CA

ILLUSTRATIVE
SITE PLAN

| | | |
|------------------------------|--|---|
| BRATTLE STREET VENTURES, LLC | | DEL PRADO MIXED-USE PROJECT RESIDENTIAL / RETAIL 24722 Del Prado, Dana Point, CA. 92629 |
| DATE: 10-13-2021 | | |
| 4 PAGE No. | | |



FROM VACANT LOT LOOKING SOUTH



FROM VACANT LOT LOOKING NORTH



FROM VACANT LOT LOOKING WEST



FROM VACANT LOT LOOKING EAST



SCHINDLER



GROPIUS



NEUTRA



MARQUEE - SUN CONTROL LOUVRES



RETAIL ENTRY DOORS



REGLETS



EXTERIOR PLASTER PANELS AND REVEALS



GILL



SCHINDLER



CORBUSIER



CORNER WINDOWS



UTILITY SCREENING



TRELLIS CONCEPTS



TRELLIS CONCEPT

INFLUENCE OF HISTORICAL ARCHITECTURE



LINKAGE TO PARK AND HARBOR



ENHANCE THE PUBLIC REALM



THIRD STORY SETBACK

TOWN CENTER PLAN



PROJECT SKETCH STUDIES



PROJECT SKETCH STUDIES



PROJECT SKETCH STUDIES



PROJECT SKETCH STUDIES



PROJECT SKETCH STUDIES



GREEN-SCREEN



OUTDOOR TERRACE LIVING



TERRACE VIEWS

IMAGERY AND FEATURES



CREATING SPACE



LAYERING SURFACES



ARTICULATING MASS

IMAGERY, HISTORICAL, TC PLAN, STUDIES



BRATTLE STREET VENTURES LLC
MIXED USED PROJECT
24722 DEL PRADO AVENUE DANA POINT, CA

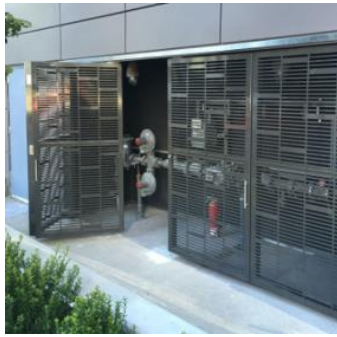
**PERSPECTIVE
RENDERING**

DATE: 10-13-2021

7
PAGE No.



12 ROOF MECHANICAL SCREEN
DARK BROWN



UTILITY SCREEN
DARK BROWN



16 GLASS RAIL – ½" TEMP[ERED]
CAP – ANNODIZED BRONZE



3 TERRACE DOORS
BRONZE ANNODIZED



WINDOWS
BRONZE ANNODIZED



3 WINDOWS & DOORS
BRONZE ANNODIZED



17 GREENSCREEN AT RESIDENTIAL TERRACES
DARK GREEN – BAKED ENAMEL



RETRACTABLE AWNING AT OUTDOOR DINING PATIO
COLOR TO BE DETERMINAD



7 METAL RETAIL MARQUEE
BRONZE ANNODIZED



8 METAL TRELLIS AT 3RD FLOOR
BRONZE ANNODIZED



1 LIGHT SAND FINISH STUCCO – ARTICULATED REGLET AND EXPANSION JOINTS
WHITE STUCCO AND ALUMINIUM FINISH JOINTS



3 WINDOWS
BRONZE



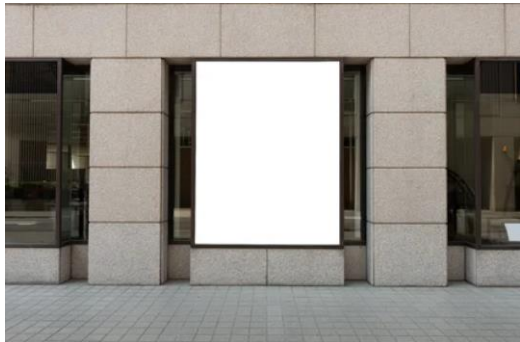
1 ROOF OVERHANG
WHITE STUCCO



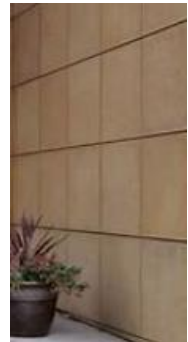
IMAGE – BRONZE TRELLIS
WHITE STUCCO



IMAGE – CORNER BRONZE LOUVERS
ANNODIZED ALUMINIUM MARQUEE



24 STONE VENEER AT STREET LEVEL – TYPE T.B.D.
LIGHT BUFF COLOR WITH ARTICULATED JOINTS



4 METAL STOREFRONT SYSTEMS WITH TRANSOMES AND SPECIALTY DOORS
BRONZE ALUMINIUM OR STEEL (T.B.D.)



BRATTLE STREET VENTURES LLC
MIXED-USE PROJECT
24722 DEL PRADO, DANA POINT

COLOR AND MATERIALS

03-10-22



NORTH ELEVATION



EAST ELEVATION

| | |
|---|--|
| BRATTLE STREET VENTURES, LLC | |
| DEL PRADO MIXED-USE PROJECT RESIDENTIAL / RETAIL 24722 Del Prado, Dana Point, CA. 92629 | |
| DATE: 10-13-2021 | |
| 9 PAGE No. | |



SOUTH ELEVATION



WEST ELEVATION

| | |
|---|--|
| BRATTLE STREET VENTURES, LLC | |
| DEL PRADO MIXED-USE PROJECT RESIDENTIAL / RETAIL 24722 Del Prado, Dana Point, CA. 92629 | |
| DATE: 10-13-2021 | |
| 10 PAGE No. | |

SUPPORTING DOCUMENT 5: Parking Matrix

ATTACHMENT

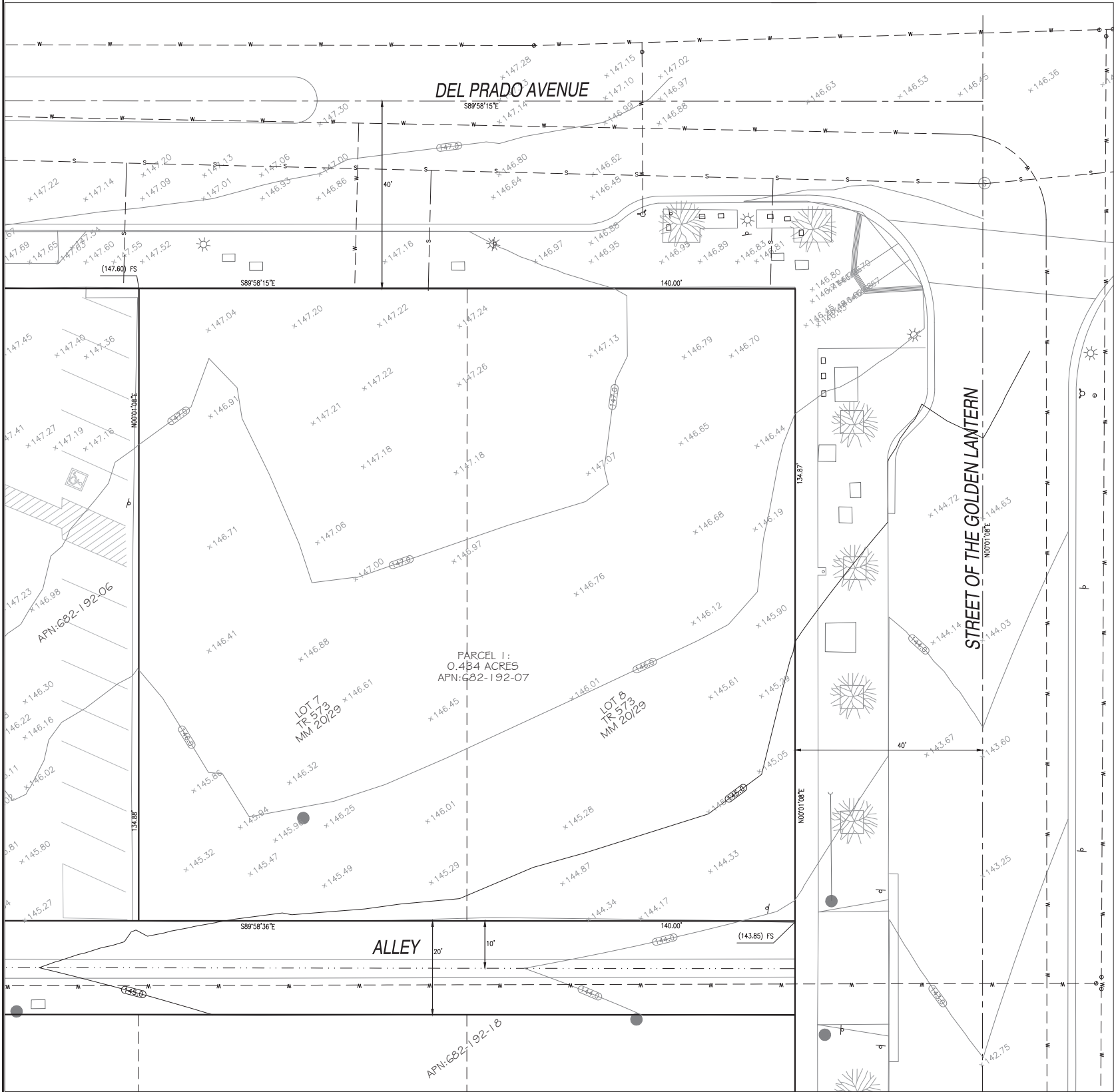
| 24722 Del Prado - Brattle MU Project | | | | | | | |
|--------------------------------------|-----------------------------------|---------|---------------|-------|------------------------|--------------|---|
| Tenant and Residential Parking Roll | | | | | | | |
| March 28, 2022 | | | | | | | |
| Tenant | Address | Suite # | # of stalls | SF | Parking Code | Req. Parking | Use & Notes |
| Multi Family Units | 24722 Del Prado | | | | | | Residential |
| 4 Studios/ 1 bed units | Covered Uncoverd Visitor | | | NA | 1 | 4.0 | (8) Multiple family units 1 bed or less |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Covered) |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Uncovered) |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Visitor) |
| 14 2 bed units | Covered Uncovered Visitor | | 1 1 0.2 | NA | 1 | 14.0 | (8) Multiple family units 1 bed or less (Covered) |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Uncovered) |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Visitor) |
| | | | | NA | | | (8) Multiple family units 1 bed or less (Visitor) |
| Commercial | 24722 Del Prado | | | | | | |
| Retail | Suite | D | | 882 | 1/220 | 4.0 | (42) General Retail - Multi-tenant with less than 25,000 SF |
| Art Gallery/Furniture | Suite | C | | 1,106 | 1/500 | | (42) General Retail - Multi-tenant with less than 25,000 SF |
| Art Gallery/Furniture | Suite | B | | 1,142 | 1/500 | | (42) General Retail - Multi-tenant with less than 25,000 SF |
| Restaurant (Suite A) | 24722 Del Prado | A | | 1,833 | | 4.5 | Rest to 20% Rest over 20% First 16 seats do not require parking |
| Patio Space | 24722 Del Prado | | | 993 | 1/220 | | |
| | | | | 840 | 1/100 | | |
| | | | | 657 | 1/150 | 0.0 | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | Total Gross Floor Area Commercial | | | 4,963 | Total Parking Required | 59.0 | |
| | | | | | Total Parking Provided | 60.0 | |
| | | | | | Parking Stall Surplus | 1.0 | |

SUPPORTING DOCUMENT 6: Vesting Tentative Tract Map No. 18043

ATTACHMENT

VESTING TENTATIVE TRACT NO. 18043

FOR CONDOMINIUM PURPOSES
COUNTY OF ORANGE CITY OF DANA POINT
STATE OF CALIFORNIA



ADDRESS:

24722 DEL PRADO, DANA POINT, CA

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 7 AND 8 IN BLOCK "R" OF TRACT NO. 573, DANA POINT SUBDIVISION, AS SHOWN ON A MAP RECORDED IN BOOK 20, PAGE 29 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

APN: 682-192-07

DATE OF SURVEY:

APRIL 26, 2016

SHEET INDEX:

SHEET 1 - TENTATIVE TRACT MAP
SHEET 2 - PRELIMINARY GRADING PLAN SHEET LEVEL
SHEET 3 - PRELIMINARY GRADING PLAN, BASEMENT LEVEL

SEWER NOTE:

PROJECT IS PROPOSED TO GRAVITY SEWER TO THE PROPOSED OFF SITE PUBLIC SEWER AND ON SITE PRIVATE SEWER SYSTEM.

WATER NOTE:

PROJECT IS PROPOSED TO BE SERVED BY SOUTH COAST WATER DISTRICT. EXISTING WATER LINES ARE CURRENTLY ADJACENT TO THE EXISTING SITE.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS N00°01'08"E ALONG THE CENTERLINE OF OLD GOLDEN LANTERN ON TRACT NO. 573 OF MISCELLANEOUS MAPS, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA.

BENCH MARK:

ORANGE COUNTY O.C.S. BENCH MARK
BM NO. 3P-25-69R86

OCS 2003-FOUND 3 1/2" OCS ALUMINUM BENCHMARK DISK STAMPED "3P-25-69R86" SET IN THE NORTHEASTLY CORNER OF 4'x4' CATCH BASIN IN THE NORTHWESTLY CORNER OF THE INTERSECTION OF NORTH BOUND POH AND EL ENCANTO, 32 FT NORTHWESTLY OF THE CENTERLINE OF NORTH BOUND POH AND 41 FT. WESTLY OF THE CENTERLINE OF EL ENCANTO

FLOOD ZONE:

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP PANEL NUMBER 06059C0504, EFFECTIVE OF DECEMBER 3, 2009.

GENERAL INFORMATION:

- CONTOUR INTERVAL IS 1 FOOT.
- ALL DIMENSIONS ARE APPROXIMATE.
- ALL IMPROVEMENTS REQUIRED BY THE CITY OF DANA POINT SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY ENGINEER.
- PROPOSED SANITARY SEWER LATERAL SHALL BE PUBLIC.
- ON-SITE WATER SYSTEM SHALL BE PRIVATE.
- ON-SITE DRIVEWAYS SHALL BE PRIVATE.
- THE SITE WILL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CALIFORNIA REGIONAL WATER QUALITY BOARD SANTA ANA REGION ORDER NO. R8-2009-0030 DISCHARGE REQUIREMENTS (MS4 PERMIT).
- THE PROJECT WILL REQUIRE FILING, PROCESS, AND RECORDING OF THE COAR'S FOR THE MAINTENANCE AND THE COST SHARING RESPONSIBILITY OF THE FUTURE COMMON UTILITY FACILITIES SERVING THIS SITE, INCLUDING BUT NOT LIMITED TO PRIVATE WATER, FIRE, AND SEWER SYSTEMS.
- ANY STREET TREE REMOVAL WITHIN THE RIGHT OF WAY IS SUBJECT TO APPROVAL BY THE CITY OF DANA POINT PUBLIC WORKS DEPARTMENT.

ENGINEER INFORMATION

KES TECHNOLOGIES
1 VENTURE STE 130
IRVINE, CA 92618
PHONE NO. 949-339-5331

UTILITY PURVEYORS

CABLE:
COX COMMUNICATIONS
1(800)234-3993
www.cox.com

WATER:
SOUTH COAST WATER DISTRICT
1(949)499-4555
www.socwd.org

SEWER:
SOUTH COAST WATER DISTRICT
1(949)499-4555
www.socwd.org

ELECTRICITY:
SAN DIEGO GAS AND ELECTRIC
1(800)411-7343
www.sdge.com

GAS:
SOUTHERN CALIFORNIA GAS COMPANY
1(800) 427-2200
www.socalgas.com

TELEPHONE:
AT&T
1(800)288-2020
www.att.com



VICINITY MAP
NTS

TITLE TO SAID ESTATE OR INTEREST IS VESTED IN:

BRATTLE STREET VENTURES LLC A DELAWARE LIMITED LIABILITY COMPANY

TITLE INFORMATION

THE FOLLOWING TITLE INFORMATION WAS DERIVED FROM A PRELIMINARY REPORT FOR TITLE INSURANCE PREPARED BY FIRST AMERICAN TITLE COMPANY ORDER NO.: OSA-6386724 DATED SEPTEMBER 17, 2020 AT 7:30 A.M.

SCHEDULE B EXCEPTIONS

NO EXISTING EASEMENT ON TITLE REPORT

CURRENT ZONING PER THE CITY OF DANA POINT:

COMMERCIAL USE
TC-MU TOWN CENTER MIXED USE

DEMOLITION NOTE:

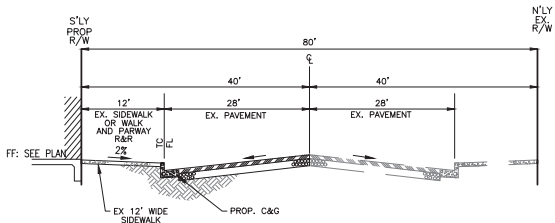
THE PROJECT SITE IS CURRENTLY VACANT

PROPOSED LAND USE:

PROPOSED PARCELS:1 FOR CONDOMINIUM PURPOSES

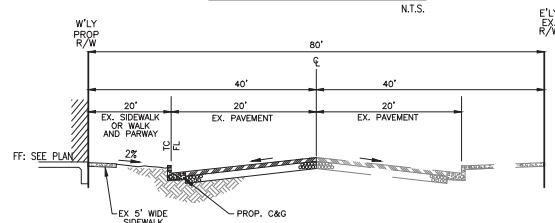
PROPOSED IMPROVEMENTS:

ALL PROPOSED IMPROVEMENTS AS SHOWN HEREON TO BE CONSTRUCTED AND INSTALLED BY SUB-DIVIDERS, AND/OR THE SUB-DIVIDER EXPENSE IN ACCORDANCE WITH THE CITY DESIGN STANDARDS AND SPECIFICATIONS, THE DANA POINT MUNICIPAL CODE, APPROVED STREET IMPROVEMENT PLANS AND REQUIREMENTS OF THE STATE SUBDIVISION MAP ACT.



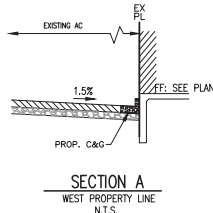
DEL PRADO TYPICAL SECTION

N.T.S.



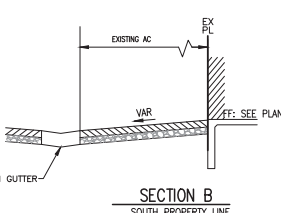
OLD GOLDEN LANTERN TYPICAL SECTION

N.T.S.



SECTION A

WEST PROPERTY LINE
N.T.S.

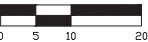


SECTION B

SOUTH PROPERTY LINE
N.T.S.



SCALE: 1" = 10'



THE UTILITIES SHOWN ON THIS MAP ARE BASED UPON THE BEST AVAILABLE PUBLIC INFORMATION OBTAINED FROM THE UTILITY PURVEYORS.



| REVISIONS | | | | |
|-----------|------|---------|-------------|-----------|
| NO | DATE | INITIAL | DESCRIPTION | APP. DATE |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

OWNER/DEVELOPER:
BRATTLE STREET VENTURES LLC
44420 LAKESIDE DRIVE
INDIAN WELLS, CA 92210
(949) 463-2305

PREPARED BY :
KES TECHNOLOGIES INC
CIVIL ENGINEERING
LAND PLANNING AND SURVEYING
1 VENTURE STE 130
IRVINE, CALIFORNIA 92618
PHONE (949) 339-5331



I hereby certify that:
1. These plans have been prepared under my supervision;
2. The grading shown hereon will not divert drainage from its natural downstream course or obstruct the drainage of adjacent properties;
3. All specimen trees located on this property are shown;
4. Existing ground contours and elevations were obtained by field survey on/aerial topography flown on MAY, 2017

ENGINEER  RCE 67874

DATE 7/10/21
EXP. DATE 6-30-23

VESTING TTM 18043
TENTATIVE MAP
AND EXISTING TOPOGRAPHY

SHEET 1 OF 3

SCALE: AS SHOWN

DRAWN BY: DSK

CHECKED BY: AM

DANA POINT