



June 19, 2018

George Ray
Charles Company
9034 W, Sunset Blvd.
West Hollywood, CA 90069

SUBJECT: SUBSTANTIAL COMPLIANCE: VISTA DEL MAR

Dear Mr. Ray:

The City has reviewed the proposed modifications to the Planning Commission approved Vista Del Mar mixed-use project. As you are aware, on February 22, 2016 the Planning Commission approved Vesting Tentative Parcel Map VTPM15-0002, Coastal Development Permit CDP14-0012, Variance V14-0003, Site Development Permit SDP14-0014, and Sign Program Permit SPP16-0001 associated with a new mixed-use development at 34175 Pacific Coast Highway. The building plan set submitted by the owner, Charles Company, is proposing to:

- 1) reduce the square footage of the commercial portion of the project (6,900 sq. ft. approved, 5, 817 sq. ft. proposed),
- 2) reduce the total number of parking on-site (105 spaces approved (including 5 surplus), and 97 spaces proposed (including 5 surplus)),
- 3) reduce the overall height elevation,
- 4) increase wall heights around the outdoor dining for WQMP requirements,
- 5) modify the width of 10 parking spaces adjacent to columns,
- 6) improve amenities for residents (swimming pool and sitting areas),
- 7) modify to the locations of windows and balconies for the residential portion.

Overall the project conforms to all applicable development standards. The applicant has submitted revised plans showing the changes consistent with the Planning Commission approval (Attachment 1) and a plan showing the two projects layered on top of each other (Attachment 2). The applicant is proposing to utilize the same architectural features, materials, and colors as approved by Planning Commission. No other changes from the approved mixed-use project is proposed. Condition No. 3 of Planning Commission Resolution 16-02-22-05 allows the Community Development Director to authorize minor amendments to the permits provided that the following findings can be supported:

- A. The proposed changes comply with the provisions, spirit and intent of the original approvals. In that, the proposed changes are a result of the project transitioning from conceptual designs to construction documents, and the project is compliant with all applicable development standards. The character of the project is being maintained as no modification to the proposed design, which was supported by the Planning Commission, is proposed. No elements of the mixed-use project are being removed, the height elevation of the project is being reduced, and the project provides a surplus of five (5) parking spaces consistent with the Planning Commission approval. The applicant has added residential amenities, including a pool, that was not part of the original approval.
- B. That the action would have been the same for the amendment as for the approved plot plan. In that, the proposed design of the project is the same as the Planning Commission approved design. The overall project is a mixed-use project with three commercial spaces with 65 residential units. The applicant is proposing a take-out café, sit down restaurant, and retail space as originally approved by Planning Commission. The project is compliant with all provisions of both the Town Center plan and Dana Point Zoning Code, and has a surplus of five (5) parking spaces as approved by the Planning

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Commission.

Therefore, the proposed plans for Vista Del Mar is found to be in substantial conformance with the discretionary approvals and is hereby approved. All conditions of approval of Planning Commission Resolution 16-02-22-05 shall remain in effect and applicable.

If you have any questions concerning the above noted determination or need additional clarification, please call me at (949) 248-3569.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ursula Luna-Reynosa".

Ursula Luna-Reynosa, Director
Community Development Department

ATTACHMENTS

- 1) Proposed plans (Planning Commission format)
- 2) Proposed and Planning Commission plans layered