

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
CITY OF SAN CLEMENTE
MEASURE W**

This is an advisory measure to determine whether City voters support the proposed Lab North Beach project (the "Project"). A yes vote expresses support for the Project. A no vote expresses opposition to the Project.

The Project calls for the development of retail, restaurant, and office uses, plazas and outdoor promenades, at-grade and structured parking, landscaping, and related facilities on 3 City-owned sites in the North Beach area, in the vicinity of El Camino Real and Avenida Pico. The Project site consists of approximately 2.74 acres of land area, including a 1.35-acre City parking lot that is currently zoned for public use and 2 vacant sites comprising some 1.39 acres that are currently zoned for commercial use. The Project is being designed to incorporate Spanish Colonial Revival architecture and is being presented to the voters at this time based on the assumption that as ultimately approved it will conform to the City's adopted North Beach traffic and parking master plans and the City's policies for the protection of scenic views. Approximately 120 public parking spaces in the existing City parking lot would be displaced by the Project. Replacement public parking is proposed in and around the Project site.

A full environmental impact report ("EIR") is being prepared for the Project. The Project requires several land use approvals from the City Council which can occur only after public hearings are held and the EIR is certified as complete. The Project must also be approved by the California Coastal Commission. This advisory measure does not supersede or substitute for any of those required approvals.

Additional factual information regarding the proposed Project can be found on the City of San Clemente's official website. If you have questions regarding the Project you may also contact Jim Pechous, the City's Principal Planner, at 949-361-6195. It should be understood that the Project is still in the process of being defined/refined and the information currently available is subject to being updated and changed as the Project proceeds through the normal development review process.

Finally, in order for the Project to be implemented, the City would be called upon to sell the land to the Project developer. The terms of a potential land sale have not been negotiated and would have to be approved by the City Council at a public meeting.

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