

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
December 18, 2013 @ 7:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

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**1. CALL TO ORDER**

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Ruehlin led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Wayne Eggleston, Michael Kaupp, Jim Ruehlin and Kathleen Ward; Chair pro tem Barton Crandell, Vice Chair Donald Brown and Chair Julia Darden

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner  
Amber Gregg, Associate Planner  
Christopher Wright, Associate Planner  
Thomas Frank, Transportation Engineering Manager  
Alisha Patterson, Deputy City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS- None**

**5. MINUTES**

**A. Minutes from the Planning Commission Regular Study Session of December 4, 2013**

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND CARRIED 6-0-1, WITH COMMISSIONER KAUPP ABSTAINING, to receive and file the minutes of the Regular Meeting of December 4, 2013, with the following revision:

Page 3, 4<sup>th</sup> paragraph, replace "In response to a comment" with "In response to Commissioner Ward's voiced concern"

**B. Minutes from the Planning Commission Regular Meeting of December 4, 2013**

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of December 4, 2013, as submitted by staff.

**6. ORAL AND WRITTEN COMMUNICATION - None**

**7. CONSENT CALENDAR - None**

**8. PUBLIC HEARING**

**A. Site Plan Permit 13-080 – Alora Architecture (Wright)**

A request to consider revised architecture for 16 vacant lots in Tract 16795 "Alora." The properties are located within the Low Density Residential area (TSP-RL) of the Talega Specific Plan at 11-17 Calle Estilo Nuevo (Lots 23-26), and 20-30 and 23-33 Via Lampara (Lots 7-18).

Christopher Wright, Associate Planner, narrated a PowerPoint Presentation entitled, "Site Plan Permit 13-080, Revised Architecture for Alora, Phases 2 and 3, dated December 18, 2013," including slides of existing architecture, architecture proposed at the last meeting, and architecture revised in response to resident workshops conducted by the builder. He advised the revisions are consistent with direction from the Commission that the builder work with existing residents to ensure the revised architecture is complementary to the existing character of the neighborhood. Staff recommended approval of the request as conditioned.

In response to questions from the Commission, Mr. Wright explained that although he understands the proposed revisions are compatible with Talega homeowners association's CC&R's, and the proposed revisions are not subject to Talega's approval process.

Rick Puffer, project manager for William Lyon Homes advised that since the last meeting, the developer met with the existing homeowners and revised the proposed architecture accordingly. In addition, they are in possession of a letter from Talega indicating approval of the revised architecture. The existing 13 Alora development homeowners have signed off on the proposed revisions. The revised architecture will allow them to respond to changes in the market, yet remain in harmony with existing homes by using the same color schemes and design materials. He thanked Christopher Wright, Associate Planner, for his assistance throughout the application process.

Chair Darden opened the public hearing.

David Hurwitz, resident, thanked the Commission for enabling the workshop and agreement with the developer; thanked Mr. Wright for the great job working with the residents; noted unanimous support of the revised architecture from existing residents as evidenced by letters of support.

Chair Darden commented that this is a wonderful example of how a developer and members of the community can work together to find a win-win situation.

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 13-049, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING SITE PLAN PERMIT 13-080, A REQUEST TO CONSIDER REVISED ARCHITECTURE FOR 16 VACANT LOTS IN TRACT 16795 "ALORA" LOCATED ON STREET VIA LAMPARA AND CALLE ESTILLO NUEVO.

**[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]**

**B. 2316 South El Camino Real – Conditional Use Permit 13-249/Architectural Permit 13-251/Site Plan Permit 13-252 – La Ventura Event Center (Gregg)**

A request to consider a new two-story commercial building for a special event facility totaling 9,293 square feet at 2316 South El Camino Real. The project is located in the Neighborhood Commercial zoning district (NC3) and the legal description is Lots 3 and 4, Block 10, Tract 852, and Assessor's Parcel Number 690-446-17.

Chair Darden stated that she has spoken to the City Attorney's office regarding her professional relationship with Mr. Chuck Narey, a member of the public concerned with this project, who is her accountant. The City Attorney's office has determined that because she is his client, not the other way around, there is no need for her to recuse herself from considering this project.

Amber Gregg, Associate Planner, announced that staff is recommending the Commission continue this agenda item to its January 22, 2014, meeting to ensure proper noticing.

Chair Darden noted receipt of a "Request to Speak" form regarding this project and opened the public hearing.

Chuck Narey, resident and adjacent property owner, expressed concern that the City's parking guidelines, which require one parking space for every 4 seats, does not accurately reflect reality. In reality, there are usually only 2 people traveling per car which doubles the number of parking spaces that should be required for the project. He noted the project is currently deficient in parking, and questioned whether enough spaces can be created from neighboring lots to satisfy the City's requirements. He noted he has not been approached by the applicant regarding parking to date, and noted that his tenants regularly use the adjacent parking even during off hours.

Chair Darden closed the public hearing.

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO CONTINUE 2316 SOUTH EL CAMINO REAL – CONDITIONAL USE PERMIT 13-249/ARCHITECTURAL PERMIT 13-251/SITE PLAN PERMIT 13-252 – LA VENTURA EVENT CENTER, TO THE REGULAR MEETING OF JANUARY 22, 2014.

**[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]**

## 9. NEW BUSINESS

### A. Avenida Vaquero Striping (Frank)

A request to consider forwarding a recommendation to the City Council to approve restriping Avenida Vaquero from Camino Capistrano to Camino De Los Mares.

Thomas Frank, Transportation Engineering Manager, narrated a PowerPoint Presentation entitled, "Planning Commission Meeting for Avenida Vaquero Road Striping Alternatives, dated December 18, 2013." He displayed recent striping improvements on Camino de Los Mares and described alternatives striping plans intended to reduce traffic speeds and improve bicycle safety. He related testimony provided by residents at the public workshop; discussed speed limit setting process; expressed support for either Option B or Option D in the staff report; requested the Commission discuss the Options submitted and provide a recommendation to City Council.

Chair Darden invited the public to provide comment.

Michael Metcalf, resident, thanked Mr. Frank and the Commission for addressing the safety and cycling issues on Avenida Vaquero; expressed preference for Option B as it will afford the greatest traffic calming effects.

Ms. Michael Johnson, resident, reiterated testimony she previously provided regarding problems on Avenida Vaquero. Due to a short driveway and fire hydrant parked in front of her home, there needs to be parking space on the east side of the street for residents and visitors, including numerous visiting family members. She thanked Jim Pechous, City Planner, and Thomas Frank, Transportation Engineering Manager, for all their efforts to improve safety for all and improve road conditions on Avenida Vaquero; expressed preference for Option D in order to keep the center lane, which increases safety for residents while entering and exiting their driveways, and retains parking on the east side of the street; noted Option B would be her second choice.

Brenda Miller, resident, displayed counts of cyclists using this roadway as calculated in Spring of 2010 by volunteers; supported Option B as the best option for all Avenida Vaquero users; suggested roundabouts for the intersections to further improve safety; opined that Option B would calm traffic by slowing down speeding cars; advised it is critical to put public safety first when considering striping improvements.

Pete van Nuys, resident, supported Option B due to its potential to increase safety for all road users. If the center lane is eliminated, the wider lanes on the street will allow more room for the residents to pull into or pull out of their driveways. Narrower lanes and elimination of the center lane will reduce speed and improve the quality of life of all users.

Bruce Pickard, resident, related difficulties, including waits for up to 10 minutes, so that they can pull out from their driveway. He noted difficulty parking his large pick-up within the narrow parking lane proposed by staff, and expressed concern that he will receive a traffic violation if his car extends from the painted lines. Many are unable to park in their short driveways, so it is important to retain the parking on the east side of the street for residents and visitors. He supported Option B to retain the center lane residents' safety entering and exiting their driveways.

Chad Booth, resident, supported Option B to retain the center lane critical for residents entering and exiting their driveways safely; supported retaining the current parking on the east side of the street.

Richard Takacs, resident, has collected 187 golf balls during the 8 years he has lived in his home on Avenida Vaquero; advised his ill wife needs the center lane to pull into/pull out of their driveway; complained that buses traveling along Avenida Vaquero often travel at up to 40 mph; expressed support for Option D to retain the center lane and parking on the east side of the street.

Robert Regan, resident, requested the City repair Avenida Vaquero so that his house does not rattle as the buses speed past; noted the doors on his home are frequently in need of repair as his home is constantly

settling due to road disrepair; questioned why changes need to be made to increase the safety of bicyclists when there is no history of bike accidents or bicyclists' injuries reported; supported fixing the road and retaining the existing striping.

Angela Holland resident, commented that only 3 cyclists had ridden by her home today in a 4-hour period; suggested placing stones in the road and/or additional signage, such as "Yield to Bikers" to improve safety for cyclists; stated that she gathers up to 2,000 golf balls per year on her property that she sells back to the golf course; requested keeping parking along the east side of the road for residents and visitors to park; felt that retaining the parking for residents is more important than supporting a hobby such as cycling; supported retaining the existing striping.

Colleen Watkins, resident, felt that preference should be shown to those residents living on the street over cyclists; supported retaining the center turn lane and parking on the east side of the street for the benefit of residents.

Chair Darden closed the public comment.

City Planner Pechous advised that at this time, the City has no authority to require the golf course to take action to address errant golf balls, but can speak to them about the situation, and address it in the future if the golf course submits an application to the City.

In response to comments made during the public hearing, Mr. Frank noted the City has not studied potential to install roundabouts at the intersections and recommended the Commission not consider their potential at this time; noted cars parked along the curb will not receive parking tickets, even if they cross over the white line marking the parking lane, as long as they are parked within 18 inches from the curb; acknowledged the center lane improves safety for those backing out and then traveling towards Camino de Los Mares, but eliminating the center lane and installing bike and buffer lanes will actually improve safety for driveway ingress and egress overall. He noted that studies have proven that additional signage will not result in increased adherence to guidance, and noted that sign pollution is also a concern. He advised that drivers have to slow down when those pulling in or out of driveways interrupt traffic, which slows down traffic overall. Using the center lane does not interrupt traffic to the same extent, which results in higher traffic speed. He noted the street does not experience high volumes of traffic, and there are plenty of gaps in traffic that allow sufficient time for residents to pull into or pull out of their driveways. He advised buses are required to drive the same speed limit as cars and will be ticketed the same as any other driver. He does not support trying both Options alternatively as it is very expensive to perform the striping in terms of staff time, painting black lines

over former striping can be confusing to drivers, and damages occur the street when doing corrections. He is supportive of either Option B or D.

Commission Comments:

Vice Chair Brown supported Option B as it will increase safety for cyclists by creating the buffer, and still maintain the center lane and parking along the east side so appreciated by the street's residents.

Commissioner Eggleston commented that the residents, who know best how the traffic operates along the street, have strongly voiced support for keeping the center lane. He supported Option D, which will create the bike lanes to satisfy a General Plan goal of additional bike lanes, but he does not support any option that would remove the center lane so valued by the street's residents.

In response to a question from Commissioner Eggleston regarding the number of accidents that have occurred on the street, Mr. Frank advised that the number of accidents occurring on the road did not prompt the need for road reconfiguration. He agreed to provide the information requested at the City Council meeting.

Commissioner Ruehlin agreed with the importance of listening to residents living along the street. In addition, it is important to listen to the traffic engineers with technical understanding and experience in improving streets. He noted the "Complete Streets" concept calls for first class citizen status for all users, which include cyclists, pedestrians, and vehicles. Accidents involving cyclists, including those caused by doors opening onto bike paths or lanes, can cause serious injuries and death; it's important to choose the Option that will increase safety for all. Although the residents testified that they want to retain the center lane for their safety pulling in and out of their driveways, narrowing the lanes, which is called for in both Options, will slow down traffic and increase safety for all. He believes Option B is the best option, because in addition to slowing traffic by narrowing lanes, it will further calm traffic by force vehicles to slow down when drivers are entering or exiting their driveways. In addition, Option B increases safety for all road users, and retains the parking along the east side of the street so valued by the residents.

Chair pro tem Crandell advised both options retain the parking for residents; noted with the proposed revisions in Option D, residents will have 17 feet to back out into the driving lane, instead of 13 feet with Option B. He supported Option B as it is more in keeping with the General Plan to create "Complete Streets" which increase safety for all.

Commissioner Kaupp commented that Traffic Engineer Frank has indicated support of either Option B or D. Taking into consideration the

comments of the street's residents, who know the existing difficulties with traffic, he supported Option D.

Commissioner Ward noted this is a very important bike route, and the City's first opportunity to create a "Complete Street" as recommended in the General Plan. She asked, if we cannot provide a complete street design in a 56 foot right-of-way where can we provide it? She noted, speed along the street is high due to through traffic; if it is slowed down by drivers entering and exiting their driveways, it will be safer for all. For these reasons she supported Option B.

Chair Darden acknowledged the difficulty of this decision given the residents' testimony as seasoned drivers on the street. She agreed with Commissioner Ward's comment, that this is the City's first opportunity to create a "Complete Street," which is a goal of the new General Plan. She noted the street is not just a residential street, but a collector street that should be made safer for all its users. If slowing down speed is the top priority to increase safety for all, then she wants to support the option that will accomplish that goal. It is proven that narrowing streets will decrease speed and City Engineer Frank has indicated that ingress and egress onto the traffic lanes rather than a center lane will also calm traffic speeds. To increase safety for all users, she supported Option B.

Commission Action:

Chair Darden took a straw vote on the Options. The vote was 4-3 in favor of recommending Option B to City Council, with Commissioner Ruehlin, Commissioner Ward, Chair pro tem Crandell, and Chair Darden supporting Option B, and Commissioner Eggleston, Commissioner Kaupp, and Vice Chair Brown supporting Option D. Staff will forward the minutes from tonight's meeting and the Commission's recommendation to City Council.

**B. Crossing Guards Avenida Calafia and Avenida Talega (Frank)**

A request to consider forwarding a recommendation to the City Council to fund a crossing guard for Avenida Calafia at Avenida Del Presidente for Concordia Elementary School students, and an additional crossing guard for Avenida Talega at Calle Portofino for Vista Del Mar School students.

Thomas Frank, Transportation Engineering Manager, summarized the staff report. Both Concordia and Vista Del Mar Elementary Schools have submitted requests for crossing guards to increase safety at busy intersections for children near the schools. He noted that schools within the district were designed for bus traffic, not to accommodate heavy car traffic. With the elimination of busing for most students, the number of cars dropping off/picking up students is creating extreme congestion at



both Concordia and Vista Del Mar Elementary schools. Staff is currently and will continue working with the school principals and PTA's to encourage carpooling, walking and biking to school. He noted a request to the Capistrano Unified School District to see if they would consider contributing funds was denied.

In response to questions/comments from the Commissioners, Mr. Frank advised that he was not aware if the district or schools did any studies to determine implications including increased danger for students resulting from the cessation of busing; advised the City cannot require the schools or district to perform studies; advised staff continues to meet with the school principals to determine if opportunities for additional parking and/or creation of drop off areas exist.

Chair Darden invited the public to provide comment.

Juliane McGuire, resident and mother of two attending Concordia Elementary, bikes with her children every day to school. They have seen and had their share of minor accidents in the past, and she is concerned with the large number of vehicles that speed and ignore the stop signs either because they are in a rush or are unfamiliar with the area. The population at the school has greatly increased, along with the number of kids walking through the busy intersection. She requested the Commission recommend that the City Council create a crossing guard position before a tragic accident occurs.

Brenda Miller, resident, noted that communities that protect kids in their routes to school increase the quality of life for all residents. She supports encouraging kids to walk or bike to school, as every child that does not get dropped off eliminates 4 car trips every day. Increasing safety for children at intersections may increase non-motorized trips to school. She supported the crossing guard installations to increase safety for little children in the crosswalks.

Chair Darden closed the public comment.

#### Commission Comments:

Commissioner Eggleston discussed frustration with the school district for creating this situation for the City by eliminating the busing. This solution will cost the City \$120,000 per year. He questioned why parents cannot contribute \$50 or \$100 dollars a year to cover the costs of busing, and commented that more kids should be walking/biking to school. He finds it appalling when large cars/SUV's are used to transport single children.

In response to questions from Vice Chair Brown, Mr. Frank advised that increased striping will be installed the next time maintenance is performed

at the intersections near the schools, including improved stop signs and crosswalks at Avenida Calafia. He noted the "continental" style of crosswalk is very expensive to install; advised he will use any and all assessable funds to do the best obtainable improvements for the crosswalks. In addition, he noted intention to approach Caltrans to consider a roundabout for the Concordia intersection to improve efficiency, and advised the City does not have funds to install flashing or blinking lights at the intersection.

Commissioner Kaupp supported the crossing guards to increase safety for the kids; commented that he would have liked to have a more comprehensive look at the entire situation on the agenda for a more in-depth conversation.

Commissioner Ruehlin thanked Ms. McGuire for biking her kids to school every day; supported the crossing guards to increase safety for kids coming from and going to school.

Commissioner Ward supported the crossing guards as the best solution and the minimum action the City can take, but believes they are a band-aid on the issue of parents driving too fast. The school district is negligent in creating situations that put the safety of the public at risk, and should be creating its own solutions on campuses, including creating parking/drop off areas by converting little or unused fields, requiring carpools, etc. In addition, the school district should help fund the crossing guards, rather than claiming they don't have funds. The City also does not have an excess of funds, but is committed to improving the situation for its residents, and finding the funds necessary to improve safety for kids.

Chair pro tem Crandell supported conveying to City Council that the solution is temporary; an emergency measure until a better solution is found. Because the safety of kids and residents on public streets is at stake, the City has to take responsibility.

Chair Darden supported the installation of crossing guards as a necessary action to protect kids; thanked Mr. Frank for going to the district and asking for help, as well as continuing to work with the principals to search for a more comprehensive solution. She requested staff forward comment to City Council that this is a stop gap measure and not intended to be a long range solution.

Commission Action:

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO RECOMMEND THE CITY COUNCIL APPROVE A SUPPLEMENTAL APPROPRIATION TO PROVIDE BUDGET FOR A CROSSING GUARD AT AVENIDA CALAFIA/AVENIDA DEL PRESIDENTE AND AN

ADDITIONAL CROSSING GUARD AT AVENIDA TALEGA/CALLE PORTOFINO.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL]**

**10. OLD BUSINESS – None**

**11. REPORTS OF COMMISSIONERS/STAFF**

- A. Tentative Future Agenda
- B. Minutes from the Zoning Administrator meeting of December 4, 2013
- C. Staff Waiver 13-497, 115 N. El Camino Real

Vice Chair Brown reported that at the last the Coastal Advisory Committee, the Committee head a briefing regarding the SANDAG program in San Diego; noted they are awaiting a Local Coastal Program update from staff; speculated the City Council will approve the final draft of the General Plan sometime in January.

Chair Darden wished everyone Happy Holidays.

**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to adjourn at 9:34 p.m. to the Study Session to be held at 6:00 p.m. on January 22, 2014, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

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Julia Darden, Chair

Attest:

  
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Jim Pechous, City Planner