

**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
January 23, 2013 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

---

**1. CALL TO ORDER**

Chair Avera called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:05 p.m.

**2. PLEDGE OF ALLEGIANCE**

Chair pro tem Brown led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Nesa Anderson, Barton Crandell, Michael Kaupp and Jim Ruehlin;  
Chair pro Tem Donald Brown, Vice Chair Julia Darden, Chairman  
Lew Avera

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner  
Jeff Hook, Principal Planner  
Amber Gregg, Associate Planner  
John Ciampa, Associate Planner  
Bill Cameron, City Engineer  
Thomas Frank, Transportation Engineering Manager  
Zachary Ponsen, Senior Civil Engineer  
Ajit Thind, Assistant City Attorney  
Eileen White, Recording Secretary

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

**5. MINUTES**

**A. Minutes from the Planning Commission meeting of December 19, 2012**

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 6-0-1, WITH VICE CHAIR DARDEN ABSTAINING, to

receive and file the minutes of the Adjourned Regular Planning Commission meeting of December 19, 2012, as presented by staff.

**B. Minutes from the Planning Commission meeting of January 9, 2013**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Adjourned Regular Planning Commission meeting of January 9, 2013, as presented by staff.

6. **ORAL COMMUNICATIONS** - None

7. **WRITTEN COMMUNICATIONS** - None

8. **CONSENT CALENDAR**

9. **PUBLIC HEARING**

**A. 240 Avenida La Cuesta – Cultural Heritage Permit 12-027/Minor Exception Permit 12-086 – Skillman Residence (Ciampa)**

A request to consider the construction of a house that is adjacent to two historic houses. The project also proposes walls that exceed 42 inches within the required setbacks and a pool within the front yard setback. The project site is located at 240 Avenida La Cuesta within the Residential Low (RL-2) zoning district, legal description being Lot 179 of Tract 898, Assessor's Parcel Number 057-072-34.

John Ciampa narrated a PowerPoint Presentation entitled, "Skillman Residence, CHP 12-027, MEP 12-086, dated January 23, 2013," featuring site plans, elevations, and photos of adjacent properties, historic homes, and views from and to the subject site. Staff recommended approval of the request as conditioned.

In response to questions, Mr. Ciampa confirmed that "open line of sight to the historic home" refers to the immediate street the property is located on, noting that if adjacent streets were considered, it would make many lots unbuildable; advised the Zoning Ordinance defines the front of the lot and demonstrated on the site plans how the front of this lot was determined; noted the protection of the view of the homes is defined from the public right of way.

James Chinn, architect representing the applicant, thanked Jim Pechous and John Ciampa for their help, especially Mr. Ciampa for his detailed presentation this evening; noted the proposed project is smaller in scale and more articulated

than the project approved in 1999; advised the Skillman family, long time City residents, envision this as their dream home for entertaining extended family. He noted the home is designed to minimize impacts on adjacent historic homes, which are 20-35 percent larger in mass. He advised the pool is located at the highest point of the lot for topographical reasons and to maintain garage access at street level.

Chair Avera opened the public hearing.

Dena Van Slyke, resident and adjacent historic home owner, referred to her letter dated October 27, 2012, stating opposition to the proposed project. She noted her historic home located at 243 Avenida La Questa, which was designed by a well-known architect and the only home in San Clemente on the National Register of Historic Places, is a City landmark and very special home. She questioned the applicant's ability to establish the front of the home on Avenida La Questa; felt the proposed project's lot coverage was not compatible with adjacent homes; stated no variances should be approved due to the historical significance of her home. The new structure should be setback at least 20 feet from Avenida La Questa and lower in height in order to be more complementary with the existing character of the neighborhood.

Larry Culbertson, Historical Society Member, speaking as an individual citizen, supported the comments made by Dena Van Slyke; questioned why up to 50 percent lot coverage was allowed on this lot when the average of existing adjacent properties' lot coverage was not more than 25 percent.

Chair Avera closed the public hearing.

Jim Pechous described how the lot was measured as required in the Zoning Ordinance in order to establish the front elevation of the lot and determine the vertical setbacks.

Mr. Ciampa advised that the project's proposed 34 percent lot coverage met Zoning Ordinance requirements which allow up to 50 percent lot coverage, pointed out on the aerial view of the area that adjacent, difficult-to-build-on lots look like they have been built from property line to property line; agreed that any structure built on the existing vacant lot between the two historic homes would have to be carefully designed; estimated the structure would be place on grade approximately 340 to 360 feet above sea level.

Commissioners unanimously thanked Ms. Van Slyke for her informative, well presented and heartfelt comments.

Commissioner Crandell pointed out that 50 percent is the existing allowable lot coverage on low density residential lots and that every home in this area with this zoning designation has the ability to extend to that coverage, if they so desire. He understands Ms. Van Slyke's concerns, but noted the applicant and architect worked hard to ensure the design met the existing requirements. In addition, he noted that the home could have been expanded to within 20 feet of the corner if the pool had not been located there, which would have blocked more views. The pool is located in the most suitable spot on the lot, and the proposed open fencing will soften the wall's impacts.

Vice Chair Darden said she was sensitive to Ms. Van Slyke's situation, as she owns a historic home that has been impacted by adjacent development. Ms. Van Slyke has enjoyed a pristine view over the vacant lot for an extended period of time and is facing encroachment of the view due to this project. She has reviewed the proposed home carefully and believes Ms. Van Slyke's home will not be adversely affected by the project. She added that the applicant could have built to maximum standards, which would have impacted Ms. Van Slyke's views and the neighborhood much more than the proposed project will.

Chair pro tem Brown pointed out that the proposed project includes extensive and expensive landscaping around it to soften its impacts; advised the wall height of the pool wall may have been driven by safety requirements.

Commissioner Anderson pointed out that the minor exception permits only came to the Planning Commission for approval because of the Cultural Heritage Permit. Normally, they would have been considered by the Zoning Administrator. She believes the findings have been met for the minor exception permits, which help use the property in a thoughtful way and will not adversely affect the neighborhood.

Commissioner Kaupp agreed with many of the comments stated, noting the extensive and attractive landscaping will offer privacy to the existing home and its neighbors and soften the corner "fortress" feel. He believes the proposed project is sited as well as it could be on the lot, is much smaller than the previously approved project and will nicely complement adjacent homes once landscaping has matured.

Chair Avera agreed the proposed project is sensitive to the historic homes and will not resemble the "feel" of adjacent homes along Patero De Oro, which give a much higher density impression.

Commissioner Ruehlin felt that the high fencing around the pool is out of character with other homes in the neighborhood, as many of the other homes' fences appear to be only decorative. The proposed reduced pool setback and

increased wall height might take away from adjacent homes, which radiate much openness now. The prominent corner will be walled off and obstruct views. Consequently, although he believes there are many positives with the proposed project, he cannot support the minor exception permits and therefore cannot support the project.

IT WAS MOVED BY VICE CHAIR DARDEN, SECONDED BY CHAIR PRO TEM BROWN, AND CARRIED 6-1-0, WITH COMMISSIONER RUEHLIN OPPOSED, TO ADOPT RESOLUTION NO. PC 13-005, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 12-027 AND MINOR EXCEPTION PERMIT 12-086, SKILLMAN RESIDENCE, A REQUEST TO CONSTRUCT A HOUSE THAT IS ADJACENT TO TWO HISTORIC HOUSES WITH WALLS AND A POOL THAT ARE WITHIN THE REQUIRED SETBACKS AT 240 AVENIDA LA CUESTA.

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

**B. 4159 ½ Costero Risco – Amendment to Conditional Use Permit 12-052 – Verizon at Costero Risco Water Tank (Wright)**

A request to consider amending conditions of approval for an approved wireless communication facility near a City water tank within the Forster Ranch Specific Plan at 4159 ½ Costero Risco. The wireless facility includes: 1) nine cellular panel antennas on a 20-foot high “faux” eucalyptus tree and 2) equipment in a walled enclosure. The legal description of the property is Lot A of Tract 15718, Assessor’s Parcel Number 679-242-05.

Christopher Wright summarized the staff report. The applicant is requesting removal of use permit condition of approval number 26 instructing staff to investigate the current state of technology every three years and determine if changes to the facilities (e.g. visual screening, stealthing, reduced height, size or number of antennas) would be warranted. Staff recommended approval of the applicant’s request.

Peter Blied, representing Verizon, stated that Verizon Management is concerned about the ramifications of including Condition number 26 in the resolution. Mr. Blied stated Verizon requests the condition be removed and the issue be addressed in the City lease. He noted a standard lease is for a 10-year period, with 5-year increments that extend up to 25 years. Verizon is finalizing zoning approvals before fully engaging in lease negotiations with the City. He felt the condition was vague so it could potentially put their land use approval at risk. Although the condition was intended to address the stealth screening of the technological equipment, the way it was written could be interpreted to mean replacement of equipment as technology improves. Technology replacement

requirement is under FCC rules, not City guidelines. He noted condition no. 9 addresses the maintenance and replacement of damaged equipment, which will ensure adequate branch counts and response to tree color changes. He is constantly improving sites, and works on sites from 2 to 20 years old. In addition, as far as technological advances, it is always in Verizon's best interests to upgrade sites as soon as technology improves to better serve their customers. He is concerned that future City planners, Planning Commissions, etc., might not understand the intent of the condition and the condition could have unintended consequences for Verizon. In addition, he noted the Forster Ranch Homeowners Association has indicated enthusiastic support for the proposed antennas.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Ajit Thind assured the Commission that the intent of the condition could be addressed in City lease documents and was confident legal personnel dedicated to negotiating the City's leases could be relied on to include this issue in the lease. He noted Council is also tasked with reviewing the City's leases and they may have similar issues, which would be addressed during their review.

Commissioner Ruehlin said he had listened to the meeting tape and read the minutes of the meeting when the CUP was approved. He does not believe the Commission agreed to delete Condition number 26, and expressed concern that removing the condition would absolve Verizon from installing new stealth equipment, such as smaller antennas or less obvious antennas, when that technology becomes available. 10 years is a long time in technology, as illustrated by comparing the advanced technology available today to technology available 10 years ago. In addition, leaving it as part of City lease negotiations may mean that it could become a condition that is removed during negotiations. He suggested increasing the amount of time from 3 to 5 years. In addition, when considering potential improvements for the site, staff could be directed to consider the remoteness of the location when considering whether stealth improvements are warranted. Another option could be keeping the condition in the CUP and bringing back a proposal to eliminate it when lease has been finalized so the Commission can review its language to ensure the lease reflects the CUP intent.

Mr. Wright agreed that the intent of Condition number 26 could be addressed in the lease document and suggested the Commission direct staff on the period of time a review should occur so it can be included in the lease; noted Condition number 9 requires the applicant to maintain the antennas and stealth equipment, including color changes and/or tree damage. Mr. Wright indicated Verizon mentioned a concern of not having due process to refute or discuss antenna changes in the future (based on the current wording of the condition)

should the city review and determine upgrades were warranted. If the City determines change is merited, the Verizon said they want the opportunity for a public hearing to address the proposed changes.

Mr. Pechous advised that staff would only request change if it was a major advance in stealth screening that would significantly reduce aesthetic impacts to the neighborhood.

During discussion, Commissioners established from staff that if the applicant decides to replace equipment in the future, the improvements would come back before the Planning Commission for approval; noted that due to great distance of the site from nearby homes and the trail, the project's stealthing is not as crucial as it would be if located along a more populated area, such as El Camino Real; agreed that Condition number 26 could be interpreted to require replacement of technology for superior equipment, not just to make antennas more stealth as intended; noted the importance of providing improved service, including ability to call 911, for nearby residents; agreed to approve the request to allow removal of the condition from the CUP and instruct staff to ensure the pertinent issue is addressed in the City lease for the site.

IT WAS MOVED BY COMMISSIONER CRANDELL SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 13-003, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT (AM CUP) 12-052, ALLOWING THE CONSTRUCTION OF A CELLULAR COMMUNICATIONS FACILITY AT 4159 ½ COSTERO RISCO, with the following direction:

The lease should give staff the authority to review the antenna screening materials, not cellular technology, and assess the availability of new stealth methods/materials, at a minimum of every five years, but not more than 10 years if the City Attorney determines a longer time period must be used. Staff's should only require changes if new screening materials would significantly eliminate the potential for aesthetic impacts on surrounding properties. Staff should consider the location of antennas is buffered from residences, when making a decision to require changes. If changes are required by staff, the lease should allow the applicant to appeal decisions to the Planning Commission.

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

- C. **831 Via Suerte – Conditional Use Permit 12-380/Minor Architectural Permit 12-381 – Wine Bar Arnoa (Wright)**

A request to consider allowing beer and wine sales for on-site consumption at a new wine bar. The wine bar would have indoor and outdoor seating. The subject site is located within the commercial area of the Talega Village Center at 831 Via Suerte, Suite 106. The legal description is Lot 4 of Tract 16936, Assessor's Parcel Number 701-372-01.

Christopher Wright narrated a PowerPoint Presentation entitled "Wine Bar Arnoa, CUP 12-380/MAP 12-381, dated January 23, 2013." Staff recommended approval of the request as conditioned.

Alexandre Ponet, applicant, along with his partner, Anne-Sophie Derre, described the proposed project. They left their native France because they fell in love with the City, and hope to be able to provide superior wine, using local suppliers and wines available in the region, at a wine bar. He will offer appetizers to go with the wines but does not intend to serve food. He intends to partner with nearby Sun Dried Tomato Café to plan coordinating events. In response to questions, he would like to be able to open up the patio to at least 12:00 a.m. to allow customers to enjoy the night air and outdoor ambiance; may consider acoustic entertainment in the future, but does not have the space or ability to provide amplified entertainment; understood that if he wished to add entertainment, patio hours would be limited to up to 10:00 p.m., as is currently limited on Sun Dried Tomato's entertainment permit.

City Planner Pechous advised that the applicant would be required to apply for an entertainment permit if he elects to add entertainment to the site.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

IT WAS MOVED BY COMMISSIONER CRANDELL SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. 13-004, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 12-380/MINOR ARCHITECTURAL PERMIT 12-381, A REQUEST TO ALLOW A RESTAURANT AND BAR USE WITH BEER AND WINE SALES FOR ON-SITE CONSUMPTION INDOORS AND OUTDOORS WITHIN THE TALEGA VILLAGE CENTER AT 831 VIA SUERTE SUITE 106.

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

## 10. NEW BUSINESS

### A. Story Poles Interpretation (Gregg)



A request to clarify Zoning Ordinance provisions regarding whether story poles are required for residential projects that are three stories or more in height and located in the Architectural Overlay.

Commissioner Kaupp and Vice Chair Darden excused themselves due to property ownership and left the meeting room.

Associate Planner, Amber Gregg narrated a PowerPoint Presentation entitled, "Story Poles Interpretation 13-012, dated January 23, 2013." This interpretation was prompted by a comment from a member of the public at the Commission's December 19, 2012, regular meeting regarding whether story poles needed to be erected for a residential project. Subsequent to the meeting, staff reviewed the story poles section of the Zoning Ordinance and determined the pertinent language could be interpreted to require the story poles. In addition, staff identified several problems with the story pole ordinance and intends to review these issues when the Zoning Ordinance is updated. Staff recommended the Commission interpret Section 17.24.100 to require story poles on residential projects within the Architectural Overlay.

In response to questions, Ms. Gregg noted the purpose of story poles is to show the outline of a building, indicate how it will fit in the neighborhood, and/or show visual impacts; advised, to her knowledge, staff has never required story poles that would indicate both the proposed building height and massing and also show the maximum height and scale that could be built. City Planner Jim Pechous noted the ordinance was initiated in response to the Ralph's Shopping Center proposal on South El Camino Real. Ms. Gregg also stated, in reading the minutes of the ordinance initiative meetings, as well as reviewing past agenda reports, it appears that the intent of the ordinance initiative was to target commercial developments, but as the meetings progressed the term "and/or Architectural Overlay" were added.

Mr. Pechous advised that the Ordinance gives the City Planner some flexibility in requiring the story poles for controversial projects when they are not specifically required. In regard to location of story poles on-site, Mr. Pechous stated that issues of existing lot usage, access, safety, etc., are also to be considered when requiring story pole placement. In response to comments from Commissioners concerning the appropriateness of the requirement, he noted that tonight the Commission was being asked to consider the interpretation and that staff has identified several problems with the existing language, which will be fully vetted and revised if necessary during the Zoning Ordinance rewrite following approval of the General Plan.

Chair Avera opened the public hearing.

Cristina Leon, resident and original public commenter who questioned the requirement for story poles in residential development, thanked staff for researching the language in the Zoning Ordinance and recommending the interpretation for consideration this evening.

Michael Luna, resident, asked the Commission to agendaize and review this issue as soon as possible so that upcoming projects are not negatively affected. He noted story poles add tremendous cost to projects on top of already high costs, and there are visual analysis tools which better assess massing and cost considerably less to the applicant.

Chair Avera closed the public hearing.

Mr. Pechous noted the Planning Commission does not have purview to initiate an amendment to the Zoning Code. He explained the proper procedure is to schedule and discuss the proposal at a study session, look at possibilities, and then direct staff to present a request to City Council for consideration.

Commissioner Anderson recommended that City staff and Council look at the story pole issue as soon as possible, consider rewriting the story pole sections for clarity, and consider lower cost alternatives for story poles.

IT WAS MOVED BY COMMISSIONER ANDERSON SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 5-0-2, WITH COMMISSIONER KAUPP AND VICE CHAIR DARDEN ABSTAINING, TO APPROVE INTERPRETATION 13-012, THAT ALL DEVELOPMENTS WITHIN THE ARCHITECTURAL OVERLAY THAT ARE THREE STORIES IN HEIGHT OR MORE, INCLUDING RESIDENTIAL PROJECTS, BE REQUIRED TO ERECT STORY POLES.

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

Commissioner Kaupp and Vice Chair Darden returned to the meeting room.

**B. Draft General Plan Mobility and Complete Streets Element and Technical Background Documents (Hook)**

This Element addresses the full range of transportation modes, including pedestrian, bicycle, motor vehicle, rail and public transportation. It addresses the general distribution, location and design of public streets, sidewalks, public parking, and other public areas used for public mobility purposes. It also addresses transportation programs, planning and improvements and includes policies and implementation measures to guide transportation changes and meet community needs. The Technical Background Report, which provides data

and evaluation of our current transportation facilities, will also be reviewed and discussed.

Jeff Hook reviewed the staff report and summarized the progress of the new General Plan to date. He introduced the item and consultants and staff in attendance. He identified three Commission objectives for the meeting, to: 1) understand the relationship between proposed land use changes in the "preferred land use plan" and traffic impacts, 2) provide direction to the consultant and staff on several key mobility questions, and 3) review and comment on the draft Mobility and Complete Streets Element. He noted the revised draft Mobility Element will be combined with the other elements already reviewed by the Commission and distributed as the Public Hearing Draft General Plan for final Planning Commission review and action before presentation to the City Council for final action.

Chris Gray, consultant with Fehr and Peers, narrated a PowerPoint Presentation entitled, "San Clemente General Plan, Key Questions and Technical Background, dated January 23, 2013." Information was presented to enable the Commission to answer questions related to LOS impacts due to land use changes and regional traffic growth, impacts on identified on/off ramps due to changes in LOS levels, potential elimination of roadway segment LOS, the effects of street widening on multi-modal approaches, impacts on ADT and LOS caused by roadway extensions, impacts on LOS from road diets, potential effect of a pilot project on a section of South El Camino Real, impacts and mitigation on identified "road diet" scenarios, identification and consideration for removal/modification of the most problematic change, consideration of whether the installation of multi-modal facilities could mitigate anticipated LOS impacts, consideration of whether a more balanced transportation system policy would be consistent with General Plan goals, and summary of impacts.

Brian Judd, consultant with The Planning Center, narrated a PowerPoint Presentation entitled, "Land Use and Circulation Impacts, dated January 23, 2013," including resulting traffic impacts and potential options to address the traffic impacts, which are expected to occur as a result of proposed land use changes for the Rancho San Clemente and Los Molinos Focus Areas. He explained that the traffic impacts identified are limited to two these two areas, and of these, eight of the nine impacts result from the proposed increase in floor area ratios (FAR) in the Rancho San Clemente Business Park.

Bill Cameron advised that impacts associated with Housing Area 8 of the Rancho Mission Viejo Plan were addressed in the 2035 forecasts for the Current General Plan and the Proposed Preferred General Plan. He noted many of the identified impacts along Avenida Pico near I-5/Avenida Pico interchange improvements, already planned by Caltrans.

Chair Avera opened the public hearing.

Brenda Miller, representing PEDal, noted there are two basic approaches to improving road conditions. One is to widen roadways to accommodate more cars; another is to increase the efficiency of the roadway network to make more room for those who choose to walk, bike, or use public transport. While high levels of service have been desirable in the past, they come at the expense of those desiring to walk or bike, and decrease safety for all. She suggested allowing the accepted Citywide Level of Service standard to drop from LOS D to LOS E so that roads accommodate no greater traffic than what they are designed to hold, which will also help develop safe routes to school, maintain the City's compliance with Measure M, and compliance with the County's arterial plans. She compared San Clemente's roadways with the City of Newport Beach's roadways, which are considered some of the most deadly in the state of California because they were designed for speeding cars. Experiments undertaken by the City of Newport Beach to improve pedestrian access have resulted in reduced LOS ratings and have had adverse funding impacts. She recommended the City establish LOS E ratings so it would have room to improve.

Pete van Nuys, resident, quoted language from J. R. Tolkien about roads; cautioned the City not to follow the example of the San Fernando Valley in designing roadways to accommodate nothing but cars, resulting in loss of Measure M funds and unfriendly roads; and increased frequency of rear end collisions due to increased traffic speed. He noted the elimination of bike lanes and sidewalks along Avenida Pico has banished people from using the road unless in a car. He asked the Commission to increase safety for all and think about citizen safety rather than cars when considering the draft Mobility Element.

Chair Avera closed the public hearing.

Bill Cameron explained that while there may not be much difference in LOS levels D and E, most of the City's intersections are rated LOS B or C, and advised that lowering the level of service to LOS E would allow much more congestion than currently exists; stated most traffic impacts identified in the traffic study for the preferred general plan scenario are at internal street intersections rather than at freeway on/off ramp intersections; noted Caltrans and OCTA have completed and are planning many improvements that greatly benefit the City's traffic situation. He is not sure of the best way to handle multi-modal enhancements, but did not see the advantage of allowing intersections to go to LOS E. He questioned data indicating increase in rear end accidents tied to increased speed, and noted that although the City has three motor officers to

issue traffic citations, speed limits cannot be reduced unless traffic slows down due to state law requiring speed limits be set per the 85% percentile speed. He noted removal of the bike lanes on Avenida Pico in front of the high school was generated by the City, not OCTA, and clarified restrictions associated with OCTA routes. He noted the City of Newport Beach has very different traffic issues than the City of San Clemente and he is not familiar with their accidents rates, statistics, etc. He noted most of the roadways in the City are built out, but stated that the City was very interested in accommodating multi-modal streets. He advised that adding bike lanes along Avenida Pico would significantly impact traffic, but he would not be able to quantify the impact unless traffic models are run. He agreed to summarize his comments for inclusion in the Commissioner's packets for their next meeting.

Thomas Frank noted that average daily flow numbers reflect weekday traffic, not worst case conditions throughout the year. He cautioned that there will still be gridlock along I-5, which has a significant impact on the City traffic from cut-through traffic as well as from City residents avoiding the gridlock. He endorsed the goal of multi-modal streets, but cautioned that the public has to be informed and aware of impacts to vehicular traffic when building bike lanes and sidewalks. He explained that the most effective way to deliver a project embraced by the community is to include the public in the process to scope and design the project. Many public workshops and hearings are needed to result in a project embraced by the community. He agreed to summarize his comments for inclusion in the Commissioner's packets for their next meeting.

Due to the late hour and the Commission's stated desire not to deliberate past 10:00 p.m., Mr. Hook suggested the Commission consider continuing this item to their regular February 20 meeting to allow for necessary noticing.

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO CONTINUE DRAFT GENERAL PLAN MOBILITY AND COMPLETE STREETS ELEMENT AND TECHNICAL BACKGROUND DOCUMENTS TO THE REGULAR PLANNING COMMISSION MEETING OF FEBRUARY 20, 2013.

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

**11. OLD BUSINESS- None**

**12. REPORTS OF COMMISSIONERS/STAFF**

Included in the Commissioners' packets for their review:

**A. Change of Planning Commission Agenda Items (Pechous)**

- B. Tentative Future Agenda
- C. Minutes from the Zoning Administrator meeting of December 19, 2012
- D. Minutes from the Zoning Administrator meeting of January 9, 2013
- E. Staff Waiver 12-404, 511 Avenida Del Mar #4
- F. Staff Waiver 12-425, 653 Camino De Los Mares #109
- G. Staff Waiver 12-433, 212 W. Avenida Alessandro
- H. Staff Waiver 12-441, 420 Cazador Lane
- I. Staff Waiver 13-003, 674 Camino De Los Mares
- J. Staff Waiver 13-004, 3826 Calle Ariana
- K. Staff Waiver 13-011, 530 Camino De Estrella

Chair pro tem Brown reported that at their last Coastal Advisory Committee meeting, the Committee voted to include Plastic Bag Ban, Street Sweeping signage, Poche Beach Clean-up and Clean Ocean Program Fee Renewal as their 2013 Strategic Planning Priorities; announced consideration of Mayor's Walk of entire watershed ending up at Poche Beach.

**13. ADJOURNMENT**


IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 10:09 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on February 6, 2013, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

---

Lew Avera, Chair

Attest:



Jim Pechous, City Planner