

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
July 24, 2013 @ 5:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Darden called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 5:03 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
Jeff Hook, Principal Planner
Sean Nicholas, Associate Planner
Thomas Frank, Transportation Engineering Manager
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS- None

5. MINUTES - None

6. ORAL AND WRITTEN COMMUNICATION - None

7. CONSENT CALENDAR - None

8. PUBLIC HEARING

- A. 1509 North El Camino Real – Conditional Use Permit 12-362/Cultural Heritage Permit 12-363/Minor Exception Permit 13-084/Outdoor Dining Permit 13-085 – North Beach Rooftop Bar and Grill (Nicholas)
(continued from 07-17-13)

A request to consider a conversion of a one-story commercial building into a restaurant with an open roof top bar and grill with a full range of alcohol, live amplified music, an off-site parking agreement, and parking waivers for outdoor seating. The project is located at 1509 North El Camino Real within the C2/MU-3 zoning designation. The legal description is Lot 9, of Block 2, of Tract 795, Assessor's Parcel Number 057-170-31.

Jim Pechous, City Planner, recommended the Commission continue this item to the August 7, 2013, meeting to allow additional time for staff to prepare and the Commission to review the resolution for denial without prejudice for this project.

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO CONTINUE 1509 NORTH EL CAMINO REAL – CONDITIONAL USE PERMIT 12-362/CULTURAL HERITAGE PERMIT 12-363/MINOR EXCEPTION PERMIT 13-084/OUTDOOR DINING PERMIT 13-085 – NORTH BEACH ROOFTOP BAR AND GRILL TO THE ADJOURNED REGULAR MEETING OF AUGUST 7, 2013.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

B. Public Hearing Draft Centennial General Plan (Hook)

At this meeting, the Commission is expected to complete its review of 1) the Draft Environmental Impact Report (DEIR) for the Centennial General Plan, 2) the draft Centennial General Plan, 3) the draft Strategic Implementation Program and 4) other General Plan-related documents. Based on its review, the Commission may adopt a resolution recommending City Council action on the Draft Centennial General Plan and Environmental Impact Report, Draft Bicycle and Pedestrian Master Plan and the Draft Climate Action Plan.

The Draft General Plan was prepared by the City's consultant, The Planning Center, with extensive input received during over 60 public workshops and meetings held by the General Plan Advisory Committee (GPAC), a 25-member citizen committee appointed by the City Council, and by the City's Planning Commission. The Commission must consider the DEIR, which covers a wide range of potential environmental impacts, as part of any action on the proposed Draft Centennial General Plan and related documents. The Commission's action is not final. Its action will be a recommendation to the City Council, which must take action on a "City Council Hearing Draft" Centennial General Plan, DEIR and related documents before these can take effect.

Once adopted, the Centennial General Plan will help guide public and private decisions through 2028 regarding land use, environmental quality,

fiscal issues, capital improvements, public safety and many other important aspects of San Clemente's character and quality of life. The Draft Plan, Draft Environmental Impact Report and related documents are available on the City's website at <http://san-clemente.org/sc/News1.aspx?PageID=1>.

Jeff Hook, Principal Planner, briefly reviewed the staff report; requested the Commission provide final comments and/or corrections to the Draft General Plan, review the Draft Environment Impact Report and provide direction, as appropriate.

In response to questions, Mr. Hook displayed how to access the Draft Environmental Impact Report (DEIR) via the City's website; requested the Commission review the alternatives considered by the DEIR and provide a recommendation to City Council; provided an overview of the next steps in the Draft General Plan review process.

Brian Judd, The Planning Center, advised that the Strategic Implementation Program will soon be forwarded to staff for their review before being forwarded to the Planning Commission.

Chris Grey, Traffic Consultant, was available for questions.

Thomas Frank, Transportation Engineering Manager, was available for questions.

Nicole Morse, The Planning Center, provided a brief overview of discussion potential environmental impacts in the DEIR at the Commission's last meeting; reviewed the four significant, unmitigatable impacts previously discussed. She noted that although none of the impacts would be eliminated under any of the alternatives identified in the DEIR, some of the impacts would be reduced; reviewed next steps in the process, including written responses to comments from the public during the review period and preparation of the Statement of Overriding Consideration and other documents needed for the certification of the Environmental Impact Report (EIR).

DEIR Discussion:

Vice Chair Brown complimented The Planning Center consultants for the excellent DEIR and acknowledged the tremendous effort that has gone into the process to date. He referred to a list of issues he previously submitted for clarification, and the Commission, staff and the consultants reviewed them accordingly. The consultants agreed to add text and/or revise DEIR text as follows:

- Either add a new mitigation measure or add to text to an existing mitigation measure to clarify that the City will no longer use results

from roadway segment analysis to determine LOS levels for its intersections once multimodal results are available.

- Planning Center consultants to ensure pertinent policies in the Strategic Implementation Program support the consideration of road diet analyses on streets throughout the City, not solely for main thoroughfares.
- Consultants to ensure the implementation measures address extension of the Foothill Transportation Corridor, or “toll road”, including alternatives.
- Consultants to add an explanation of the method the traffic model used to analyze traffic, i.e. using normal, average traffic volumes rather than summer or peak demand periods.
- Staff to research the City of Newport Beach’s policy regarding road design to normal, average traffic volumes and bring back for the Commission’s review.

During the ensuing review and discussion of the DEIR, the Commissioners, either individually or in agreement, provided the following commentary:

- Suggested the consultants consider adding an implementation measure that would incorporate some of the dark skies implementation measures, such as reducing lighting in zones adjacent to open space areas, into a mitigation measure.
- Established from the consultants that a full economic impact evaluation, requested and funded by a developer requesting inclusion, would have to be performed before the City would consider including areas, such as Area 8 of the Rancho Mission Viejo Plan, into its Sphere of Influence.
- Established from the consultants and staff that many of the goals of the General Plan, including new job creation, desire to add medical office space near the hospital, need for higher education opportunities, etc., are in response to issues brought up by the community in surveys, workshops, during public testimony, etc.

Commissioner Eggleston expressed concern that the DEIR does not address impacts to residential areas adjacent to commercial areas targeted for growth in the Draft General Plan. He believes it is appropriate for the DEIR to take broad impacts into consideration, such as parking, noise, air quality, etc., when making recommendations for increased commercial in the south west area so that residents have an idea what the level of impact will be.

Ms. Morse explained that the DEIR is expected and required to look at big picture issues and does not discuss impacts at the site specific level or of projects unknown at this time. Certain details, such as noise and parking

impacts, length of construction, etc., will be analyzed at the project level when future projects are submitted.

Chris Grey, Traffic Consultant, explained difficulties associated with inferring or estimating potential impacts when no specific use or development project has been identified.

City Planner Pechous advised that the City Council previously approved the Scope of Work for this project. The costs and additional time needed to analyze down to a site-specific level would be significant. He noted proposed increases in density in the new Draft General Plan are relatively minor and limited to a few Focus Areas. He advised that the Draft General Plan includes many policies to protect residents' quality of life, maintain the City's village character, prevent impacts to neighborhoods, etc., which will be used to ensure the protection of the affected areas. He pointed out that general plan EIRs, on average, err on the side of over-predicting impacts and indicate the highest levels that can be accommodated. He noted the development projections in the 1993 General Plan are in actuality much lower than predicted. He advised that the City could go through the extra expense of researching and evaluating impacts on non arterial streets, but he is not sure of the value of that information.

Commissioner Ruehlin noted that the General Plan Advisory Committee (GPAC) looked at options for the area carefully and from many angles before making its recommendations. If limited growth is not allowed, it's likely some areas will remain blighted. When considering alternatives for the area, GPAC selected the alternative that would ensure the best overall neighborhood for the south west communities.

Commissioner Kaupp advised that in the beginning of this process, he had concerns similar to those expressed by Commissioner Eggleston. However, the community has expressed desire to improve the blight in the area. He agreed impacts from unknown projects cannot be envisioned at this point, but noted appropriate tools have been put in place to ensure mitigation of impacts and retention of quality of life for residents when development does occur.

Commissioner Eggleston pointed out that he is not opposed to rehabilitation or development in the area, but feels that impacts on adjacent neighborhoods should be taken into consideration. A good example is the Ralph's project, which ended up causing much controversy and dividing the community. The original concept project would have created negative impacts for the area. He believes things change and there should be growth, but at the time it is recognized that there should be growth, there should be an idea of how it will affect the adjacent areas.

Consultant Brian Judd commented that the General Plan's proposal is to add potential for Mixed Use residential in the El Camino Real corridor adjacent to existing residential. He believes this alternative enhances the City's village character and makes it more compatible with existing development.

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

DEIR Alternatives Discussion:

Jeff Hook, Principal Planner, reviewed the alternatives studied in the DEIR and requested the Commission provide a recommendation to City Council. In response to a request, he agreed to add a column listing existing number of dwellings, population, non-residential floor area, etc. to Table 7-1, "Buildout Statistical Summary", on page 7-5.

Consultant Nicole Morse discussed the alternatives in detail and noted the importance of comparing buildout projections for the Alternatives to buildout projections in the 1993 General Plan, not just to existing population and development statistics.

Chair Darden provided a sample comparison illustrating how the tools in place will ensure that growth is under control. Although a property she owns is located in an R-3 zone, due to space constraints, she could never develop it to its full potential because the property could not support the required parking. For the maximum amount of density to occur, every property would have to be realized to its full potential, which is a highly unlikely scenario for many reasons.

Consultant Brian Judd agreed to confirm all numbers listed in Table 7-1 are accurate; noted that although the City will likely never be a "jobs rich" community due to its location. The "Jobs-to-Housing Ratio indicated the project number of jobs divided by dwelling units and was a measure of the balance between commercial and residential development. The higher the number, the more "jobs rich" the community, but there was no single standard or ideal number that all cities should achieve. He advised that the "Council-Preferred Plan", referred to as the "Proposed Project" in the DEIR, projects the highest jobs/housing balance for the community but is associated with significant, unmitigatable environmental impacts. He clarified that the City Council Hearing Draft Centennial General Plan was not proposing any development or change in land use in open space areas.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP, AND CARRIED 5-0-2, WITH COMMISSIONER EGGLESTON AND COMMISSIONER WARD

ABSTAINING, TO RECOMMEND CITY COUNCIL APPROVAL OF THE "ALTERNATIVE LAND USE" alternative.

Commissioner Eggleston requested further discussion of the "Reduced Intensity Alternative" before making a final decision.

IT WAS MOVED BY VICE CHAIR BROWN SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO RECONSIDER ENDORSEMENT OF ALTERNATIVES FOR RECOMMENDATION TO CITY COUNCIL.

Commissioners, consultants and staff compared alternatives, discussed noise, density, air quality, and traffic impacts, and reviewed Section 7-7 regarding the "Environmentally Superior Alternative" and acknowledged that although the "Reduced Intensity Alternative" appeared to be environmentally superior, Commissioners felt it was important to seek balance between economic growth, goals, environmental impacts, quality of life, etc. Commissioner Eggleston thanked the Commissioners for reconsidering the alternatives and noted the importance of fully discussing all options before actions are taken.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP AND UNANIMOUSLY CARRIED TO RECOMMEND CITY COUNCIL APPROVAL OF the "Alternative Land Use" alternative described in Section 7.5 of the DEIR.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL]

9. **NEW BUSINESS** - None
10. **OLD BUSINESS** - None
11. **REPORTS OF COMMISSIONERS/STAFF**

Commissioner Eggleston invited the Commission to observe the property located across the fire station on Avenida Victoria and suggested the Commission consider recommending potential mitigation to prevent the property from becoming derelict.

Commissioner Ruehlin requested staff add "Subcommittee Recommendations Regarding the Web-based General Plan" to the August 7, 2013, agenda. Principal Planner Hook advised that the subcommittee and staff will schedule a meeting to complete review of the recommendations before presentation to the Planning Commission.

Vice Chair Brown recommended the Commissioners review the Governance Element of the General Plan and consider how the City will operate within the guidelines once the General Plan is adopted by the City Council. He expressed

concern with the amount of time it has taken to go through the General Plan Update process and how staff will transition to implementing the Strategic Implementation Program.

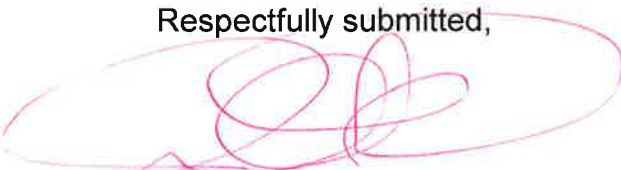
Mr. Hook advised staff will bring resolutions for approval to the Commission's August 7, 2013, meeting; anticipated that the City Council will review and consider the Draft General Plan and Final EIR in September and/or October 2013; noted that after staff review, the Commission will review the Strategic Implementation Program in advance of City Council for purposes of refinement and discussion. He added that based on the Commission's recommendation, including an exhibit listing changes and "addenda" to the Draft, the City Council will receive a "clean" copy of the Draft General Plan which includes the Commission's corrections, additions, etc., for final review and action.

Mr. Hook announced that staff had received lengthy email correspondence from a citizen who requested that it be included as part of the public record on the General Plan. He said the correspondence would be forwarded to the Commission prior to its consideration of final action on the Draft General Plan. Commissioner Ruehlin expressed hesitancy to add/revise at this point in the process due to the lengthy time it has taken to arrive at the current Draft Plan.

12. ADJOURNMENT

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to adjourn at 7:50 p.m. to the Adjourned Regular Planning Commission Meeting to be held at 6:00 p.m. on August 7, 2013, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,



Julia Darden, Chair

Attest:



Jim Pechous, City Planner