

04/03/12
6B(1)

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
March 21, 2012 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Anderson called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:05 p.m.

2. PLEDGE OF ALLEGIANCE

Chair pro tem Darden led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
Zackary Ponsen, Senior Civil Engineer
Ajit Thind, Deputy City Attorney
Eileen White, Recording Secretary

Agenda items are presented in the originally agendized format for the benefit of the minutes' reader, but were not necessarily heard in that order.

6B(1)-1

4. SPECIAL ORDERS OF BUSINESS

A. General Plan Advisory Committee (GPAC) Update (Alan Korsen)

A presentation by GPAC member Alan Korsen updating the Commission on recent GPAC meetings. Mr. Korsen will summarize key General Plan policy discussions and comments raised at the meetings.

Alan Korsen, GPAC member, reviewed issues presented and discussed at the last GPAC meeting, including minutes correction regarding the Marblehead Coastal project. He explained GPAC's final decision on the matter to be revised and reflected in the GPAC minutes as follows: "If (the Marblehead Project is) not realized by its expiration date in 2018, the City shall initiate a new planning process for the area." In addition, he noted the GPAC received an outstanding presentation regarding Climate Action Plan (CAP), provided the City's population percentages that work/live both inside and outside of the City, and noted it is anticipated that additional GPAC meetings beyond May 14, 2012 will be needed for the Committee to complete its review of the draft General Plan sections.

In response to a comment regarding whether he thinks the draft General Plan document was substantively changed during the Commission's review, Mr. Korsen acknowledged that GPAC members have expressed concern that their work on the update during the past two years might have been for naught if it is being disregarded by the Planning Commission. He added that he has encouraged the members to review the Planning Commission meeting video and embrace their role as an advisory committee.

Commissioner Kaupp requested Mr. Korsen forward comments to the GPAC that the Planning Commission is incredibly impressed with the detail and quality of work provided by GPAC members and wanted to emphasize that the Commission valued GPAC's recommendation. He wanted to dispel any notion that the Commission was somehow being "cavalier" in its review of or commentary on GPAC's work. He added the Commission looks at the draft General Plan with different perceptions from those of GPAC and that all perceptions are equally important to the success of the document.

6B(1)-2

Mr. Korsen thanked Commissioner Kaupp for his comments, and noted the GPAC is dedicated and invested in the project, and would like to see an outstanding product as a result.

Oral report received.

B. General Plan Policies (Hook) (continued from 03-07-12)

Consider General Plan Advisory Committee comments and recommendations and review draft General Plan goals, policies, and implementation actions for the sections on Land Use and Natural Resources.

Chair Anderson requested staff begin their presentation with the Del Mar/T-Zone element of the General Plan, which includes a proposed two story height limit, as this issue has generated substantial public commentary and discourse. This issue warrants thoughtful consideration, notice to all affected property owners and possibly, holding a public workshop and/or meeting dedicated to the topic to determine pros and cons, discuss consequences, understand existing CUP procedures, etc. The Commission will receive public testimony, provide input, and continue this element of the General Plan to a future meeting.

Commissioner Kaupp recused himself from considering this portion of the General Plan due to property ownership in the affected area and left the meeting room.

Jeff Hook, Principal Planner, projected draft General Plan sections on the overhead and recommended the Commission review the selected text, provide input and take action if desired. Revisions will be incorporated into the text and become the Commission's edited copy. The Commissioners will have additional opportunities to review and/or revise the document as it progresses through the approval process. He noted that Brian Judd of The Planning Center was also present for questions.

Consultant Judd referred to a mixed-use guide developed by The Planning Center as a design concept to use for future shaping of Del Mar/T-Zone, and agreed to provide copies to the Commissioners for their consideration.

Del Mar/T-Zone

Commissioner Darden questioned whether the statement "The area exhibits a balance between economic and cultural vitality and village character through its Spanish Colonial Revival architecture, pedestrian-orientation and ocean views that provide a unique sense of place." She questioned whether this statement sets a tone which may not be in agreement with the policies following the goal statement, especially with regard to reduced building height limits. The Commissioners agreed to insert a placeholder for this sentence, to be revisited once the relationship between building heights, historic rehabilitation and Spanish Colonial Revival architecture is clarified. In addition, the Historic Preservation Policy will be revisited after the sections on Spanish Colonial Revival architecture, remodeling strategies and new development have been thoroughly discussed.

On a question from Commissioner Crandell, City Attorney Thind confirmed that the City could make findings to justify reducing maximum building heights, and if it did so, he felt the reduction would be legally defensible and valid.

The Commissioners agreed that staff would simplify the Bicycle and Pedestrian Environment Policy in this section.

Chair Anderson invited the public to provide comment.

Email dated March 19, 2012, from G. Wayne Eggleston, resident, in favor of a two story ban in the Del Mar/T-Zone area. The email was read aloud during the meeting by Kathleen Ward.

Letter dated March 20, 2012, from Christine Lampert, resident, supporting the existing three story building height in the Del Mar/T-Zone area. The letter was read aloud during the meeting by Donald Prime.

Email dated March, 20, 2012, from Gary Hopp, resident, in favor of the proposed two story ban to support the 97% majority vote of residents who voted in a recent poll to keep the area in human scale.

4B(1)-4

Email dated March 20, 2012, from Mary McMenamain, resident, opposing the two story ban and referencing successful existing buildings over two stories in the Del Mar/T-Zone area.

Email dated March 21, 2012, from Marji Boughton, Downtown property owner, opposing the two story ban to preserve property rights and property values in the area.

Letter dated March, 21, 2012, from Jeanne Griffin, resident, opposing the two story ban, which will devalue properties and adversely affect business revenue for the City.

Email dated March 21, 2012, from Rick Franks, resident, opposing the two story ban as it will undermine much needed new development.

Letter dated March 26, 2012, from S. Randall Griffin, resident, opposing the two story ban, which will inhibit business opportunities and property values.

Ed Bracknau, resident, opposed allowing three story buildings on Del Mar to improve the area's silhouette, discourage overcrowding, reduce the parking shortage, and improve the City's first impression.

Larry Culbertson, resident, distributed handouts to the Commissioners depicting the streetscape along both blocks of Del Mar and indicating the number of stories for each building. He supports limiting buildings to 2 stories in the Del Mar/T-Zone area.

Jennifer Massey, resident, urged the Commissioners to endorse the GPAC recommendation and supported maintaining the area to 2 stories in order to preserve the City's beguiling and different atmosphere, and not sacrifice the City's jewel quality for profits.

Jeri Mann, resident, opposed allowing three story buildings in order to preserve the charm and uniqueness of the City. She recounted the success of resident's groups bonding together to preserve their quality of life, and asked the Commission to support the majority's wishes, which are to preserve the City the way it is.

Kathleen Ward, resident, read the letter submitted by Wayne Eggleston, who opposes three story buildings in the Del Mar/T-Zone due to potential negative impacts caused by intensification of use, loss of village character, poor history of mixed use projects in the City, and inadequate infrastructure to support three story buildings. He called for a vision workshop in order to allow public discourse on the subject.

Kathleen Ward, resident, opposed allowing three story buildings in the Del Mar/T-Zone because the concept is incompatible with the City's Vision Document, GPAC recommendation, City survey results, and definition of village character.

Donald Prime, resident, read the letter submitted by Christine Lampert, resident, supporting continuing to allow three-story buildings because it is part of Ole Hanson's original vision for the City; stating that removing the property owners' rights to build up to three stories devalues property and takes away established rights; noting the elimination of the third story reduces mixed use properties, with residential units on the third floors, which brings vibrancy and life to downtown environments; calling for a committee of experts in the field of urban design to evaluate the streetscape.

Juniel Worthington, resident, opposed allowing three story buildings in order to maintain the City's village character and support the GPAC recommendation.

Brenda Miller, resident, commented on the City Council's enjoyment of the bike tour of Long Beach; noted that embracing multi-modal transportation helps cities weather the storm of high density housing and intensity of use, as well as increases sustainable transportation and quality of life; emphasized the necessity of creating multi-modal transportation routes throughout the community. She suggested revising the Bicycle and Pedestrian Environment Policy to add "multi-modal," in front of "bicycle and pedestrian" throughout the policy, and eliminating the term "appropriate" on the fifth line.

Eugene Gilbert, resident, supported limiting the downtown area to two stories in general, but conceded there should be a process to allow three stories if feasible on a case-by-case basis.

Richard Boyer, resident, noted the vast majority of residents have indicated through surveys, project votes, and public testimony that they want the City's downtown to remain the same, which to most means limiting the story count to what it is today, and eliminating the option to add a third story.

Barbara Brocknau, resident, opposed allowing three story buildings on Del Mar/T-Zone to maintain the beautiful views from the top of Del Mar, eliminate having to chose which property owners will be allowed to build to three stories, refrain from setting precedence for other projects, not aggravate the existing parking shortage, and maintain the City's quaint Village by the Sea character.

Donald Prime, resident, supported allowing the third story option in the Del Mar/T-Zone in order to preserve the property rights and values of owners. As a downtown property owner, he was never contacted about the potential loss of property development rights. He commented that the lots downtown are privately owned parcels, not community assets to be developed as the community sees fit to develop. He promoted addressing the expansion of Del Mar/T-Zone area with additional design and massing guidelines.

Georgette Korsen, resident, opposed allowing three story buildings on Del Mar/T-Zone because surveys have indicated and residents have stated their preference that the City maintain a village character and preserve its charm and human scale. She urged the Commission to vote to reflect the values stated by residents and remove the option to allow third stories in the area.

Chair Anderson closed the public comment portion of this item.

Commission Comment:

The Commissioners agreed this topic warranted further research, discussion, and public input before moving forward with a decision.

Chair Anderson noted that although the design guidelines for the Del Mar/T-Zone area allow up to three stories with a CUP, no new development has occurred in 20 years because of the difficulties associated with providing parking on small lots. Urban Design Guidelines in

place ensure that any redevelopment addresses massing in a thoughtful way and is done in a manner consistent with Spanish Colonial Revival architecture. She pointed out that existing buildings with over two stories were built under the direction put forth by Ole Hanson. She established from staff that the Zoning Ordinance now sets a two-story limit for Downtown buildings that are 100 percent commercial or residential, and that only mixed-use buildings can have three stories, and then only under certain circumstances. She noted that mixed use in downtown areas typically create hubs for residents to work and live, reduce car trips and encourage alternate methods of transportation, and bring vitality to the neighborhood. She believes additional meetings are necessary to fully discuss and understand all the issues involved, with input from the public, GPAC members, property owners, etc. before a decision should be made.

Vice Chair Avera thanked Brenda Miller for her efforts with the Bike Master Plan and helpful assistance to the GPAC. He supports continuing to allow three-story buildings, since their massing can be controlled through Zoning Ordinance requirements and Design Guidelines that address floor area ratio (FAR), building setbacks, building height requirements, etc. He thanked Larry Culbertson for providing the streetscapes, which in his opinion, indicate that three-story buildings can be a welcome addition and provide variety in roof tops. He pointed out for the record that the GPAC's vote in support of a two-story height limit passed with a slim majority and a significant number of members absent.

Commissioner Ruehlin felt the vote taken by GPAC to support a two-story height limit in the Del Mar/T-Zone area was premature, not properly researched in advance and abruptly undertaken. Legal and land use issues were not addressed with the degree of thoughtfulness and attention to detail as they deserved. Although there is room for improvement, limiting the Downtown to two stories would change the direction of the Del Mar/T-Zone area, which currently is experiencing a much improved, vibrant, and enjoyable revival. This is a complex issue, which needs thorough discourse, research and understanding before any decision can be made.

Commissioner Darden agreed that the issue deserves additional discussion, airing of points of view and research before a decision can be made. She noted the need for balance between two important issues, the residents' desire that the area remain as it is today and their desire that the area maintain its economic viability and job development. Balancing

the two issues is of vital importance; the wrong decision can result in unintended consequences. She is confident that a three-story mixed use building, which is only allowable with a CUP to address issues of massing, architecture, parking, and design standards, can be done with thoughtful design and careful guidance and still preserve the area's village character and avoid "canyonization." She submitted suggested language for insertion into the Introduction, Parking Policy, and Height Limitation sections. Proposed revisions were inserted as placeholders to be discussed at a future meeting.

Commissioner Brown believes the area has reached a natural equilibrium as a result of the lot area and dimension limits, parking limits, and overall economic climate. He felt this culminated in a vast majority of one- and two-story buildings. He agreed there are many things to discuss and address before a decision can be made. He pointed out that if the San Clemente Inn is converted from an apartment building back to a hotel, further parking shortages would result. Providing adequate parking for three-story uses will be of major consideration in the decision making process.

Commissioner Crandell believes it may be too impractical and difficult to design a viable mixed use, three-story building in light of current constraints. He expressed concern with the possibility the City might continue to allow three stories into the future, with no guarantees of capable staff, committees, and commissions in place to ensure careful and thoughtful planning, since this could result in unintended consequences. He agreed that additional research, especially with regard to legal issues, is necessary before a decision can be made.

No action was taken. The Commission included several text "placeholders" and suggested language additions/deletions and additional links to be included in the Commission's edited document for further review.

Residential Land Use Chart

The Commissioners debated the merits of requiring or encouraging a certain amount of usable outdoor space for single family lots, similar to open space requirements for multi-family lots, including addressing those lots with less usable space due to slopes and canyons. The Commissioners

6B(1)-9

elected to leave a placeholder in this section to allow for future research and discussion before any action is taken. In addition, the term "sidewalks" was added to the "Access to Amenities" and "Maintenance of Neighborhood Character" Policies, and a "Water Conservation" link was added.

IT WAS MOVED BY CHAIR PRO TEM DARDEN, SECONDED BY VICE CHAIR AVERA, AND UNANIMOUSLY CARRIED TO CONTINUE CONSIDERATION OF GENERAL PLAN POLICIES TO THE MEETING OF APRIL 4, 2012.

[ACTION PENDING. PLANNING COMMISSION ITEM CONTINUED.]

5. MINUTES

A. Minutes from the Regular Planning Commission Meeting of March 7, 2012

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY COMMISSIONER CRANDELL, AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MARCH 7, 2012, AS PRESENTED.

6. ORAL COMMUNICATIONS

Cheryl Moe, resident, opposed the 54 foot lighted entry tower approved for the new Ralph's on South El Camino Real. She commented that its height is detrimental to adjacent properties and that its uplighting was contradictory to dark skies philosophies. She added that the tower's height was outside the purpose and intent of the Zoning Code limitations and felt it set an unfortunate precedence. She suggested the Zoning Code be rewritten to specify a maximum, finite number for tower heights. She displayed the original rendering associated with the project and commented that the drawing included palm trees to obscure and mislead the public and Commission regarding the actual height of the tower.

Richard Boyer, resident, commented that the Ralph's project evidences two important issues: 1) the project was able to be designed using the City's existing Code, without need for exceptions or amendments, and 2) it stands as an example that the City must proceed carefully to ensure all projects remain true to the City's unique vision and do not start to resemble adjacent beach towns.

7. WRITTEN COMMUNICATIONS - None

8. CONSENT CALENDAR

9. PUBLIC HEARING

10. NEW BUSINESS

**A. Community Development Department Accomplishments 2011 (Pechous)
(continued from 03-07-12)**

A report from the City Planner on the Community Development Department 2011 work accomplishments.

Planner Pechous suggested the Commission table this item. It will be re-noticed for a future meeting with fewer items on its agenda.

IT WAS MOVED BY VICE CHAIR AVERA, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO TABLE COMMUNITY DEVELOPMENT DEPARTMENT ACCOMPLISHMENTS 2011.

11. OLD BUSINESS - None

12. REPORTS OF COMMISSIONERS/STAFF

Included in the Commissioners' packets for their review:

- A. Tentative Future Agenda
- B. Minutes from the Zoning Administrator meeting of March 7, 2012
- C. Staff Waiver 12-084, 516 Elena Lane

The Commissioners agreed to cancel the Study Session of April 4, 2012, and start the regular meeting at 6:00 p.m.

The Commissioners agreed to request staff arrange for the Commission to hear at a future Study Session the Climate Action Plan presentation previously given to the GPAC.

13. ADJOURNMENT


6B(1)-11

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER BROWN AND UNANIMOUSLY CARRIED TO ADJOURN AT 10:13 P.M. TO THE ADJOURNED REGULAR MEETING TO BE HELD AT 6:00 P.M. ON APRIL 4, 2012, IN COUNCIL CHAMBERS AT CITY HALL LOCATED AT 100 AVENIDA PRESIDIO, SAN CLEMENTE, CA.

Respectfully submitted,

Nesa Anderson, Chair

Attest:



Jim Pechous, City Planner

6B(1)-12