

**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
November 15, 2012 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

12/04/12  
6B(2)

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**1. CALL TO ORDER**

Chair Avera called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:09 p.m.

**2. PLEDGE OF ALLEGIANCE**

Chair Avera led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Nesa Anderson, Barton Crandell, Michael Kaupp, 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  
Cliff Jones, Associate Planner  
Thomas Frank, Transportation Engineering Manager  
Zachary Ponsen, Senior Civil Engineer  
Eileen White, Recording Secretary

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

**5. MINUTES - None**

**6. ORAL COMMUNICATIONS - None**

**7. WRITTEN COMMUNICATIONS - None**

**8. CONSENT CALENDAR - None**

**9. PUBLIC HEARING - None**

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**10. NEW BUSINESS****A. Draft Coastal Element (Hook)**

The Draft General Plan Coastal Element contains planning and management policies that address public coastal access, recreation, marine environment and resources, land use and development. Once adopted, the General Plan Coastal Element becomes part of the City's Local Coastal Program, a plan required of all coastal cities in California and which protects, maintains and where feasible, enhances and restores the coastal zone and its natural and artificial resources.

Jeff Hook introduced the Draft General Plan Coastal Element, which had been reviewed and commented on by both the General Plan Advisory Committee (GPAC) and Coastal Advisory Committee (CAC); referenced a letter dated November 15, 2012 from Gaines & Stacey, LLP, representing the Capistrano Shores Mobile Home Park, requesting the City ensure that the Draft Coastal Element is consistent with the Manufactured Housing, Mobilehome Park and Coastal Acts and with related laws and regulations; recommended the Commission review, discuss, and modify policies or implementation measures as desired. He noted the final copy of the document will return to the Commission for final review/action before presentation to City Council. In addition, he advised that tonight's agenda had been properly noticed as required by law.

Chair Avera suggested the Commission refer the Capistrano Mobile Home Park letter to Planning and Legal staff for analysis and recommendation. The Commission will have the opportunity to comment and/or take action in response to the letter at a future meeting.

Jim Pechous advised that after the General Plan is adopted, the Coastal Element will become part of the larger and much more detailed Local Coastal Program, which will be submitted to the California Coastal Commission for certification. The Local Coastal Program will be revised in response to the Commission's comments and recommendations. The Commission then reviewed the Draft, section by section, inviting public comment with the Commission's review of each section.

**Coastal Element**

Chair Avera opened the public hearing.

Sue Loftin, attorney representing Capistrano Shores Mobile Home Park, commented that links in the draft General Plan elements were not working; informed the Commission that the Capistrano Shores Mobile Home Park

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operates under a conditional use permit (CUP) and is run by a corporation; expressed concern that the proposed Implementation Measure 8 of the Draft Coastal Element would require future public access and requested Capistrano Shores be removed from the Measure; requested the City ensure provisions in the document are consistent with State and Federal standards.

Mark Howlett, resident, stated that Capistrano Shores Mobile Home Park is a corporation, run like a business, unlike a regular mobile home park.

Jane Wallace, resident, requested the Commission remove the reference to Capistrano Shores Mobile Home Park in the draft Implementation Measure 8.

Gerry Loughman, Mobile Home Park resident, stated that a view study conducted by the Park showed that allowing buildings up to 26 feet would not obstruct public views; requested the Commission remove the reference to Capistrano Shores Mobile Home Park in draft Implementation Measure 8.

Bill Hart, GPAC Co-Chair and Chair of the CAC, clarified that adoption and approval of the City's Local Coastal Program will delegate regulatory authority from the State Coastal Commission to the City to enforce certain portions of the Coastal Act, with the exception of that portion of the Coastal Zone between the first public road and ocean.

Chair Avera closed the public hearing. He assured the Park homeowners that the Commission will discuss their requests once Legal and Planning staff have reviewed the issues and provided direction.

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, under "Primary Goal" first bullet, following "natural resources" insert "coastal canyons,"
- Page 1, under "Primary Goal" 8<sup>th</sup> bullet, replace "Is" with "Be"
- Page 1, under "Primary Goal" between the 6<sup>th</sup> and 7<sup>th</sup> bullet, insert new bullet as follows: "Preserve the coastal zone as a key part of our beach culture."
- Page 1, under "Primary Goal" staff to add additional bullet regarding land use and development.
- Page 2, under "Links to Reference Materials and Background Information" add the following links, "Local Coastal Program," "Urban Runoff Master Plan," and "Regional Water Quality Management Board."

Legislative Requirements – Coastal Act

Mr. Pechous advised that the Coastal Commission has, in the past, and will continue to require access for the public to beaches when development occurs. He noted the California State Coastal Commission, in enforcing the Coastal Act, supports affordable, publicly accessible recreational uses, including retail uses and restaurants, to be located along the coast.

Chair Avera opened the public hearing on this section of the Draft Element. There being no public testimony, Chair Avera closed the public hearing.

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, 11<sup>th</sup> paragraph, staff to research and revise if necessary for clarification.
- Page 2, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, replace with the following: "The Coastal Element and other parts of the General Plan comprise the required Land Use Plan of the Local Coastal Program, and, in combination with the updated Zoning Ordinance, will help meet requirements to prepare the City's LCP.
- Requested staff provide a map for Commission approval showing the areas where coastal development permit authority will transfer to the City upon certification of the Local Coastal Program, and include a link from the Coastal Element to the map following the Element's approval.

Reader's Guide

Commissioners commended staff for the document, citing the Reader's Guide's ease of use and efficiency for the Public and developers.

Chair Avera opened the public hearing.

Bill Hart recommended the Commission include the Reader's Guide as part of the General Plan to ensure consistency throughout as the General Plan is updated and/or amended.

Chair Avera closed the public hearing.

During discussion of the Reader's Guide, Commissioners discussion the pros and cons of including the Reader's Guide as part of the General Plan document or keeping it outside of the document as an educational tool. Of major concern were the ability and efficacy of updating and/or amending the Reader's Guide as needed and the importance of it being consistent with the General Plan.

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Provisionally, Commissioners agreed to retain the Reader's Guide in the General Plan Coastal Element, with staff to research and communicate with The Planning Center regarding best practices and report back.

Following discussion, the Commissioners provided comment and suggested revisions as follows:

- Encouraged staff to develop a new name for this section that further defines it as an aid to locating coastal-related information.
- Suggested staff consider and consult with The Planning Center regarding potential for creating similar indexes for other elements of the General PI

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

#### Coastal Zone

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

The Commissioners approved this section without any comments or revisions.

#### Coastal Access and Recreational and Visitor-Serving Opportunities

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

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence, staff to verify inclusion of Camino de Los Mares as part of the Coastal Zone.
- Page 2, 1<sup>st</sup> bullet point, replace "sustainable" with "available"
- Page 2, C-1.2, add to the end of the sentence, "and legally possible"
- Page 3, C-1.13, replace "will continue to support" with "supports"

#### Protecting Sensitive Habitats, Historical and Natural Resources, and the Marine Environment

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

Following discussion, the Commissioners provided comment/suggested revisions as follows:

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- Page 1, C-2.2, following “(urban runoff)” insert “and Federal, State, and regional requirements.”
- Page 1, insert new C-2.4 as follows: “We protect our natural resources by prohibiting the encroachment of development, incompatible land uses, and sensitive habitat disturbance into designated coastal canyons and coastal bluff areas.”
- Page 1, C-2.5 (formerly C-2.4), insert “that new” following “ensure”
- Page 2, insert new C-2.6 as follows: “We encourage restoration of native landscaping in coastal canyons and bluffs.”
- Page 2, C-2.10 (formerly C-2.8), insert “help” between “2)” and “ensure”
- Page 2, add to the “Links to Reference Materials and Background Information,” “Regional Water Quality Management Board;” staff directed to add another other relevant Federal, State, or regional plans.

### Scenic and Cultural Resources

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

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, 2<sup>nd</sup> sentence, staff to check Coastal Act Scenic Corridor requirements and report back to Commission.
- Page 1, end of the 1<sup>st</sup> paragraph, staff to standardize term “view corridor” by specifying “designated scenic view corridor”
- Page 1, staff directed to add goal to address prevention of intensification of use.
- Page 1, C-3.1, insert “designated” before “significant public views;” staff directed to define and list designated, significant public views.
- Page 1, insert new C-3.2 as follows: “We identify and designate the locations and orientation of significant view corridors and significant public views.”
- Page 1, C-3.4 (formerly 3.3), insert “designated, significant” before “public coastal views;” staff directed to review paragraph to clarify intent and revise accordingly.
- Page 1, add to the “Links to Reference Materials and Background Information,” “Map of Significant Public View Corridors and Significant Public Views”

Coastal Hazards

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

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, 1<sup>st</sup> paragraph, following "flooding" insert "railroad accidents" (if not addressed elsewhere)
- Page 1, C-3.1, beginning of sentence, insert "First"
- Page 1, C-3.5, 2<sup>nd</sup> sentence, following "sea level rise" insert "as established by Federal or State authorities"
- Page 1, add to the "Links to Reference Materials and Background Information," "Information on climate change/sea level rise"

Coastal Zone Implementation Measures

Chair Avera opened the public hearing.

Bill Hart requested staff research and revise Draft Implementation Measure 10 regarding the preservation of coastal wildlife sanctuaries to ensure it is not contrary to the goal of allowing continued Public sport fishing.

Brenda Miller, resident, suggested revision to add "aesthetically pleasing" when requiring bike racks at the beach. (8b)

Chair Avera closed the public hearing.

In response to comments and questions, Mr. Pechous advised that because the Capistrano Shores Mobile Home Park site is located on a site zoned for Open Space and is larger than one acre, a City-wide vote would be required to change its zoning designation. He agreed to research the history of the site and report back.

Following discussion, the Commissioners provided comment/suggested revisions as follows:

- Page 1, no. 3, 2<sup>nd</sup> sentence, following "exists," insert "as adjudicated by a court of law"
- Page 1, no. 4, following "prescriptive rights" insert "as adjudicated by a court of law"

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- Page 1, no. 8, Legal staff requested to review regarding concerns brought forward by Capistrano Shores Mobile Home Park and report back.
- Page 2, no. 8b, insert "aesthetically pleasing" before "bicycle racks"
- Page 2, no. 9, staff requested to revise to address multimodal access parking.
- Page 2, no. 9b, staff requested to reword for clarity.
- Page 2, no. 10, staff requested to research to ensure not anti-fishing; following "coastal" insert ",terrestrial"; following "wildlife" insert "or plant"
- Page 2, insert new Measure no. 11 as follows: "The City will develop information aids for planting where native plants are required, and care of native landscaping in coastal canyons and bluff areas, and their planting and care, and for the removal of officially designated invasive plant species."
- Page 2, staff requested to add language to address OCFA Fuel Modification Requirements.

## 11. OLD BUSINESS

### A. Draft Circulation Element (Hook)

The Commission will review draft goals, policies and implementation measures regarding how various transportation modes are to be accommodated, including motor vehicles, rail, public transit, pedestrians, skateboarders and bicyclists, and how these policies and measures relate to existing and planned land use and other planning factors. The Commission may also review technical background documents, including a traffic model report, Roadway Network Plan, and an explanation of "levels of service" and how these are addressed in the Draft Element.

Jeff Hook recommended the Commission continue this item to its meeting of December 19, 2012.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY CHAIR PRO TEM BROWN AND UNANIMOUSLY CARRIED TO CONTINUE CONSIDERATION OF THE DRAFT CIRCULATION ELEMENT TO THE REGULAR MEETING OF DECEMBER 19, 2012.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

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**B. Draft Bicycle Pedestrian Master Plan (Hook/Jones)**

With review of Chapters 1 and 2 completed, the Commission will review Draft Bicycle and Pedestrian Master Plan (BPMP) Chapters 3 through 10 and the Appendix, with emphasis on Chapter 3, "Candidate Projects." This chapter describes possible street improvements and related infrastructure improvements to implement the Draft Plan's recommendations. Possible improvements include modifying public streets to improve bicycle and pedestrian circulation, bicycle parking facilities, traffic "calming" changes and many other possible changes. In essence, Chapter 3 sets out a "menu" of possible changes which would require detailed engineering analysis and design before they could be approved and built.

Cliff Jones narrated a PowerPoint Presentation entitled "City of San Clemente, Bike and Pedestrian Master Plan, dated November 15, 2012." He requested the Commission identify Candidate Projects in Chapter 3 they wish to discuss in detail at a future meeting, possibly December 5, 2012, and provide comments and questions on the remaining chapters.

Chair pro tem Brown requested additional information be provided on Candidate Project "Class 1, Rank 1" on El Camino Real. In addition, he requested staff identify how cyclists and pedestrians could access the ocean from inland areas, including Talega, Forster Ranch and The Reserve; expressed concerns regarding child safety and requested additional information regarding "safe routes to school" programs.

Chair Avera pointed out that Candidate Project Class 1, Rank 2 along Avenida Pico is an integral route due to its potential to provide the best linkage between inland areas and the ocean. He felt this route should receive high priority.

Commissioner Ruehlin requested addition of an educational component to ensure road rules and traffic signage are understood by drivers and cyclists.

In response to comments and questions from Commissioners, Mr. Jones indicated there was an error on Figure 3.3 which did not show Candidate Project Rank 8 and agreed to provide corrected maps with verified distances. He also agreed to email a copy of the slide presentation to the Commissioners.

Chair Avera opened the public hearing.

Brenda Miller, representing PEDal, referred to the listing of Suggested Candidate Projects for San Clemente's Bicycle and Pedestrian Master Plan submitted by PEDal; she noted that the Safe Routes to School maps were designed and

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plotted in accordance with comments provided by parents; noted all projects on list were in conceptual stage.

Richard Boyer, resident, praised the City's level of commitment to the development of a Bicycle and Pedestrian Master Plan, including the City Council, volunteers, staff, and residents; encouraged the Commissioners to ride or walk the Candidate Project areas to experience the challenges for themselves and understand project barriers.

Chair Avera closed the public hearing.

IT WAS MOVED BY VICE CHAIR DARDEN, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO CONTINUE DRAFT BICYCLE PEDESTRIAN MASTER PLAN TO THE REGULAR MEETING OF DECEMBER 5, 2012.

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

## **12. REPORTS OF COMMISSIONERS AND STAFF**

Commissioner Brown reported that at the last Coastal Advisory Committee meeting, the Committee heard a report concerning the Comprehensive Load Reduction Plan and its submittal to the Regional Water Quality Control Board.

Commissioner Ruehlin reported that at the last and final working GPAC meeting, members requested a joint meeting with the City Council, following Planning Commission completion of its work on the General Plan. The purpose of the joint meeting is to present GPAC's findings and recommendations.

Commissioner Kaupp invited all to attend the Downtown Glitz, scheduled for November 25, 2012, beginning at 5:00 p.m.

Commissioner Anderson commented that she will arrive late to the November 20, 2012, meeting, due to a prior commitment.

## **13. ADJOURNMENT**


IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 11:04 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on November 20, 2012, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

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Respectfully submitted,

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Lew Avera, Chair

Attest:

  
Jim Pechous, City Planner

DRAFT

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**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
November 20, 2012 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

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**1. CALL TO ORDER**

Chair Avera called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:04 p.m.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Ruehlin led the Pledge of Allegiance.

**3. ROLL CALL**

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

Commissioners Absent: Nesa Anderson, Barton Crandell

Staff Present: Jim Pechous, City Planner  
Sean Nicholas, Associate Planner  
Christopher Wright, Associate Planner  
John Ciampa, Associate Planner  
Diane Quan, Planning Intern  
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 Adjourned Regular meeting of October 30, 2012**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the

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Adjourned Regular Planning Commission Meeting of October 30, 2012, with the following revisions:

Page 5, insert the following paragraph after the 4<sup>th</sup> paragraph, "Chair pro tem Brown was appreciative of the efforts of the other Commissioners and staff to increase the incentives for upgrading small scale buildings and potential remodel, and he recognized the additional safeguards put in place will make 'canyonization' more difficult. However, he felt that safeguards in the Del Mar/T-Zone area are required. He felt that a two-story limit with potential for three stories based on possible form based zoning is required. Accordingly, he supports the statements of Larry Culbertson, Richard Boyer, and Alan Korsen in the regards to the 2009 vision statement for San Clemente."

Page 5, 6<sup>th</sup> paragraph, first sentence, replace "Chair pro tem Darden" with "Vice Chair Darden"

Page 6, second sentence, replace "The Commission is maintaining guidelines...their properties," with "The Commission has also provided policies that give property owners options to improve and expand their property without building up,"

**B. Minutes from the Planning Commission Adjourned Regular meeting of November 7, 2012**

IT WAS MOVED BY VICE CHAIR DARDEN, SECONDED BY CHAIR PRO TEM BROWN, AND CARRIED 4-0-1, WITH COMMISSIONER KAUPP ABSTAINING, to receive and file the minutes of the Adjourned Regular Planning Commission Meeting of November 7, 2012, as submitted by staff.

6. **ORAL COMMUNICATIONS** - None

7. **WRITTEN COMMUNICATIONS** - None

8. **CONSENT CALENDAR** - None

9. **PUBLIC HEARING**

**A. 265 West Marquita – Cultural Heritage Permit 11-301 – Ruffalo Residence**  
(Wright)

A request to consider an exterior remodel and 1,023 square foot expansion of a nine-dwelling apartment complex. The project site abuts a historic structure at 267 West Marquita and is within 300 feet of a historic structure. The subject property is within the Residential Medium Density with Coastal Overlay (RM-CZ)

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and is located at 265 West Marquita. The legal description of the site is Lot 25, Block 17 of Tract 793 and Assessor's Parcel Number 692-095-05.

Christopher Wright, Associate Planner, narrated a PowerPoint Presentation entitled, "Cultural Heritage Permit (CHP) 11-301, Ruffalo Residence, dated November 20, 2012," and recommended approval of the request as conditioned.

Susan Ruffalo, applicant, advised the proposed addition to the existing structure will be her own unit; described the proposed addition; noted views of adjacent properties were protected as much as possible.

Chair Avera opened the public hearing.

Francis Nelson, resident, owns the adjacent historic home. She supported the building remodel, but did not support the addition as it might impact her ocean view. She noted a recent remodel in the area disturbed the topography and created cracks in her home.

Chair Avera closed the public hearing.

Following discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Commissioners felt findings could be met because proposed addition did not block views of the historic home.
- City regulations do not protect private ocean views.
- Commented the proposed addition is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The standards protects views of historic structures, not views from historic structures (e.g. ocean view looking from historic building).
- Commented the architectural improvements of the subject home will enhance the quality of the private ocean view from the historic home.
- Commended Ms. Ruffalo and Ms. Nelson for their compatibility and civility while disagreeing with the proposed addition.
- Commented that Ms. Nelson is free to remove trees and/or remodel her home in order to improve the views from her home.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 12-033 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 11-301, A REQUEST TO REMODEL AND EXPAND A LEGAL-NONCONFORMING, NINE-DWELLING APARTMENT COMPLEX ADJACENT TO AND WITHIN 300 FEET OF HISTORIC STRUCTURES, LOCATED ON A SITE AT 265 WEST MARQUITA.

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**[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]****B. 950 Calle Amanecer – Conditional Use Permit 12-338 – Crossfit Orange County  
(Ciampa)**

A request to consider a group instruction fitness class within an industrial/office building located in the Business Park zoning designation of the Rancho San Clemente Specific Plan. The project is located at 950 Calle Amanecer, legal description being Lot 23 of Tract 12402, Assessor's Parcel Number 688-032-04.

Diane Kwon, Planning Intern, narrated a PowerPoint Presentation entitled, "Conditional Use Permit (CUP) 12-338, Crossfit Orange County, dated November 20, 2012." Staff recommended approval of the request as conditioned.

In response to questions from the Commissioners, John Ciampa, Associate Planner, advised the parking is monitored in agreeable fashion by the existing business owners.

John Hughes, applicant, advised he is moving from current location due to increase in clientele; advised classes are timed with 15 minute breaks to ensure clients vacate parking before the next class begins; noted street parking was available in the occasional event additional parking is needed. The new facility will provide more than adequate space to accommodate his clientele and allow for growth.

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

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 12-034, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 12-338, CROSSFIT ORANGE COUNTY, A REQUEST TO ALLOW A COMMERCIAL RECREATION USE INVOLVING PHYSICAL TRAINING CLASSES WITHIN AN EXISTING MULTI-TENANT BUILDING LOCATED IN THE RANCHO SAN CLEMENTE BUSINESS PARK AT 950 CALLE AMANECER, SUITE 200, with the following revisions:

Page 1, 4<sup>th</sup> "Whereas", replace "November 21, 2012" with "November 20, 2012"

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

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C. 600 East Avenida Pico – Discretionary Sign Permit 12-107 – Mobil/Circle K Master Sign Program (Nicholas)

A request to consider a new Master Sign Program for an existing service station located at 600 Avenida Pico within the Regional Commercial (RC1) zoning district, Assessor's Parcel Number 679-042-01.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Discretionary Sign Permit 12-107, Mobil/Circle K Master Sign Program, dated November 20, 2012;" suggested new condition of approval relating to potential Avenida Pico street modifications. Staff recommended approval of the request as conditioned.

In response to questions from the Commissioners, Mr. Nicholas noted that the unofficial signage had been added to the site without permit when Mobil merged with Circle K was being modified and/or removed; displayed photographs of the existing and proposed signage.

Mr. Nicolas noted all signage was in conformance, including the pole sign; advised the monument sign with prices posted is required to satisfy a State requirement; noted all signage for the site is in compliance with regulations in the Signage Ordinance.

Eddie Vidales, representing Mobil/Circle K, noted the building has been repainted to comply with existing codes; expressed intention to bring the building signage into conformance with Code; thanked staff for assistance with Master Sign Program.

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

Commissioner Ruehlin questioned whether findings "e" and "f" could be made, pointing out that the staff report does not indicate how the design, scale, or location of the building dictates the use of free standing signage and a pole sign.

Ajit Thind, Assistant City Attorney, advised that since the application is focused on copy change only, the issue of signage location does not apply.

Jim Pechous, City Planner, advised the existing pole signage was approved under a previous and still valid permit, and its analysis is not part of tonight's approval; suggested it is not the purview of the Commission, nor were they required to address signage location, for previously approved signs when only change in copy is proposed. He speculated the subject findings could be removed if the Commission so desired.



The majority of the Commission supported the project with the findings as submitted by staff.

For the record, Commissioner Ruehlin indicated support of the proposed copy changes and building modifications, but was unable to approve the project with the findings as listed in the staff report.

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY VICE CHAIR DARDEN, CARRIED 4-1-0, WITH COMMISSIONER RUEHLIN OPPOSED, TO ADOPT RESOLUTION NO. PC 12-035 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING DISCRETIONARY SIGN PERMIT NO. 12-107, A REQUEST FOR A NEW MASTER SIGN PROGRAM FOR A MOBIL/CIRCLE K LOCATED AT 600 AVENIDA PICO, with the following revisions:

Page 2, Section 4, replace "tis" with "its"

Page 6, add new condition no. 10 as follows: "In the event Avenida Pico is widened in the future or modified such that the City Engineer determines that the existing signage limits the line of sight for drive approaches, the property owner or its designee shall relocate the signage and its structures to an acceptable location as approved by the Planning and Engineering Departments. Modification to facilities may require the approval of the City Planner or further discretionary permits."

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

10. **NEW BUSINESS** - None

11. **OLD BUSINESS**

A. **I-5 HOV Lanes Final Design Details** (Bonigut)

A request for concurrence on various design details for the I-5 HOV extension project.

Tom Bonigut, Assistant City Engineer, narrated a PowerPoint Presentation entitled, "Aesthetic Design Review, Interstate 5 South County Improvements, Planning Commission, November 20, 2012," including an aerial view of the freeway extension, retaining wall design and materials, and simulated graphic of proposed wall design. He requested the Commission review the design details and provide direction to staff.

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In response to questions from the Commissioners, Mr. Bonigut noted the graphic displayed was a suggestion only and that the City will be able to provide input on a simple design; noted proposed sound walls are anticipated to make perceptible decibel sound reduction; advised the Coast Homeowners Association is in discussions with Caltrans separate from this project regarding potential sound walls.

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

During discussion, the Commissioners concurred to involve the City's art community/architect guild in providing input on the graphic design; questioned whether other sections of wall could be retrofitted to bring them up to same level of design; endorsed palm trees/coastal designs/San Clemente character as relevant design themes.

The Commission also agreed proposed retaining walls to be grey concrete with a "fractured fin" finish consistent with existing retaining walls; concurred sound walls constructed of tan concrete blocks with tile panels and aesthetic treatments/patterns with design coordinated with the City's architectural guild.

Mr. Bonigut agreed to provide a written recap of the Commission's comments to Caltrans and forward a copy of the document to the Commission.

## 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 November 7, 2012
- C. Staff Waiver 12-377, 409 Arenoso Lane #10
- D. Staff Waiver 12-386, 111 S. Alameda Lane
- E. Staff Waiver 12-387, 704 Calle Puente
- F. Staff Waiver 12-391, 405 Avenida Granada #207

Commissioner Kaupp announced he needed to recuse himself from reviewing agenda items for the November 28, 2012, Design Review Subcommittee meeting. Vice Chair Darden indicated she would be available, and staff to check with Commissioner Crandell to see if he is available to attend the meeting.

Jim Pechous, City Planner, agreed to display the City's customer service video at a future Study Session or meeting; advised the tour of projects is still planned for the Commission and will occur as time permits.

6B(2)-18

Commissioner Kaupp invited all to attend the Glitz event Downtown beginning at 5:00 p.m. on Saturday night, November 14, 2012, with a parade, marching bands, and entertainment. Shuttle service will be available from the high school, and parking on Avenida Del Mar will cease at 2:00 p.m.


**13. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to adjourn at 7:53 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on December 5, 2012, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

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Lew Avera, Chair

Attest:

  
Jim Pechous, City Planner

DRAFT

6B(2)-19