



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: February 18, 2015

PLANNER: Sean Nicholas, Associate Planner *SN*

SUBJECT: Amendment to Conditional Use Permit (CUP) 80-11, Pico U-Haul Left Turn Lane, a request to consider an amendment to a previously approved Conditional Use Permit which established the U-Haul facility at 310 E. Avenida Pico. The applicant is requesting the removal of a condition of approval prohibiting a median cut for a left turn lane into the facility.

REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution, provided as Attachment 1, and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060, findings need to be met to remove the condition of approval:

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed.
- b. The site is suitable for the type and intensity of use that is proposed.
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed use will not negatively impact surrounding land uses.

BACKGROUND

The applicant is requesting a condition of approval be removed from Use Permit 80-11 which originally established the facility at the project site. The condition of approval prevents any center islands cuts on Avenida Pico, thus preventing a left turn lane for ingress and egress circulation. The Planning Commission previously denied the request on November 20, 2013 on a vote of 6-1. The applicant has since revised the potential design of the left turn lane and provided two options. These options will be reviewed later in this report.

Site

The subject property is a 101,822 square foot lot with a 24,000 square foot two-story storage and retail use building. The facility has 17 designated parking spaces, and substantial outdoor storage for U-Haul rental trucks.

DMT

The City's Development Management Team (DMT) reviewed the project and recommended keeping the condition preventing any cuts in the Pico landscape median. Reasons for keeping the condition are discussed in the analysis portion of this report.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations. To date, staff has received no input from the public on this request.

PROJECT DESCRIPTION

The project proposes to remove a condition of approval that was placed on the project in 1980 when the facility was originally approved. The applicant, U-Haul, would like to have greater access into the facility and is proposing to open up the median on Avenida Pico to provide a left turn lane. The condition of approval the applicant wants removed prohibits and cuts in the median for the project.

In 1980, before the Use Permit was approved, the project was reviewed by the Traffic and Parking Commission (duties which have since become the Planning Commission). The only recommendation the City's Traffic Engineer had was to prohibit openings in the center median.

The applicant is now proposing alternative designs for the turn lane (Attachment 4). Here are images of the alternative designs:

Image 1: Alternative 1 (U-Haul Preference)



Alternative one, favored by the applicant, allows left turns in and out of their facility. The improvement includes installation of a 100 foot long asphalt left turn lane, and relocation of public utilities, street lights, and removes approximately 1,800 square feet of landscaped median (about to be installed by the developers of Marblehead Coastal residential in the coming month). These changes are located in a designated Scenic View Corridor.

Image 2: Alternative 2

Similar to Alternative one, this option would remove about 1,800 square feet of landscaping from the designated Scenic View Corridor and replace with an asphalt left turn lane. The key difference between alternative one and two is that alternative two does not allow a left turn out of the U-Haul facility, it will be a right turn only towards the freeway. The reason why this is not the preferred solution by the applicant is because it does not provide as much turning movement flexibility for their clients as alternative one.

PROJECT ANALYSIS

Amendment to a Conditional Use Permit

The proposed improvements require an amendment to the Conditional Use Permit in order to remove the condition of approval prohibiting the turn lane. The basis for the condition of approval from Traffic Engineering originally was to limit the amount of unprotected turning movements on major arterials. Turning movements on arterials are not desirable due to traffic flow and safety concerns. This remains the position of the traffic engineering division today.

Other than the traffic concerns regarding additional conflict points on a major arterial, there are several aesthetic concerns as well. This portion of Avenida Pico is identified in the Centennial General Plan as a view corridor and scenic highway. Removing a large portion of landscape median (installation of which is to begin in February 2015),

approved by the Coastal Commission, and replace it with asphalt and the potential of large trucks queuing in the middle of the right-of-way, will have negative impacts to the view corridor and scenic highway, thus it would be inconsistent with the Mobility and Complete Street Element, Urban Design Element, and Coastal Element of the Centennial General Plan. In particular, staff has found that the proposed median cut and removal of the landscaped median in the view corridor and scenic highways is not consistent with the following General Plan Goals and Policies:

- M-1.18, Streetscapes and Major Roadways. During the design, construction or significant modification of major roadways, we will promote scenic parkways or corridors to improve City's visual quality and character, enhance adjacent uses, and integrate roadways with surrounding districts. To accomplish this the city will encourage the creation and maintenance of median planters and widened parkway plantings...
- M-1.26, Major and Minor Scenic Corridors. We require the following roadways be maintained and preserved as major or minor scenic corridors with key entry points as shown in Figure M-2: c. Avenida Pico...
- M-1.27, Scenic Corridor Enhancement and Designation. Enhance existing scenic corridors and identify opportunities for the designation of new corridors.
- M-1.30, Protection of Scenic Corridors. We ensure that development is sited and designed to protect scenic corridors and open space/landscape areas by blending man-made and man-introduced features with the natural environment.
- M-1.35, Design and Maintenance. We support the proper design, installation and maintenance of scenic highways and scenic corridor elements, including the responsibilities for the maintenance of landscaping and roadway surfaces to be fulfilled by homeowners' associations, community service districts, private owners and public agencies.
- Urban Design Primary Goal: Create and enhance a high-quality, built environment that protects and enhances our treasured natural and historical resources...
- UD-1.06, Streets. We recognize that public streets are important public spaces as well as transportation routes and support their occasional closure for community events, where feasible. Sidewalks, street trees, landscaping, and other amenities should be provided and maintained to keep those spaces attractive.
- UD-2.05, Public View Corridors. We require the preservation of designated public view corridors in the design and construction of gateway area improvements.
- C-3.04, Development Review. We review and require changes to development proposals, as needed, to minimize obstruction of designated significant public views and designated scenic view corridors...

The applicant has put together a visual analysis (Attachment 5) to show the proposed improvements impact, or lack of impact, to the View Corridor. The applicant feels their visual simulations show that impacts from the left turn lane would be the same as the existing condition with trucks traveling down Avenida Pico. However, with the turn pocket trucks will be stopping in the view corridor and will block views longer than vehicles passing through the view corridor. Based on the applicants document, it

appears that at the lower level of the view corridor (closer to North El Camino Real), will be impacted with trucks stopping in what will be landscaped Median otherwise. It does appear that there would be minimal impacts to the view corridor at the upper portion of the view corridor (closer to the western entrance of the City maintenance yard).

The applicant has submitted a list of customers who have signed a petition to support the left turn lane. This is provided as Attachment 7. The applicant has also provided an existing and proposed U-Haul truck path of travel to enter the site from I-5 (second page of Attachment 5).

GENERAL PLAN CONSISTENCY

As noted above, there are several goals and policies in the Mobility and Complete Street Element, Urban Design Element, and Coastal Element of the Centennial General Plan that this project is not consistent with, thus staff's position is that the project is not consistent with the Centennial General Plan.

ENVIRONMENTAL REVIEW

The Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and determined that the project is categorically exempt from CEQA Pursuant to Section 15301, as a Class 1(c) since the project consists of improvements to an existing arterial street. Though because the request for an Amendment to CUP 80-11 does not meet the goals and policies of the Scenic Corridor Element of the General Plan, the project does not meet the findings for approval and staff is recommending denial.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and deny AM CUP 80-11.
This action would maintain the U-Haul facility and circulation on Avenida Pico as it exists today. A denial may result in the applicant appealing the decision to City Council or City Council calling the item up for their review.
2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.
The Planning Commission can require additional studies on the project and potentially continue the public hearing to allow an opportunity to review that submitted information.
3. The Planning Commission can approve AM CUP 80-11.
This action would allow U-Haul the ability to create a left turn lane on Avenida Pico and allow left turn access into the facility. If Planning Commission does support the project, a continuance would need to be done to allow staff an opportunity to draft a resolution based on Planning Commission discussion during the public hearing. If Planning Commission were to support a left turn lane, engineering staff would only support a design similar to alternative two because engineering has indicated that the sight distance appears only adequate for a left turn-in-only movement. A final technical

design would still need to go through the engineering division. An approval may result in the item being called up to City Council for their review.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission deny AM CUP 80-11, U-Haul Left Turn Lane, a request to remove a condition of approval prohibiting median cuts on Avenida Pico, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution
2. Location Map
3. Original 1980 approval and minutes from Traffic Commission Meeting
4. Alternative Left Turn Lane designs provided by U-Haul
5. Visual Analysis Document and U-Haul truck path of travel to the site from I-5
6. Planning Commission Staff Report and Minutes from November 20, 2013 (excerpted)
7. Signatures of support provided by U-Haul

RESOLUTION NO. PC 15-007

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN CLEMENTE, DENYING AMENDMENT TO CONDITIONAL USE PERMIT
(CUP) 80-11, PICO U-HAUL LEFT TURN LANE, A REQUEST TO CREATE A LEFT
TURN LANE IN AND OUT OF THE U-HAUL FACILITY LOCATED AT
310 EAST AVENIDA PICO**

WHEREAS, on January 15, 2015, an application was submitted, and deemed complete on January 28, 2015, by Jim Lorimer, 2727 North Central Avenue 9-N, Phoenix, AZ, 85004, to allow the creation of a left turn lane in and out of the facility located at 310 East Avenida Pico, Assessor's Parcel Number 691-433-02; and

WHEREAS, on January 21, 2015, the City's Engineering Division reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements and recommended maintaining the language preventing any cuts into the Pico landscape median; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that since the project is a recommendation of denial, it is thus a no project in terms of CEQA and according to CEQA Guidelines Section 5270, if there is no project there is no CEQA; and

WHEREAS, on February 18, 2015, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of San Clemente hereby resolves as follows:

Section 1: The project is not subject to CEQA pursuant to CEQA Guidelines Section 5270 because the application is being recommended for denial, thus there is no project and no CEQA requirements.

Section 2: With regard to Amendment to Conditional Use Permit (AM CUP) 80-11, the Planning Commission finds as follows:

- A. The project does not comply with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed in that the project is not consistent with the Mobility and Complete Street Element, Urban Design Element, and Coastal Element of the Centennial General Plan, in particular:
 - i. M-1.18, Streetscapes and Major Roadways. During the design, construction or significant modification of major roadways, we will promote scenic parkways or corridors to improve City's visual quality

and character, enhance adjacent uses, and integrate roadways with surrounding districts. To accomplish this the city will encourage the creation and maintenance of median planters and widened parkway plantings...

- ii. M-1.26, Major and Minor Scenic Corridors. We require the following roadways be maintained and preserved as major or minor scenic corridors with key entry points as shown in Figure M-2: c. Avenida Pico...
- iii. M-1.27, Scenic Corridor Enhancement and Designation. Enhance existing scenic corridors and identify opportunities for the designation of new corridors.
- iv. M-1.30, Protection of Scenic Corridors. We ensure that development is sited and designed to protect scenic corridors and open space/landscape areas by blending man-made and man-introduced features with the natural environment.
- v. M-1.35, Design and Maintenance. We support the proper design, installation and maintenance of scenic highways and scenic corridor elements, including the responsibilities for the maintenance of landscaping and roadway surfaces to be fulfilled by homeowners' associations, community service districts, private owners and public agencies.
- vi. Urban Design Primary Goal: Create and enhance a high-quality, built environment that protects and enhances our treasured natural and historical resources...
- vii. UD-1.06, Streets. We recognize that public streets are important public spaces as well as transportation routes and support their occasional closure for community events, where feasible. Sidewalks, street trees, landscaping, and other amenities should be provided and maintained to keep those spaces attractive.
- viii. UD-2.05, Public View Corridors. We require the preservation of designated public view corridors in the design and construction of gateway area improvements.
- ix. C-3.04, Development Review. We review and require changes to development proposals, as needed, to minimize obstruction of designated significant public views and designated scenic view corridors...

B. The site is not suitable for the type and intensity of use that is proposed in that the improvements would negatively impact the View Corridor as discussed above, and the U-Haul facility has been operating without issue at 310 East Avenida Pico since the 1980s without the additional ingress and egress.

C. The proposed use will be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that installing the left turn lane will negatively impact the General Plan identified View Corridor

as discussed above, and the use of the U-Haul facility will not be negatively impacted by the denial as the facility has been operating since the 1980s without the left turn in or out access.

- D. The proposed use will negatively impact surrounding land uses in that the view corridor of the General Plan will be negatively impacted by the project, and the use of the U-Haul facility will not be negatively impacted by the denial as the facility has been operating since the 1980s without the left turn in or out access

Section 3: The Planning Commission of the City of San Clemente hereby denies the Amendment to CUP 80-11, Pico U-Haul Left Turn Lane, subject to the above findings.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on February 18, 2015.

Chair

TO WIT:

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on February 18, 2015, and carried by the following roll call vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

Secretary of the Planning Commission



LOCATION MAP

AM CUP 80-11, U-Haul Left Turn Lane
310 East Avenida Pico



ACTION OF THE ZONING ADMINISTRATORCITY OF SAN CLEMENTE
CALIFORNIA

Addressed To: George Nelson
860 So. Placentia Ave.
Placentia, Ca. 92670

Copy To: File

A regular meeting of the Zoning Administrator of the City of San Clemente was held
APRIL 8 19 80 , at 10:00 A.M.

2. USE PERMIT 80-11

Applicant: U-Haul Co. of Orange County
Address: 310 Avenida Pico
Legal: Metes and Bounds description
Environmental Assessment: Negative Declaration filed March 14, 1980

A request to allow a U-Haul Moving and Storage Center and Mini-Storage Warehouse in an M-2 (Industrial) District.

Hearing was opened and George Nelson, President of U-Haul Company of Orange County, California, spoke in favor of the request, noting the code had recently been changed to allow these uses subject to this procedure. It was noted the Traffic and Parking Commission approved the parking for this use on March 20, 1980. Hearing was closed and ACTION WAS THEN TAKEN to conditionally approve U.P. 80-11 subject to:

- a. No center island cuts be made on Avenida Pico
- b. Egress and Ingress to the storage area be "Right Turn Only."
- c. That "No Parking" signs be installed on the south side of Avenida Pico fronting the subject property.
- d. That the planting abutting Avenida Pico be a minimum width of fifteen (15) feet.
- e. That twenty-seven (27) twenty-four (24) inch box trees be placed within the planting area, approximately twenty-five (25) feet apart.
- f. Landscaping shall be subject to approval of the Parks and Recreation Department.

Reasons for action taken:

It was determined at the hearing that the site of this proposed use is adequate in size and shape to accomodate said use, and all yards, parking, loading and landscaping required by Ordinance to adjust said use with the land use in the area and neighborhood, can and will be required.

Dated: APRIL 11, 1980

Gene Schulte, Zoning Administrator

Minutes not official until approved by the Planning Commission and City Council

ACTION OF THE TRAFFIC AND PARKING COMMISSION
CITY OF SAN CLEMENTE, CALIFORNIA

Addressed To: Zoning Administrator, Gene Schulte
Building & Planning Director, L. J. Lawson

Copy To: Mr. George Nelson, U-Haul Company
(file)

A regular meeting of the Traffic and Parking Commission of the City of San Clemente was held March 20, 1980, at 7:30 PM.

Present: Commissioners - Ludvigson, Lyon, Beckerlegge, Dauer

Absent: Commissioners - Bougher

SUBJECT

Avenida Pico - Moving & Storage Center (U-Haul)

Consideration of traffic and parking aspects for the proposed development of a proposed moving and storage center (U-Haul Company of Orange County) on the south side of Avenida Pico near North El Camino Real. Mr. George Nelson of the U-Haul Company was present for discussion and noted that this had been before the Commission last July 19, 1979, but had since gone through some interior design alterations, which did not change the traffic and parking configuration.

IT WAS MOVED BY COMMISSIONER DAUER, SECONDED BY COMMISSIONER LUDVIGSON AND UNANIMOUSLY CARRIED to recommend the Zoning Administrator approve the plans for the proposed moving and storage center (U-Haul Company) to be located on the south side of Avenida Pico near North El Camino Real, with the condition that no center island cuts be made on Pico and further that ingress/egress to the storage center be "RIGHT TURN ONLY"; and that "NO PARKING" be installed on the south side of Avenida Pico fronting the subject property, upon completion of construction, to improve sight distance. It was also suggested that the Planning Commission review the landscape requirements as set forth in the EIR for this development.

Dated: April 1, 1980

Edward Lyon, Chairman
TRAFFIC & PARKING COMMISSION

ACTION OF THE TRAFFIC AND PARKING COMMISSION
CITY OF SAN CLEMENTE, CALIFORNIA

Recd. 7/27/79
File
Resolving through
Planning Commission

Addressed To: L. J. Lawson, Director of Building & Planning
Gene Schulte, Zoning Administrator

Copy To: Mr. George Nelson, U-Haul Company
(File)

A regular meeting of the Traffic and Parking Commission of the City of San Clemente was held July 19, 1979, at 7:30 PM.

Present: Commissioners - Ludvigson, Bougher, Lyon, Beckerlegge, Dauer

Absent: Commissioners - None

SUBJECT

Proposed Moving and Storage Center

Consideration of traffic and parking aspects for the proposed development of a moving and storage center to be located on the south side of Avenida Pico near North El Camino Real. Mr. George Nelson of U-Haul Company, Orange City, was present for discussion.

Sgt. Falk suggested the possibility of installing prohibited parking on the south side of Avenida Pico fronting the subject property upon completion of construction, to prevent any sight distance problems from occurring.

Traffic Engineer, Hui Lai, stated that his only suggestion would be to request that no center island cuts be made for left turns out of the moving and storage center onto Pico, in other words, right turn only ingress and egress.

IT WAS MOVED BY COMMISSIONER LUDVIGSON, SECONDED BY COMMISSIONER DAUER AND UNANIMOUSLY CARRIED to recommend the Building and Planning Director and the Zoning Administrator approve the plans for the proposed moving and storage center (U-Haul) to be located at Avenida Pico and North El Camino Real, be approved as presented, with the condition that no center island cuts be made on Pico and further that ingress/egress to the storage center be right turn only.

Dated: July 23, 1979

Edward Lyon, Chairman
TRAFFIC & PARKING COMMISSION



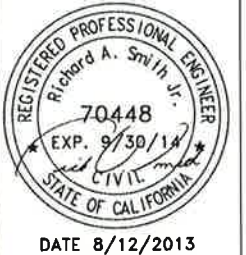
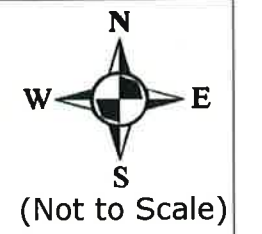
Note: Median distances shown are curb flange to curb flange unless noted

Legend

→ = Lane Assignments == = Existing & Proposed Curb

**San Clemente U-Haul Conceptual Plan
Alternative 1 – Full Access**

Exhibit
9

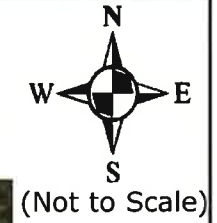


Note: Median distances shown are curb flange to curb flange unless noted

Legend	
→ = Lane Assignments	== = Existing & Proposed Curb

**San Clemente U-Haul Conceptual Plan
Alternative 2 – Left-In/Right-In/Right-Out Access**

Exhibit
10



Note: Single-Unit (SU) Truck is design vehicle

Legend

- = Lane Assignments
- = Existing & Proposed Curb
- = Exiting Truck Left-Turn Path (Alternative 1)
- = Entering Truck Left-Turn Path (Alternative 2)

**San Clemente U-Haul Conceptual Plan
Truck Turning Paths**

Exhibit

11



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: November 20, 2013

PLANNER: Sean Nicholas, Associate Planner

SUBJECT: Amendment to Conditional Use Permit (CUP) 80-11, Pico U-Haul Left Turn Lane, a request to consider an amendment to a previously approved Conditional Use Permit which established the U-Haul facility at 310 E. Avenida Pico. The applicant is requesting the removal of a condition of approval prohibiting a median cut for a left turn lane into the facility.

REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution, provided as Attachment 1, and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060, findings need to be met to remove the condition of approval:

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed.
- b. The site is suitable for the type and intensity of use that is proposed.
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed use will not negatively impact surrounding land uses.

BACKGROUND

The applicant is requesting a condition of approval be removed from Use Permit 80-11 which originally established the facility at the project site. The condition of approval prevents any center islands cuts on Avenida Pico, thus preventing a left turn lane for ingress and egress circulation.

Site

The subject property is a 101,822 square foot lot with a 24,000 square foot two-story storage and retail use building. The facility has 17 designated parking spaces, and substantial outdoor storage for U-Haul rental trucks.

DMT

The City's Development Management Team (DMT) reviewed the project and recommended keeping the condition preventing any cuts in the Pico landscape median.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations. To date, staff has received no input from the public on this request.

PROJECT DESCRIPTION

The project proposes to remove a condition of approval that was placed on the project in 1980 when the facility was originally approved. The applicant, U-Haul, would like to have greater access into the facility and is proposing to open up the median on Avenida Pico to provide a left turn lane. The condition of approval the applicant wants removed prohibits and cuts in the median for the project.

In 1980, before the Use Permit was approved, the project was reviewed by the Traffic and Parking Commission (duties which have since become the Planning Commission). The only recommendation the City's Traffic Engineer had was to prohibit openings in the center median.

The applicant is proposing to cut into the center median to create a left turn into and out of the project site. This will result in a new left turn pocket lane on Avenida Pico over 235 feet long. Ultimately, the modifications will require relocation of public utilities, street lights, as well as remove approximately 3,555 square feet of future landscaped median from Avenida Pico and replace it with primarily asphalt.

PROJECT ANALYSIS

Amendment to a Conditional Use Permit

The proposed improvements require an amendment to the Conditional Use Permit in order to remove the condition of approval. The basis for the condition of approval from Traffic Engineering originally was to limit the amount of unprotected turning movements on major arterials, since it is not desirable to have such conditions due to traffic flow and safety concerns. This remains the position of the traffic engineering division today, although the sight distance appears adequate for a left turn-in-only movement.

This portion of Avenida Pico is also identified in the General Plan as being a view corridor and scenic highway. Removing 3,555 square feet of area that will be the landscape median, approved by the Coastal Commission, and replace it with asphalt and the potential of large trucks queuing in the middle of the right-of-way, may have negative impacts to the view corridor and scenic highway, thus it would be inconsistent with the Scenic Highway and Coastal Elements of the General Plan in the following ways:

- Scenic Highway Element of the General Plan objective 5.3 states, "Ensure that development is sited and designed to protect scenic corridors..." (General Plan pg. 5-6). The potential for a number of large trucks to impact the General Plan designated view corridor, especially near the top of the corridor where potential view impacts will be greatest, is inconsistent with the General Plan.
- Scenic Highway Element of the General Plan policy 5.3.1 requires landscaping to be planted to enhance scenic highways and view corridors, and the removal of 3,555 square feet of landscaped median is not consistent with this policy.
- Scenic Highway Element of the General Plan policy 5.3.2 requires that scenic highways maintain view corridors by limiting the amount of structures which would impact views. At this time, there is no visual impact to the view corridor. Introducing U-Haul trucks, which could potentially back up onto Pico, as well as other vehicular traffic potentially utilizing the median break for u-turns creating additional traffic impacts, could result in several vehicles and tall trucks negatively impacting the view corridor.
- Scenic Highway Element of the General Plan objective 5.1 states, "Enhance existing view corridors along scenic corridors..." (General Plan page 5-4). The potential negative impact of the left turn lane would not be consistent with preserving the view corridor as removing landscaping and allowing the opportunities for large truck stacking will negatively impact the scenic highway.
- Coastal Element of the General Plan Policy VII.3 which requires Avenida Pico be maintained and open for preservation of the scenic corridor and maintain views towards the ocean. By removing the median, and introducing traffic to the highest elevation of the scenic corridor will impact views within the scenic corridor as well as remove landscaping that beautifies the scenic corridor.
- Coastal Element of the General Plan Policy XII.5 which requires preservation of significant public view corridors. The view corridor down Avenida Pico has been identified in multiple General Plan elements as being a view corridor of the City, and introducing additional traffic and at the peak of the view corridor, where the most damage to the views can be done, as well as removing median area that is to be landscaped with the Marblehead Coastal project, approved by the Coastal Commission in an effort to enhance the view corridor, is not consistent with the requirements of the General Plan.
- Coastal Element of the General Plan XII.9 which states, "Promote the preservation of significant public view corridors to the ocean." The view corridor down Avenida Pico has been identified in multiple General Plan elements as being a view corridor of the City, and is unique in the sweeping ocean views which exist over North Beach. Introducing additional traffic and at the peak of the view corridor, where the most damage to the views can be done, as well as removing median area that is to be landscaped with the Marblehead Coastal

project, approved by the Coastal Commission in an effort to enhance the view corridor, is not consistent with the requirements of the General Plan.

GENERAL PLAN CONSISTENCY

As discussed above, there are several reasons why this project is not consistent with the Scenic Highway and Coastal Elements of the General Plan. The potential negative impact from the project on the scenic highway, corridor, and view corridor would not be consistent with any of the goals and policies of the Scenic Highway Element.

ENVIRONMENTAL REVIEW

The Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and determined that the project is categorically exempt from CEQA Pursuant to Section 15301, as a Class 1(c) since the project consists of improvements to an existing arterial street. Though because the request for an Amendment to CUP 80-11 does not meet the goals and policies of the Scenic Corridor Element of the General Plan, the project does not meet the findings for approval and staff is recommending denial.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and deny AM CUP 80-11.
This action would maintain the U-Haul facility and circulation on Avenida Pico as it exists today. A denial may result in the applicant appealing the decision to City Council or City Council calling the item up for their review.
2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.
The Planning Commission can require additional studies on the project and potentially continue the public hearing to allow an opportunity to review that submitted information.
3. The Planning Commission can approve AM CUP 80-11.
This action would allow U-Haul the ability to create a left turn lane on Avenida Pico and allow left turn access into the facility. If Planning Commission does support the project, a continuance would need to be done to allow staff an opportunity to draft a resolution based on Planning Commission discussion during the public hearing. An approval may result in the item being called up to City Council for their review.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission deny AM CUP 80-11, U-Haul Left Turn Lane, a request to remove a condition of approval prohibiting median cuts on Avenida Pico, subject to the attached Resolution and Conditions of Approval.

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
November 20, 2013 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:03 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Eggleston 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
Sean Nicholas, Associate Planner
Amber Gregg, Associate Planner
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS- None

5. MINUTES

A. Minutes from the Planning Commission Regular Study Session of November 6, 2013

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND CARRIED 5-0-2, WITH COMMISSIONER CRANDELL AND COMMISSIONER KAUPP ABSTAINING, to receive and file the minutes of the Regular Meeting of November 6, 2013, with the following revision:

Page 1, remove "Michael Kaupp from "Commissioners Present" and place in "Commissioners Absent"

Page 5, Condition no. 13, add to the beginning of the paragraph, "Prior to the issuance of final of the grading permit,"

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

B. 310 E. Avenida Pico – Amendment to Conditional Use Permit 80-11 – U-Haul Left Turn Lane (Nicholas)

A request to consider an amendment to a previously approved Conditional Use Permit which established the U-Haul facility at 310 E. Avenida Pico. The applicant is requesting the removal of a condition of approval prohibiting a median cut for a left turn lane into the facility. The Assessor's Parcel Number is 691-433-02.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Amendment to Conditional Use Permit 80-11, Pico U-Haul Left Turn Lane, dated November 20, 2013." Staff is recommending the Commission maintain the prohibition against median cuts and deny the request. He noted if the Commission approves the request, the project will require approval from the California Coastal Commission before it would go into effect.

Chair Darden complimented Mr. Nicholas on the thorough staff report, commenting that inclusion of pertinent General Plan policies facilitated comprehension of the issues and saved time.

Jim Lorimer, representing the applicant, requested the Commission consider amending the current Conditional Use Permit to allow for a left turn lane into the property. The request is in response to clients' needs and concerns, and would improve safety for those returning trucks and other traffic around the facility as a result. Currently those returning trucks have to pass the site and make a u-turn at busy North Beach/El Camino Real intersection. The u-turn is difficult to navigate, which increases danger for other motorists, bicyclists and pedestrians. He has a petition with 2,000 signatures on it in support of the proposal. He is willing to perform a study of the sight distance impacts and noted costs for the median cut would be borne by U-Haul. They are willing to install additional landscaping and/or decorative pavers as well. In response to questions, he noted the main issue with the City is the blocking of a designated scenic corridor; advised they do not provide maps and/or directions for clients; noted most problems came about when Avenida Pico was expanded to two lanes in each direction and the median installed.

Kevin Scofield, Murrieta resident, representing U-Haul, advised business has greatly increased in the last 10 years; noted styles of rental trucks have not changed substantially.

Mr. Nicholas advised that both the City Engineer and Traffic Engineer provided comments regarding this project and indicated potential negative impacts on traffic flow and road safety.

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

During the ensuing discussion, the majority of the Commissioners, either individually or in agreement, supported the staff recommendation and provided the following commentary:

- Supported the staff report recommendation to deny the request based on compliance with General Plan guidelines concerning Scenic Highway and Scenic Corridor protection provisions.
- Suggested the applicant increase safety of clients and others by providing maps and/or instructions on the most efficient and safest ways to navigate surrounding streets as well as ingress/egress of site.
- Expressed reluctance to go against recommendations from City Engineer and Traffic Engineer; suggested denial without prejudice to allow applicant to work with City to potentially develop solution that would resolve issues.
- Suggested potential traffic hazards may develop when trucks try to maneuver into left turn lane or are stacked in left turn lane while waiting to make left turn.
- Supported original prohibition as a means to limit turning points on Avenida Pico and preserve the scenic view corridor.

Vice Chair Brown established from staff that there is a left turn lane at the light at Avenida Vista Hermosa to service the City lot. He recently followed a U-Haul truck being returned by a Marine moving here from Twenty-Nine Palms, and observed difficulties with maneuvering the truck as it made a u-turn at North El Camino Real. He felt that allowing the trucks to make a left turn into the lot would increase safety for all, but commented it may be difficult to obtain California Coastal Commission approval of the request. Because the City has a seemingly safe and fully functioning left turn lane approximately 200 feet away from the proposed left turn lane, he supports the applicant's request.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER EGGLESTON, AND CARRIED 6-1-0, WITH VICE CHAIR BROWN OPPOSED, TO ADOPT RESOLUTION NO. PC 13-045, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, **DENYING** AMENDMENT TO CONDITIONAL USE PERMIT (CUP) 80-11, PICO U-HAUL LEFT TURN LANE, A REQUEST TO CREATE A LEFT TURN LANE IN AND OUT OF THE U-HAUL FACILITY LOCATED AT 310 EAST AVENIDA PICO.