

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
March 9, 2015 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA**

1. CALL TO ORDER

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Vice Chair Brown led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Vonne Barnes, Barton Crandell, Wayne Eggleston, and Michael Smith; Chair pro tem Jim Ruehlin, Vice Chair Donald Brown and Chair Julia Darden

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Sean Nicholas, Associate Planner
Matthew Richardson, Assistant City Attorney
Eileen White, Recording Secretary

Chair Darden welcomed new Assistant City Attorney Matthew Richardson.

Matthew Richardson, Assistant City Attorney, stated that he is a partner with Best Best & Krieger and specializes in complex land use planning issues. He is an avid San Clemente surfer living in Huntington Beach with his wife and family.

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Regular Study Session of February 18, 2015

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER SMITH, AND CARRIED 6-0-1, WITH VICE CHAIR

BROWN ABSTAINING, to receive and file the minutes of the Regular Study Session of February 18, 2015, as submitted.

B. Minutes from the Planning Commission Regular Meeting of February 18, 2015

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER BARNES, AND CARRIED 6-0-1, WITH VICE CHAIR BROWN ABSTAINING, to receive and file the minutes of the Regular Meeting of February 18, 2015, with the following revisions:

Page 7, 5TH paragraph, 1st sentence, following "hazards" insert "negatively affecting the Pico Scenic Corridor and contrary to the General Plan"

Page 7, last paragraph, 2nd sentence, following "off ramp" insert "not counting wait times at 2 stop lights and the wait in the queue to turn left"

Page 8, 6th paragraph, insert the following after the 1st sentence, "She suggested that U-Haul engage in education of its customers. She noted that the applicant had indicated that originally the road configuration had met the need of the facility, but that an intensification of the use made them inadequate today. She said this suggests that if the applicant cannot find a way for the patrons to make use of the facility this may no longer be an ideal use of the property."

6. **ORAL AND WRITTEN COMMUNICATION** - None

7. **CONSENT CALENDAR** - None

8. **PUBLIC HEARING**

A. 550 Camino De Estrella – Discretionary Sign Permit 15-044/Sign Exception Permit 15-045 – Estrella Shopping Center Master Sign Program Phase I (Nicholas)

A request to consider a Master Sign Program including monument signs, wall signs, and one freeway oriented sign for an existing shopping center. This is for the portion of the commercial center that was the K-Mart facility located within the Community Commercial (CC2) zoning district at 550 Camino De Estrella. The legal description is P BK 34, PG 17 PAR 1, PM 34-17, PAR 1 POR OF PAR, Assessor's Parcel Number 691-101-26.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Estrella Master Sign Program Phase I, DSP 15-044/SEP 15-045, dated March 9, 2015." He reviewed the background and prior approvals for the site; displayed renderings and discussed the monument, façade, and freeway oriented signage proposed; reviewed the landscaping;

reviewed renderings of signage within code at 64 square feet imposed on the proposed facades in comparison to the larger signage proposed by the applicant; reviewed view simulations of the site from various adjacent residential locations for the proposed freeway oriented sign. Staff recommended approval of the request as conditioned.

Steven Usdan and Sue Jagodzinski, applicants for the project, thanked the Commission and staff for holding this meeting specifically to hear this agenda item as time is of the essence. He thanked and complimented Jim Pechous, City Planner, and Sean Nicholas, Associate Planner, for their guidance, helpful assistance, and timely feedback as the project has progressed through the approval process. He provided the history of the shopping center, and noted the family had decided to take advantage of its vacancies to update and renovate the center to attract new and upscale clientele as well as respond to changing trends in the marketplace that have created a demand for mid-size box uses. The tenants are high quality retailers who are looking to locate stores in this area. The larger signage is justified due to the project's distance from the street, topographical challenges, and large sizes of the building façades. Sports Authority has been hesitant to sign a lease due to visibility, grade differential, and parking layout issues. Sports Authority's operators have indicated that if the freeway signage is not included, they would prefer to pass on this site and wait for another site to open up in the area. The proposed remodel on this site has been a catalyst for the owners of the adjacent parcel who propose to match the architectural and sign design quality to create a cohesive remodel of the center.

In response to questions from the Commission, Mr. Usdan advised Sports Authority did not submit a study indicating the approximate amount of business that would be lost if the freeway sign was not included; advised the other two tenants have not requested freeway signage; noted it is unusual not to feature freeway signage on locations adjacent to freeways; advised that Sprouts signed their lease 3 months ago, and Sports Authority signed within the last 3-4 weeks; speculated Sports Authority would not be open to changing the color of the freeway signage to bronze; noted Sports Authority has made many concessions from its original signage proposal.

In response to questions from the Commission, Associate Planner Nicholas provided parapet heights; advised at this time there are no plans to install freeway signage at the Marblehead Coastal project; noted Caltrans has not indicated any safety issues on the adjacent freeway or off ramp due to the proposed signage; commented that the freeway signage on the shopping center across the freeway is allowed pursuant to its approved Master Sign Program; noted Phase 2 of this project will not feature a request for freeway signage as the project does not have freeway frontage.

Commissioner Barnes commented that the graphic indicating facades with 64-foot signage and the graphic indicating the oversized signage were different, resulting in an apples to oranges comparison. Not only were shading and coloring absent from the signage graphic, but the sketches showed two different architectural designs, resulting in the Sprouts façade being 50% longer in the signage graphic, and distorting the actual difference between how the signage appears on the buildings. She requested staff display the graphic she provided indicating the differences between the building sizes in the two graphics to compare how the signage appears proportionately. She commented that with 14 other businesses in the center, it would be more harmonious as a unit if all the signage is in compliance with the Zoning Ordinance. Additionally, she noted that large signage should not be that important now that many of the public use GPS devices for locating stores. She asked the Commissioners to keep the "Law of Unintended Consequences" in mind because approval for the freeway signage would run with the property, and in the event of a change of tenancy, the new tenant would have approval to install the freeway signage as well.

Associate Planner Nicholas displayed a corrected graphic to allow the Commission to make an apples to apples comparison. He noted that signage for Phase 2 would be coming to the Commission in the near future. He stated that when staff reviewed the signage, they felt the aesthetic proportion was improved with the larger signage. Additionally, he advised that the proposed façade signage will not have any impact on adjacent homes as it faces a different direction and is halo illuminated.

Commissioner Smith commented that Caltrans has a sound barrier wall proposed for this area; speculated the new wall may obscure visibility of the new freeway oriented sign.

Discussion ensued regarding the location and height of the new freeway sound barrier wall to be built in this general location. Following research, Associate Planner Nicholas was able to ascertain that the sound barrier wall currently under construction starts just south of this location and there will be no wall along the freeway onramp to obscure the subject building and signage.

Mr. Usdan apologized for the signage confusion; commented that although the two adjacent property owners are cooperating on many levels, it's likely that totally different signage will be proposed as the tenant size mix is different for Phase 2; commented that the retailers are emphasizing the importance of signage for this project, and there will not be a project unless retailers are on board. In response to a suggestion that the Sports Authority signage feature additional space between the lines of type, he speculated that Sports Authority would not be interested in considering the suggestion as the proposed signage design is part of their branding.

Ms. Jagodzinski advised that Sprouts reduced their primary façade signage in order to have the smaller signage above the entrances indicating available services, and this design is part of their branding; provided the location of the home in Sea Pointe Estates where the view of the subject site is illustrated.

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

Commission Discussion:

During the ensuing discussion, the Commission, either in agreement or individually, provided the following commentary:

Monument Signage:

- Commented that due to its site issues and problematic history, this site needs the larger monument signs in order to increase its chances to succeed.
- Concurred the signs are appropriately proportioned.
- Acknowledged reticence to allow the larger monument sign, but conceded its high quality, lack of logos, and exterior lighting helped to mitigate its larger size.
- Commented the 10-foot setback will ensure it is not a site distance/safety concern.
- Thanked the applicant for revising signage in response to concerns expressed during Design Review Subcommittee (DRSC) review, including making the secondary monument sign smaller.
- Agreed the site topography warranted a monument sign of this size.
- Added a condition of approval to ensure that the signage proposed above the two entrances on the Sprouts tenant is proportionately spaced on the arches.

Wall Signs along Camino de Estrella Frontage:

- Confirmed that the drawing presented for consideration this evening displayed the signage recommended for approval by the DRSC.
- Agreed the larger sized signs were justified due to the distance of the building from the street and its large facades.
- Expressed preference for having larger façade signs totaling less than the total allowable sign square footage allowed rather than compliant signs proliferating on site up to its allowable total sign area.

- Commended the DRSC for working with the applicant to revise the signage; expressed confidence in the DRSC recommendation.
- Thanked staff for including DRSC meeting notes and minutes with the staff report.
- Established from staff that the prior tenant wall signage was over 64 square feet as well.
- Commented that although the signage runs with the land, in the past staff and the Commission have been flexible and worked with applicants to reduce the number of signs/relocate/decrease signage size to ensure compatibility and proportionality.
- Confirmed no logos are included in the sign program.

Freeway Oriented Signage:

- Expressed doubt that the signage would be effective due to its location and limited viewing window.
- Confirmed with Assistant City Attorney Richardson that approving this application would not create a legal precedence for future applications.
- Disagreed that the signage is necessary and effective.
- Suggested installation of additional trees to add to aesthetic appeal of the center.
- Discussed difficulties associated with making this decision, as it is clear that the General Plan discourages freeway oriented signage, but cited the compelling reasons to allow the signage, including difficulty seeing the tenant signage due to the site topography, desire to support the applicants in their efforts to improve the center and make it profitable and aesthetically pleasing for the City, and limited ability to view the proposed freeway signage, especially when taking into account the number of freeway signs displayed on the other side of the freeway.
- Added a condition of approval to ensure that the freeway signage was specific to and intended for the sole use of the tenant in the associated unit.

After conferring with Mr. Usdan and determining that the timing was of the essence, the Commission elected to take action this evening rather than continuing the item to allow staff to come back with a separate resolution on the freeway signage issue. They took a straw vote in order to clearly reflect their respective positions on this element of the project. On a vote of 4-3, with Commissioner Barnes, Commissioner Smith, and Chair pro tem Ruehlin opposed, the Commission approved the proposed freeway oriented signage.

For the record, Commissioner Smith and Chair pro tem Ruehlin supported the increased size of the wall signage, but opposed adoption of Resolution 15-010 due to its inclusion of the freeway signage, and citing

inability to approve the freeway signage for the following reasons, 1) consistency with rulings – freeway signage is very controversial, and it is not fair to allow it for this applicant; 2) doubt that the signage would be effective due to its location and limited visibility, and 3) the applicant has not effectively demonstrated that the signage is necessary for increasing business identification.

Actions:

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. 15-008, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING DISCRETIONARY SIGN PERMIT 15-044, ESTRELLA SHOPPING CENTER MASTER SIGN PROGRAM PHASE 1, FOR MONUMENT SIGNS UP TO TEN FEET TALL AND ESTABLISHMENT OF A MASTER SIGN PROGRAM FOR A COMMERCIAL CENTER LOCATED AT 550 CAMINO DE ESTRELLA, with the following revision:

Page 7, add new condition no. 13 as follows: "Prior to issuance of sign permit, the two small wall signs above the entries of the Sprouts façade shall be appropriately located to provide sufficient space between the top of the arches to the bottom of the signs. The intent is to ensure proper proportions and design now and in the future."

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER EGGLESTON, AND CARRIED 4-3-0, WITH COMMISSIONER BARNES, COMMISSIONER SMITH, AND CHAIR PRO TEM RUEHLIN OPPOSED, TO ADOPT RESOLUTION NO. 15-010, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, APPROVING SIGN EXCEPTION PERMIT 15-045, ESTRELLA SHOPPING CENTER MASTER SIGN PROGRAM PHASE 1, FOR OVERSIZED SIGNAGE AND ONE FREEWAY ORIENTED SIGNAGE LOCATED AT 550 CAMINO DE ESTRELLA, with the following revision:

Exhibit A, 3rd page, add condition no. 10 as follows: "The freeway oriented sign shall only be utilized by the tenant space adjacent to the freeway. The intent is to ensure this tenant utilizes this space that has the unique site conditions to approve the freeway oversized sign. Other tenant spaces, or expansion of this tenant space shall result in not being able to utilize the freeway oriented sign."

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

Chair Darden thanked all for their thoughtful deliberation on such complex issues. The discussion and thoughtful remarks aided in her decision making process for this project.

City Planner Pechous agreed to forward information regarding the City's appeal process in response to a request from Mr. Usdan.

9. NEW BUSINESS - None

10. OLD BUSINESS - None

11. REPORTS OF COMMISSIONERS/STAFF

A. Tentative Future Agenda

B. Minutes from the Zoning Administrator meeting of February 18, 2015

Vice Chair Brown announced that the March 12, 2015, Coastal Advisory Committee (CAC) meeting has been canceled due to the upcoming Joint Council/Commissions/Committees Meeting. Discussion of the Trafalgar Canyon runoff is on the April agenda, and a presentation from Lawrence Haman regarding sand replenishment is on the May agenda.

Chair pro tem Ruehlin announced that the next Mobility Task Force will be on March 16; they anticipate delivering a final work items list to Council in May.

Commissioner Crandell announced he would be out of town from April 22 to May 25 and will miss a DRSC meeting on April 29. Commissioner Eggleston agreed to attend as alternative.


12. ADJOURNMENT

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER CRANDELL, AND UNANIMOUSLY CARRIED to adjourn at 8:25 p.m. to the Regular Planning Commission Meeting to be held at 6:00 p.m. on March 18, 2015, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Julia Darden, Chair

Attest:



Jim Pechous, City Planner

DRAFT