

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
April 16, 2014 @ 7:00 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 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Vice Chair Brown 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
Amber Gregg, Associate Planner
John Ciampa, Associate Planner
Thomas Frank, Transportation Engineering Manager
Alan Fenstermacher, Deputy 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 April 2, 2014

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND CARRIED 6-0-1, WITH COMMISSIONER KAUPP ABSTAINING, to receive and file the minutes of the Regular Study Session of April 2, 2014, as submitted by staff.

B. Minutes from the Planning Commission Regular Meeting of April 2, 2014

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of April 2, 2014, as submitted by staff.

6. ORAL AND WRITTEN COMMUNICATION - None

7. CONSENT CALENDAR

A. Establishment of Citywide Speed Limits (Frank)

Review and certify the speed surveys to establish Citywide speed limits on City streets.

Thomas Frank, Transportation Engineering Manager, responded to questions regarding the proposed speed limit increases on Avenida Vista Hermosa and Calle Frontera as recommended in the 2014 Citywide Speed Limit Update. Staff recommended the Commission forward City Council a recommendation to approve and certify the posted speed limits based on speed surveys summarized as set forth in the Speed Summary Exhibit.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO RECOMMEND CITY COUNCIL APPROVE AND CERTIFY THE POSTED SPEED LIMITS BASED ON SPEED SURVEYS SUMMARIZED AS SET FORTH IN THE SPEED SUMMARY EXHIBIT.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL]

8. PUBLIC HEARING

A. 831 Via Suerte, Suite 101 – Conditional Use Permit 14-057 – Ball Park Pizza Beer and Wine (Gregg)

A request to consider a restaurant to serve alcohol indoor and outdoor within a new enclosed patio. The project site is located at 831 Via Suerte, Suite 101 within the Commercial zoning district of the Talega Specific Plan. The legal description is Lot 4 of Tract 16936, Assessor's Parcel Number 701-372-01.

Amber Gregg, Associate Planner, narrated a PowerPoint Presentation entitled, "Ball Park Pizza, CUP 14-057 and MAP 14-142, dated April 16, 2014;" recommended approval of the request as conditioned.

In response to questions from the Commissioners, Ms. Gregg displayed the map indicating nearby addresses/residents noticed for the project; advised the stairway is to remain for future use if needed; advised gates and fences will not be modified to comply with both City and ABC guidelines.

Steve Zrakus, applicant, introduced his daughter Amber; provided history of businesses he currently operates/has operated in the past; discussed his vision for the restaurant; informed he has never had an infraction with ABC; advised the restaurant will be heavily involved with sports, kids and families; requested approval of the request.

Chair Darden opened the public hearing.

Lew Avera, resident, Talega Association Board Member, and former Planning Commissioner, spoke as an independent citizen. He supported the project as proposed; indicated new management at the shopping center has positive changes proposed; suggested the restaurant will complement the nearby sports park.

Chair Darden closed the public hearing.

IT WAS MOVED BY COMMISSIONER KAUPP SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-012, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-057 AND MINOR ARCHITECTURAL PERMIT 14-142, BALL PARK PIZZA, A REQUEST TO ALLOW THE ON-SITE SALE OF BEER AND WINE AND THE CONSTRUCTION OF A NEW OUTDOOR PATIO LOCATED AT 831 VIA SUERTE SUITE 101.

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

B. 415 Avenida Granada – Minor Cultural Heritage Permit 14-114 – Courtyard Lawn Replacement at the Casa Romantica (Ciampa)

A request to consider modifying the courtyard lawn of the historic property to artificial turf. The subject site is located within the Pier Bowl Specific Plan and is zoned Mixed Use (MU4.3-P-A) at 415 Avenida Granada. The legal description is Lot 27, Block 3, of Tract 784, and Assessor's Parcel Number 692-012-38.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "Casa Romantica Courtyard Lawn Replacement, MCHP 14-114, dated April 16, 2014;" displayed photos of the subject lawn; described long term proposal to improve the space; noted the proposed design is a reversible improvement and for that reason complies with the Secretary of

the Interior's Standards; advised the design is proposed for five years to allow the Casa to develop and finance permanent improvements. Staff recommended approval of the request as conditioned.

Jim Pechous, City Planner, discussed the design submitted by Isabel Green during the Casa remodel. The center water feature was designed to be covered up during events to ensure the space remained functional. City landscape staff has indicated that if the space continues to be used as it is currently, the damage to the grass will continue. Staff supports the proposal to install artificial turf as a temporary measure that is fully reversible. It would also allow the Casa to continue to lease the facility which is the economic engine for the long term preservation of the site. Income generated by events at the Casa is used to maintain the facility. He noted that there is costs associated with maintaining the artificial turf, and it can raise the air temperature of the courtyard as much as 10 degrees on a hot day.

Commissioners established from Mr. Ciampa the annual cost to re-sod the courtyard is approximately \$8,000; speculated that a portion of the damage to the sod occurs from table and chair legs; advised it has been over a year since the area was last sodded.

Berenika Schmitz, applicant, felt that allowing the artificial turf in the short term is an opportunity to improve the historic aspect of the building in the long term; commented that the Casa loses approximately \$2,000 per weekend because they have to credit brides due to the poor condition of the grass in the courtyard; suggested the unstable courtyard terrain is a safety issue for women in high heels; noted support for the artificial turf from the Casa Board and its landscaping expert; suggested allowing the artificial turf makes the area safer and more user-friendly. In response to questions, she noted the contracts do not explicitly state the refund will be made, but the Casa does it in good faith when complaints are made regarding the condition of the lawn in comparison to when the facility was first booked; stated the currently standard procedure to replace the sod every year is not financially sound or viable; advised the courtyard has to be closed down for at least a month after re-sodding and noted regular maintenance is still ongoing; commented that adding to the event use cost is not a long term solution; advised many of the cultural events are free to the public; commented the purpose of the facility and its courtyard is for the public to enjoy. Future plans call for the installation of more hardscape to discourage walking and table/chair placement on the grassy areas. The property is booked as a whole and it is the bride's decision where events will take place. Typically the back patio is used for the ceremony, the side patio is used for catering, and the inside is used for dancing.

Jodie Cook, Director of Gardens at the Casa, informed that Tall Fescue, Marathon One is the type of grass installed in the courtyard, chosen for its high wearability and ability to thrive in shady as well as sunny areas of the

courtyard; advised the major problem is the compaction of the ground underneath the grass; noted substantial re-grading is required at this point to counter the pooling and lawn clumping, which substantially increases the re-sodding costs; noted the lawn would be out of service for two months for aerating and reseeding or re-sodding; displayed photos of weddings set up in the courtyard at the Casa; advised the courtyard is sheltered from the prevalent winds on the outdoor patios and preferred by Casa renters for the dining portion of the event. She supported the proposed artificial turf installation to allow the Casa to design and finance a long term solution. She noted that part of the purpose of the facility is to provide free access to the public and that the existing narrow paths through the courtyard are not adequate to handle the crowds. Some options considered and rejected as infeasible include costly engineered soils that resist compaction and warm season grass.

Chair Darden opened the public hearing.

Chair Darden acknowledged receipt of two letters opposed to the proposed artificial turf.

Maryann Comes, resident, member of the San Clemente Historical Society and volunteer at the Casa, opposed the artificial turf proposal as it will reduce the importance and significance of the character defining courtyard feature; noted importance of soft green cool living grass to visitors and residents alike; suggested increased maintenance and reduction of negatively impactful events instead; suggested less events scheduled for the courtyard and more on the patios.

Georgette Korsen, resident, opposed the artificial turf proposal due to increased air temperature and loss of historical significance and charm; suggested alternatives, such as increased fees, increased maintenance, less use of courtyard, etc. need to be further explored; noted installing tile inserts to represent a water feature rather than having a water feature is akin to viewing an oil painting of the sea rather than a view of the sea itself.

Ruth DeNault, resident, supported the artificial turf as a temporary solution that will allow children and families to enjoy the courtyard and allow continued use of the facility without restrictions; noted importance of improvement to increase safety of those enjoying the Casa; advised the artificial grass at the Bowers Museum is beautiful.

Alan Korsen, resident, suggested that there is no drawback to roping off the grassy areas to protect them from the public; advised that proper maintenance/more careful usage of the courtyard should resolve issues associated with the damaged grass; supported retaining the grass as a historical element of the property.

Chair Darden closed the public hearing.

Commissioner Eggleston expressed disappointment with the existing condition of the grass in the courtyard, which he believes has been caused by deferred maintenance and indicative of overuse of the facility. The Casa is first and foremost a cultural center and garden for the public to enjoy. He suggested clarified definition of maintenance responsibilities in the City's agreement with the Casa; advised when the Casa was first envisioned as a venue for weddings/events, the focal point was supposed to be the outdoor patios with the courtyard remaining protected against damaging equipment and heavy traffic. He opposed artificial turf for the courtyard, and recommended soil preparation, re-sodding, and improved maintenance instead. The grassy areas should not be subject to damage from high heels, table legs, chair legs, etc.

Commissioner Ruehlin suggested the Casa consider soil compaction improvement, alternative grass types, changes in event layout/circulation, and roped off areas as alternative solutions. He is concerned that those options were not fully considered before the artificial turf suggestion was submitted. He does not support artificial turf for aesthetic reasons and urged the Casa to consider alternatives for future consideration.

Chair pro tem Crandell opined that installing artificial turf will negatively affect the integrity of the Casa and recommended the Casa Board work on alternative solutions to retain the natural sod in the courtyard.

Commissioner Kaupp does not support the proposal because he cannot make the majority of the required findings, especially with regard to protecting a historic resource. If the courtyard space is subject to and damaged by heavy use, its rental fee should reflect the cost of doing business in the space, including the sod recovery. Artificial turf will demean the look and intent of the historic structure.

Vice Chair Brown agreed that heavy use of the courtyard negatively affects the space and incurs additional maintenance cost, which should be included as part of the cost of doing business in the space. He suggested the Casa grounds could be better managed and maintained, including reevaluation of the costs of managing space and the business of maintaining space for continued use.

Commissioner Ward felt that installation of artificial turf would be a major downgrade to the area; suggested the courtyard was not being used in the way it was originally intended; suggested better management of the space would decrease negative impacts; acknowledged the need for immediate action to address the negative condition; suggested that in addition to increased air temperature, the artificial turf emits an offensive odor.

Chair Darden acknowledged the support and passion for the Casa expressed by many and in evidence on the Commission; commented that the proposal clearly does not meet the required findings especially with regard to historic preservation; felt that artificial turf erodes the historic significance of the facility, and could potentially make it unattractive to potential brides/event planners. She requested staff provide direction on the best way to proceed with this agenda item.

City Planner Pechous recommended the Commission consider continuing this project to allow staff adequate time to prepare a resolution for denial and/or allow the Casa to develop an alternative plan for Commission consideration.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO CONTINUE 415 AVENIDA GRANADA – MINOR CULTURAL HERITAGE PERMIT 14-114 – COURTYARD LAWN REPLACEMENT AT THE CASA ROMANTICA, WITHOUT PREJUDICE, TO THE MEETING OF MAY 21, 2014, AND DIRECT THE CITY PLANNER TO PREPARE A RESOLUTION FOR DENIAL.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

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 April 2, 2014

Vice Chair Brown reported that at the last Coastal Advisory Committee meeting, Committee Members submitted questions regarding the Poche Action Plan to be discussed at their next meeting.

Chair Darden asked the Commissioners that attended the last Planners' Institute Conference to contact her regarding selection of topics to report on at the next Commission meeting.

12. ADJOURNMENT

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 8:56 p.m. to the Adjourned Regular Planning Commission Meeting on May 7, 2014, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,



Julia Darden, Chair

Attest:



Jim Pechous, City Planner