

CITY OF SAN CLEMENTE

CITY COUNCIL MINUTES

ADJOURNED REGULAR MEETING - JULY 14, 1988

An Adjourned Regular Meeting of the City Council of the City of San Clemente, conducted in the Council Chambers, Civic Center Building, 100 Avenida Presidio, was called to order by Mayor Lorch at 6:12 p.m.

Joint Meeting with Planning Commission

The Joint City Council/Planning Commission meeting convened at 6:12 p.m.

PRESENT Council Members - LIMBERG, MECHAM*, RICE,
VEALE, MAYOR LORCH

*Arrived at 7:05 p.m.

ABSENT Council Members - NONE

PRESENT Planning Commissioners - BURLERSON, HAGGARD,
KWESKIN*, NEVILLE,
CHAIRMAN JOSEPH

*Arrived at 7:20 p.m.

ABSENT Planning Commissioners - NONE

1. DISCUSSION BETWEEN THE CITY COUNCIL AND THE PLANNING COMMISSION RE LOT SPLITS IN THE RANCHO SAN CLEMENTE BUSINESS PARK AREA

Community Development Director Holloway reviewed that in April, 1988 Council directed the Planning Commission to study the issue of lot sizes (i.e., large lots versus

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small lots) in the Rancho San Clemente Business Park, particularly in Planning Areas 1 and 4; noted the Planning Commission studied the issue as requested and supports the retention of small lots in Planning Area 4 and supports a mixed use concept for Planning Area 1; noted that on July 6, 1988, Council considered a Tentative Tract Map petition to subdivide Planning Area 4 into smaller parcels and at that time scheduled a joint meeting with the Planning Commission to allow clarification of the Planning Commission's rationale in making its recommendations.

In response to Council inquiry, Community Development Director Holloway stated that staff contacted Ultra-Research to obtain an opinion as to whether large lots would likely provide greater revenue to the city; relayed Ultra-Research's opinion that corporate headquarters tend to be better tax generators than small lots for the following reasons: 1) corporate headquarters tend to be expensive buildings which contain more amenities and valuation per square foot, hence resulting in a higher property tax base; and 2) corporate headquarters tend to generate more retail sales.

Planning Commission Chairman Joseph relayed the Planning Commission's rationale in its recommendations pertaining to lot sizes and the land use designations in Rancho San Clemente; advised the Planning Commission felt the business park concept should be retained in Planning Area 4; noted that although the Planning Commission supports the retention of the current small lot configurations in Rancho San Clemente, the lots could be combined in the event a corporation desired to establish itself in a particular location; voiced doubt that large lots would provide more revenue to the City than small lots; stated the Planning Commission believes the town center concept of Planning Area 1 should be retained; opined that small lot users would be more attracted to Planning Area 4 than large lot users; stressed that the Planning Commission was not considering a specific project at the time the lot size issue was considered, but rather was considering the concept; stated the issues of fiscal impact and community benefit can be considered at the time a specific project is under consideration.

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Dave Christian, WSLA, stated that approximately 6,000 persons will reside in Rancho San Clemente at the time of build-out; noted the proposed Specific Plan Amendment provides two types of commercial, i.e., neighborhood commercial and mixed use zoning; proposed that the neighborhood commercial use be relocated from Lot 18 to Lot 16.

Councilmember Rice stated he spoke with a corporation representative who indicated he would consider locating in San Clemente if a 60-acre site could be obtained; voiced concern the City's options would be precluded by subdividing parcels into smaller lots; spoke in support of obtaining a marketing analysis for the Rancho San Clemente Business Park.

Council discussed the merits of the City assisting with the marketing of the Rancho San Clemente Business Park.

Planning Commissioner Haggard endorsed City involvement in the marketing of the Rancho San Clemente Business Park; felt incentives should be provided to entice businesses to locate in Rancho San Clemente.

Planning Commissioner Burleson suggested that the lot size issue be referred back to the Planning Commission to allow the Commission to consider all suggestions raised and to redefine goals and objectives.

Robert Crowther, Munson Properties, stated their project encompasses 21 buildings which total 126,000 square feet within Planning Area 4; presented a Buyer Profile and a listing of the benefits of the project; noted their project would generate \$50,000 in revenue to the City through sales tax and property tax revenue; opined small lots will generate more interest than large lots; requested that their industrial project be exempted from the moratorium since it exceeds 100,000 sq. ft., will generate substantial income to the City, and will contribute to the refurbishment of the area.

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City Attorney Oderman advised that a letter, dated July 14, 1988, has been received from Palmieri, Tyler, Wiener, Wilhelm & Waldron (attorneys for WSLA) which raises questions pertaining to the City's legal authority to consider lot size in acting upon WSLA's pending subdivision petition for Tract 13467.

CLOSED SESSION

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 4-0, to recess to Closed Session at 7:02 p.m. for purposes of discussing threatened litigation, pursuant to Government Code Section 54956.9(c). The City Council, City Manager, City Attorney and Community Development Director were in attendance.

Councilmember Mecham arrived at 7:05 p.m. and attended the Closed Session.

MEETING RECONVENED

Council reconvened at 7:24 p.m., with all members present.

City Attorney Oderman stated the Subdivision Map Act provides that the City must consider a Tentative Tract Map application in accordance with the ordinances, rules and policies in effect at the time the map is accepted as complete; noted that both the Tentative Tract Map applications for Planning Areas 1 and 4 have been accepted as complete; opined, therefore, that the Council's and Planning Commission's concern regarding uses would not provide adequate grounds for denial of those applications; noted, however, that the City can amend the specific plan, or take other actions within its police powers, to affect uses and development standards that are not directly regulated by the Subdivision Map Act.

During the course of discussion, Council directed as follows:

1. The Business Park concept in Planning Area 4 shall be retained.

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2. The subdivision applications for Planning Areas 1 and 4 will be processed under existing guidelines; however, Council noted it possesses the latitude to process, on its own or in cooperation with Rancho San Clemente, a mixed use concept for Planning Area 1.
3. Coldwell Banker shall be contacted relative to the economic potential of the Rancho San Clemente Business Park.

The Planning Commission adjourned at 7:59 p.m.

2. TENTATIVE TRACT MAP 13467, PLANNING AREA 4 - SUBDIVISION REQUEST

Report from the Community Development Director concerning a request to subdivide approximately 40 acres into 25 numbered lots and 1 lettered lot on approximately 40 acres in Planning Area 4 of the Rancho San Clemente Business Park.

Mayor Lorch re-opened the Public Hearing.

Dave Christian, WSLA, relayed his belief that the proposed subdivision would be beneficial to the City; stated WSLA is open to City input with regard to future opportunities relating to the mixed use concept; questioned, and received clarification, that Tentative Tract Map 13467 is not subject to the moratorium; reiterated WSLA's concerns as expressed at the July 6, 1988 meeting pertaining to Condition No. 11 (relating to landscape setbacks) and Condition No. 22 (concerning the Regional Circulation Financing and Phasing Program).

Robert Crowther, Munson Projects, clarified that he is requesting that his project be exempted from the moratorium, not Measure E.

City Attorney Oderman stated that Mr. Crowther's project is subject to the moratorium since the application was not filed until after the June 8, 1988 election and the project does not fit within any of the exemptions contained within the Ordinance; noted that Council has the discretion to expand the moratorium.

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There being no others desiring to speak to this issue, the Public Hearing was closed.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Resolution No. 88-73 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING TENTATIVE TRACT MAP 13467 SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL, with the revision that Condition No. 11 be modified to provide that the landscape setback area shall be installed by the Master Developer within 180 days after final map approval.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to agendize the possibility of exempting the Munson Properties project from the moratorium.

3. CONSIDERATION TO RESCIND COUNCIL ACTION OF AUGUST 12, 1987 WHICH ESTABLISHED NO PARKING AND STRIPING MODIFICATIONS ON SOUTH EL CAMINO REAL AT AVENIDA PRESIDIO

Ray Campbell, 1209 La Jolla Street, voiced his belief that right-turn lanes should be established on South El Camino Real to aid traffic flow; supported the establishment of red-curb; urged that parking lots be established in the downtown area.

Sue Johnson, representing Heidi's Yogurt, questioned and received clarification that the south side of Avenida Presidio near the intersection of South El Camino Real will be red-curbed.

Eric Smith, 217 Avenida Verde, representing Tony's Locksmith, voiced concern the business owners were not notified of the proposal to red-curb; spoke in opposition to red curbs.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER VEALE, to delete the red curbing on the northeast corner of South El Camino Real near Avenida Presidio to, in effect, restore two parking spaces in front of Danielle Kennedy Productions.

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Following discussion relative to the difficulty of synchronizing the traffic signals on South El Camino Real, THE MOTION ON THE FLOOR CARRIED 4-1 (MAYOR LORCH VOTING NOE).

COUNCIL RECESSED AT 8:20 P.M. AND RECONVENED AT 8:40 P.M., WITH ALL MEMBERS PRESENT.

4. EIR 84-02, TALEGA VALLEY ENVIRONMENTAL IMPACT REPORT; GPA 88-02, TALEGA VALLEY GENERAL PLAN AMENDMENT; AND SP 84-02, TALEGA VALLEY SPECIFIC PLAN

Public Hearing to consider certification of an Environmental Impact Report as adequate and complete, and approval of a General Plan Amendment and approval of the Talega Valley Specific Plan.

Council received a letter from the City of San Juan Capistrano, dated July 14, 1988, which addressed concerns pertaining to the Talega Valley project.

Mayor Lorch opened the Public Hearing.

Associate Planner Philbrick reviewed the history of the project; advised the Talega Valley Task Force identified issues and provided direction to staff pertaining to those issues; reviewed density and open space aspects of the project and the method of calculation therefor; stated the application has satisfied all requisite submittal requirements and complies with all applicable Codes; reviewed conditions of approval intended to respond to concerns relating to fiscal impact concerns, visual impacts in the area of Nob Hill, traffic, consistency of business park standards, status of the preserve area, existence of the future development area adjacent to Planning Area 25-B, and the potential for annexation; advised the Parks and Recreation Commission has recommended that a City representative be appointed to serve on the future Conservancy Board.

Bill Phillips, on behalf of the Talega Valley Partnership, summarized the background of the project; addressed the issues of grading, Conservancy, golf courses, fiscal impact and road aspects and summarized the conditions attendant thereto; reviewed the project layout, the diversity of uses included in the project,

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and the visibility within the development; explained the effect of grading on the topography of the property, noting that 40% of the land will remain in a natural state.

Tom Lynch, Chairman of the Golf Course Committee, 341 Calle Dorado, spoke in opposition to the adoption of the Talega Valley Specific Plan since 1) it does not provide a public golf course, and 2) a saturation of private courses will exist in the area.

Associate Planner Philbrick advised that Condition No. 24 provides that the City may, prior to December 31, 1988, present to the applicant a proposal to purchase the golf course site, to which the applicant shall respond within 30 days.

Mr. Phillips responded that both golf courses will be open for public play and will not be equity membership courses; noted, however, that priority starting times will be afforded guests of the hotel.

Tom Lynch voiced concern that the golf course may be open to the public but will be cost-prohibitive to the average golfer; voiced concern the golf course may be converted to an equity course in the future if operated by a private organization.

Mary Jo Doherty, Parks and Recreation Commissioner, 3909 Calle Andalucia, on behalf of the Parks and Recreation Commission, requested that a condition be imposed to require that at least one member of the City of San Clemente shall be appointed to the future Conservancy Board that will administer the 1,200 acre preserve area.

Bob Burleson, Planning Commissioner, 2909 Via San Gorgonio, suggested that Council consider approving future Specific Plans with the condition that Council reserves the right to make further amendment thereto.

Mary Patterson, on behalf of the Audobon Chapter, spoke in support of designating the reserve area as an ecological reserve; felt the County should be awarded title to the reserve area to protect the public interest.

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During the course of discussion, Councilmembers voiced additional concerns and made comments as follows:

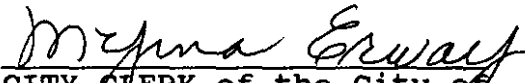
1. Grading should be accomplished in a manner that includes swales and varying slopes; geometric angles should be avoided.
2. Streets should be undulating and curvilinear in nature.
3. Concern that a secondary arterial is proposed to extend through the heart of the development.
4. The current Specific Plan represents an improvement over the original plan.
5. Possibility of City acquiring ownership of the open space areas (including ridgelines). Council requested to be provided with additional information pertaining to the issues of maintenance and liability.
6. Council requested information pertaining to mitigation of the habitat areas. (Bill Phillips agreed to provide a written response.)
7. Council requested information pertaining to mitigation efforts pertaining to the oak trees. (Bill Phillips agreed to provide a written response.)
8. Possibility of re-designating Avenida La Pata as a major arterial, rather than a primary arterial.

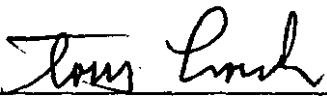
MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to continue the Public Hearing to August 3, 1988.

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5. ADJOURNMENT

Council adjourned at 11:07 p.m. to 1) 6:00 p.m. on Wednesday, July 20, 1988 in the City Council Chambers for the purpose of interviewing/selecting a City Treasurer; and 2) to 8:30 a.m. on July 19, 1988 at the Ole Hanson Beach Club, 105 Avenida Pico, for purpose of holding a joint meeting with Congressman Packard.


CITY CLERK of the City of
San Clemente, California


MAYOR of the City of
San Clemente, California

AFFIDAVIT OF POSTING ORDER
OF ADJOURNMENT OF MEETING

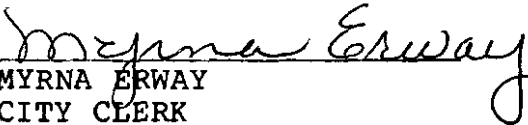
STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, declare as follows:

That I am the City Clerk of the City of San Clemente; that at an Adjourned Regular City Council meeting held on JULY 14, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on July 15, 1988 at the hour of 10:30 a.m. a copy of said order was posted at a conspicuous place near the door at which said meeting was held.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 15, 1988 at San Clemente, California.


MYRNA ERWAY
CITY CLERK

AFFIDAVIT OF POSTING ORDER
OF ADJOURNMENT OF MEETING

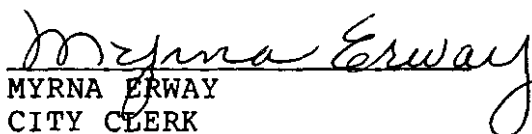
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