
**CITY OF DANA POINT
TOWN CENTER SUBCOMMITTEE
AGENDA**

January 9, 2006
5:00 p.m.

City Hall Offices
Council Chamber (#210)
33282 Golden Lantern
Dana Point, CA 92629

1. PLEDGE OF ALLEGIANCE
2. SUBCOMMITTEE ROLL CALL
3. PUBLIC COMMENTS
4. PUBLIC OUTREACH UPDATE
5. SUMMARY OF 11/10 ECONOMIC BRAINSTORMING SESSION *Attachment A*
6. SIGN CODE & GUIDELINES *Attachment B*
7. ART IN PUBLIC PLACES PROGRAM *Attachment C*
8. FOLLOW-UP FROM DECEMBER 7TH SUBCOMMITTEE MEETING
 - a. *Proposed Actions to Limit Impacts on Surrounding Residential Areas Attachment D*
 - b. *December 7, 2005 Meeting Minutes Attachment E*
 - c. *Subcommittee Recommendations To Date Attachment F*
9. ROUNDTABLE DISCUSSION
10. NEXT MEETING/ADJOURNMENT
Next meeting January 24, 2006 at 1pm

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before, January 6, 2006, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

Kyle Butterwick, Director
Community Development Department

Agendas are available on the City's website at www.danapoint.org
IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE
IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3564.
NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO
ASSURE ACCESSIBILITY TO THIS MEETING.

Economic Incentive Items

On November 10, 2005, a focused meeting was conducted with the business community to identify economic development opportunities. The following points were made at that meeting. These topics will be explored by the City's Economic Development Manager and programs developed for implementation.

1. **Put a positive spin to Town Center with a Town Center marketing campaign** – a marketing campaign will be coordinated by the Economic Development Manager who will seek input and support from the business community, which will include, but is not limited to, the Chamber of Commerce and Harbor Association.
2. **Create better identity for Town Center before it's built** – this subject will be addressed as part of the marketing campaign.
3. **Provide business relocation assistance** – programs for providing relocation assistance will be addressed in the Economic Development Plan to be prepared by the City's Economic Development Manager.
4. **Establish a punch sheet/handout for how to relocate a business** (City/County hoops to hurdle) – this tool will be developed by the Economic Development Manager.
5. **Provide an express lane at the City for Town Center permits** – to be implemented as a component of the Economic Development Plan.
6. **Consider controls on what types of business are in Town Center. Restrict "cookie cutter", "formula" business types to support existing, local businesses.** – the Town Center Plan will include regulations related to land use.
7. **Establish a business licensing program** – to be developed by the Economic Development Manager.
8. **Establish a business assistance program** – the Economic Development Plan will identify potential assistance programs for businesses.
9. **Create more leniency in the Sign Code related to temporary signage** – an interim sign program will be developed by Community Development staff, to address temporary signage needed to minimize impacts to businesses during roadway construction and for businesses who are relocating.

Recommendation

No action required. As the programs to implement these issues are developed they will be presented for consideration.

Sign Code & Guidelines

The Subcommittee reviewed the City's Sign Code and Sign Guidelines at its October 11, 2005 meeting. The purpose was to provide the members an understanding of the regulations to determine if modifications were needed to tailor the regulations for Town Center. Despite aggressive outreach efforts, which included hand delivery of notices, one business member provided testimony at the meeting.

An update to the Sign Code and/or Guidelines is an extensive process which would require additional analysis. If the Subcommittee sees the need to revise these documents, it is recommended that it be identified as an implementation measure.

The City's Sign Code and Sign Guidelines govern temporary and permanent signage in the City in residential and non-residential areas. Since its adoption in 1991, the Sign Code has undergone several amendments to tailor the regulations to meet the needs of businesses and to encourage well designed, consistent signage. The Sign Design Guidelines, which were adopted in February 2004, assist in implementing the Sign Code and communicate the City's vision for well designed signs.

The following goal and policies have been considered by the Subcommittee for inclusion in the Plan to provide the framework for reviewing signage in the Town Center. Policy 6.1 will be addressed as part of the streetscape plan and would not be a component of the Sign Code. The Sign Code already allows for projecting signs, as mentioned in Policy 6.2.

GOAL: Require signs to contribute to the atmosphere and to serve as symbols of quality for commercial establishments.

New Policies

Policy 6.1: Create a public signage program which creates a unified design which reflects the character of the Town Center for street signage, and direction signs to public parking locations and community serving uses (i.e., public buildings, parks, scenic attractions, coastal access points, bike and pedestrian paths, cultural/historic structures)

Policy 6.2: Encourage pedestrian signage, such as projecting signs.

Recommendation

If the Subcommittee wishes to conduct a more extensive review of the Sign Code & Guidelines with respect to the special needs of the Town Center, it is recommended that this become an implementation measure which would state the following:

1. Evaluate and update, as needed, the Sign Code & Guidelines to ensure regulations encourage signage which is consistent with the goals of the Town Center Plan.
2. Develop an interim Sign Program to address signage needs for existing businesses during the construction phase of roadway improvements and temporary signage needed for businesses relocating.

Public Art in the Town Center

The Subcommittee reviewed the City's existing Art-in-Public-Places Program (AIPP) on July 19th. The topic is being brought back to the Subcommittee to recommend that the current AIPP program be evaluated as an implementation measure of the Town Center Plan. This action would allow for the program to be fully analyzed and the appropriate modifications made to ensure the full benefits of public art are realized in the Town Center.

The use of public art in the Town Center is consistent with the Guiding Principle to encourage culture, arts and socializing – day and night. Cultural activities that reflect the identity and heritage of the City can strengthen the appeal of the Town Center. One mechanism for creating this identity is the use of public art.

The Subcommittee's recommended Town Center policies included the following in regards to public art in the Town Center. This policy provides a basis for evaluating and making modifications to the existing AIPP program.

Policy 2.6: Incorporate art features, including any required public art as an element of development and enhancements.

Art in Public Places

The City's current Art-in-Public Places program (AIPP) requires all new development exceeding \$1,000,000 in construction costs to comply with the requirements of the program. Applicants have the option of including a public art component within the project, off-site or contributing to an in-lieu fund equal to the required value of public art. The required value of the art is one-half percent of the total development construction costs. For example, a project which costs \$2,000,000 to construct has an obligation of \$100,000 towards public art. Today, approximately \$92,500 has accumulated in the AIPP in-lieu fund account.

The City's Planning Commission is responsible for approving AIPP art and/or contributions to the in-lieu fund. A specific process of utilizing the in-lieu funds is not defined in the program. Use of the In-lieu fees have supported only one public art piece which will be located in front of the new Fire Station in Doheny Village. In this case, the Council approved allocation of the funds and artists were requested to submit proposals. The selection of the art piece will be made by the Planning Commission, with recommendations and support from an art consultant.

Recommendation Summary

Modification of the City's existing AIPP program may be required to create a presence of art work in the Town Center. To facilitate this, it is recommended that the program be fully evaluated as an implementation measure of the Town Center Plan. Specifically, the recommendation is:

1. As an implementation measure of the Town Center Plan, evaluate the current AIPP program and make revisions as necessary to ensure that the Town Center benefits from the establishment of public art.
2. Consider an increase to the required value of art which is currently one-half percent of the total development construction costs.

Proposed Actions to Limit Impacts On Surrounding Residential Areas

A Guiding Principle for the Town Center Plan is to “consider and mitigate the effects of traffic, noise & lights on residential areas”. The following is presented to ensure this principle is addressed in the Town Center Plan. The issues identified below are reflective of comments received during the public outreach process.

The Town Center is bordered to the north and south by a combination of single-family and multi-family developments. Increased activity in the Town Center has the potential to affect these properties and measures have been identified to address these issues. Strategies for addressing the issues raised by some surrounding residents are discussed below:

Traffic

Issue: Overflow traffic in residential streets. Concerns have been expressed that with increased development in the Town Center and slowing of traffic, congestion may occur which will encourage motorists to utilize neighboring streets.

Strategy/Response: ROMA and the City have developed an extensive traffic analysis which includes mitigation to ensure the level of service of the intersections is not reduced from existing conditions. By maintaining these service levels, there would be no benefit for motorists to utilize residential side streets. The strategy to address this issue is provided below:

1. Implement a circulation plan which would maintain an acceptable level of service.

Issue: Increased traffic in alley ways. Access to parking areas from locations other than Del Prado and PCH will be encouraged to eliminate on-street curb-cuts. Reducing curb-cuts improves the pedestrian environment, enhances traffic circulation, and allows for additional on-street parking.

Strategy/Response: By itself, this approach could increase traffic in the alleyways, however other measures included in the Plan should also be considered which will decrease alley traffic, such as making the alleys one-way and each block in opposing directions. The one-way alleys would eliminate the use of alleys for general travel and be utilized mostly for accessing parking facilities. The strategies to be incorporated into the Plan are listed below:

2. One-way alley circulation, each block to be opposing direction.
3. Encourage access from side streets for development located on corner lots.

Issue: Insufficient alley width for two-way circulation. A two-way circulation pattern would require a minimum width of 20-feet. The existing right-of-way of the alleys are 20-feet, however, the actual paved portion is more narrow in some areas.

Strategy/Response: It is recommended that the alleyways be one-way and each block would be in opposing directions. This would ensure that adequate width was available and reduce the likelihood of motorists using the alleys for general travel. Improvements to alleyways will be required of new development which may include widening, repaving, and/or under grounding of utilities. In addition to the strategy for one-way alleys which addresses this issue (see #2 above), the following strategy will be incorporated into the Plan:

4. Require new development to improve adjacent alleyways, as appropriate.

Parking

Issue: Overflow parking in residential neighborhoods. Increased development and the implementation of an in-lieu parking program have generated concerns that parking would be forced into surrounding neighborhoods.

Strategy/Response: The proposed plan includes a parking program which will create centralized public parking areas. The current parking ratios for new development will be maintained, but developers will now have the option of buying-out a portion of the parking spaces by purchasing spaces in public parking areas. This process is referred to as a parking in-lie fee.

Parking in-lieu fee programs are typically established to assist in the development of a public parking facilities, rather than have each property owner provide sufficient parking for each use. Instead of providing all required parking spaces on-site, a new development would pay a fee that would help offset the cost of constructing public parking facilities in the Town Center area. For maximum efficiency, residential parking would be required to be located on-site. Studies would be conducted to establish the cost of constructing the parking area and set the in-lieu parking fee.

It is critical to provide adequate parking throughout the Town Center without creating vast expanses of surface parking which have a negative impact on water quality, walkability, and the general aesthetic quality of the built environment. To ensure the appropriate amount of parking is provided, the Plan will include a parking management program which will evaluate parking supply and demand throughout the Town Center. The City will also seek to establish a centrally located parking facility early on in the implementation process to assist in accommodating public parking. Public parking will ultimately be provided in parking structure(s) which will be integrated with new development. However, during the initial stages of the project, surface parking, which is less costly and easier to establish, may be utilized. The strategies to be incorporated into the Plan are listed below:

5. Develop a parking management program to evaluate parking supply and demand throughout the Town Center.
6. Require new development to comply with current parking regulations defined in the Dana Point Zoning Code.
7. Require new development which seeks to participate in in-lieu parking to conduct a parking analysis to be reviewed and approved by the City to ensure that adequate public parking is available prior to the construction of the project.
8. Establish public parking facilities.

Noise

Issue: Delivery and trash trucks generating noise in alleys.

Strategy/Response: Noise associated with service deliveries must comply with the City's Noise Ordinance. In addition, the City will have the opportunity to evaluate noise-related issues when reviewing a Site Development Permit application for new construction or a Conditional Use Permit for a new business. The strategies to be incorporated into the Plan are listed below:

9. Activities in the Town Center shall comply with the City Noise Ordinance standards.
10. Limit deliveries to hours consistent with the day time noise standards which are between 7am and 10pm.

Issue: Noise from an increase in evening activity from restaurants and people. An indication of a vibrant downtown is that there is activity along the streets and businesses in the day and evening. Increased activity and new businesses have the potential to generate additional noise which may be audible by residents outside the Town Center.

Strategy/Response:

11. Increased Code Enforcement and police presence during periods of increased activity, to enforce the City's Noise Ordinance.
12. Require a Conditional Use Permit for outdoor commercial activities (i.e., cafes) which abut residential uses outside the Town Center.

Recommendation

Some of the strategies identified above are reflected in the draft Town Center Policies and/or Subcommittee Recommendations. To provide a comprehensive strategy to address potential neighborhood impacts these are included in this list. It is recommended that the Subcommittee adopt the strategies identified above for inclusion in the Town Center Plan.

1. Implement a circulation plan which would maintain an acceptable level of service.
2. One-way alley circulation, each block to be opposing direction.
3. Encourage access from side streets for development located on corner lots.
4. Require new development to improve adjacent alleyways, as appropriate.
5. Develop a parking management program to evaluate parking supply and demand throughout the Town Center.
6. Require new development to comply with current parking regulations defined in the Dana Point Zoning Code.
7. Require new development which seeks to participate in in-lieu parking to conduct a parking analysis to be reviewed and approved by the City to ensure adequate parking is available prior to the construction of the project.
8. Establish public parking facilities.
9. Activities in the Town Center shall comply with the City Noise Ordinance standards.
10. Limit deliveries to hours consistent with the day time noise standards which are between 7am and 10pm.
11. Increased Code Enforcement and police presence during periods of increased activity, to enforce the City's Noise Ordinance.
12. Require a Conditional Use Permit for outdoor commercial activities (i.e., cafes) which abut residential uses outside the Town Center.

**CITY OF DANA POINT
TOWN CENTER SUBCOMMITTEE
DECEMBER 7, 2005 MEETING MINUTES**

The Subcommittee convened the meeting at approximately 1:05pm.

1. PLEDGE OF ALLEGIANCE

2. SUBCOMMITTEE ROLL CALL

All members were present.

3. PUBLIC COMMENTS

The following members of the public spoke.

1. Jim Kelly – Resides on Santa Clara. Met with staff to discuss impacts on Santa Clara. Need to address parking up front. Alleys too narrow for 2-way circulation. Recommends encouraging access off of side streets.
2. Tom Gates – Resides on Santa Clara. Residents should drive the vision for downtown.

4. PUBLIC OUTREACH UPDATED

Kathy Barnum noted that this was the nineteenth public meeting related to the Town Center Plan, reviewed press packet and discussed the Survey which will be posted on the website. Responses will be summarized in 2 months.

5. SUMMARY OF 11/10 ECONOMIC BRAINSTORMING SESSION

Continued.

6. SIGN CODE & GUIDELINES

Continued.

7. DEVELOPMENT STANDARDS (CONTINUED FROM 10/24)

The proposed development standards were approved by the Subcommittee on 10/24. Boris Dramov and John Tilton provided an overview of the remaining issues related to development standards which were height and setback projection, frontage standards which were modified as a result of the change in circulation pattern, and rear/alley setbacks. Public Comments included:

1. Tom Gates – Proposal is too dense and concerned with height encroachments.
2. Jim Kelly – Suggests: 1) 35' max adjacent to residential areas, 2) Alleys already heavily used, 3) parking upfront may be cost prohibitive but need something guaranteed, possibly some interior surface parking.
3. Jerry Gruner – Concerned with density and parking.
4. Bob Theel – The Town Center had 18 empty lots in 1991, today there are 14. Developers losing interest because of 40- max height and one-way circulation alternatives. Development standards under consideration are too restrictive.

Subcommittee came to consensus on the following:

- a. Rear/alley 5-foot setbacks, above 20-feet a 10-foot stepback would be required.
- b. Front setbacks: PCH 100% of building frontage to setback line. Del Prado 50% of building to property line, balance to setback line.

TOWN CENTER SUBCOMMITTEE RECOMMENDATIONS

(as of 11/10/05)

APPROVED RECOMMENDATIONS – the following recommendations were approved by the Subcommittee.

PCH/DEL PRADO STREET IMPROVEMENTS AND PHASING PLAN (8/9/05 and 11/10/05 Meetings)

The following Recommendation was modified as a result of the Subcommittee's vote on 11/10/05 to maintain the one-way circulation system.

- ~~1. Continue with the proposed preferred concept, as detailed in the May 2005 Plan, which includes four lanes on PCH and two lanes on Del Prado, as well as the following components:
 - ~~a. Create additional public parking which would include one and preferably two facilities prior to Phase I and ensure adequate parking signage is provided.~~
 - ~~b. Reestablish on street cut out parking on PCH in moderate to heavily utilized areas in which it is physically possible to create 3 or more spaces and at the request of the property owner(s) who may be required to dedicate property for right of way purposes.~~
 - ~~c. Construct the landscaped median on PCH during Phase I.~~
 - ~~d. Consider modifying the intersection of Blue Lantern and PCH, as well as other intersections, to narrow the entrance to the side streets and making it appear as a less desirable alternative route.~~
 - ~~e. Evaluate an alternative intersection at Copper Lantern.~~
 - ~~f. Meet with the business community to review parking issues.~~
 - ~~g. Establish specific entry features at the north and south end of the couplet.~~
 - ~~h. Establish 4 way stop signs on Del Prado, where justified.~~
 - ~~i. Establish appropriate parking time limits for public parking in the Town Center as an action of the Implementation Plan.~~~~
1. Maintain one-way circulation pattern with the following improvements:
 - a. Reduce to two lanes on PCH and Del Prado
 - b. Include pedestrian amenities and traffic calming measures, such as intersection bulb-outs and textured paving, narrowed roadway, and signal priorities for pedestrians.
 - c. Include roadway beautification measures at a pedestrian scale, such as landscaping, seating and lighting.
 - d. Establish specific entry features at the north and south end of the couplet.

IN-LIEU PARKING PROGRAM (8/9/05 Meeting)

1. Continue with the recommended concept, as detailed in the May 2005 Plan which includes the establishment of an in-lieu parking program, as well as the following components:
 - a. Require that residential and guest parking be provided on-site.
 - b. Conduct study to determine appropriate in-lieu fee.
 - c. Implement parking program in areas between Golden Lantern and Blue Lantern.

HISTORIC PRESERVATION (8/23/05 Meeting)

- 1) Require that the nine structures and gazebo located in the Town Center which were identified in the 1997 survey be placed on the Dana Point Historic Register and be subject to Section 9.07.250(g)(1)(C) for removal. Similar to the two structures which were required to be designated, removal of these structures in the Town Center would require review by the Planning Commission.

- 2) With the assistance of the Historic Society, identify other structures in the Town Center which satisfy the eligibility criteria and include these structures on the Register. These structures would also be subject to Section 9.07.250(g)(1)(C) for removal.
- 3) Update the Dana Point Historic Resources Inventory every five years.
- 4) Preserve portions of concrete sidewalks which have historical stamp from original development of the City, where feasible.
- 5) Notify property owners of the benefits of registering their structures on the National Register of Historic Places.
- 6) Create incentives for structures which have been modified to reestablish historical characteristics.

DESIGN GUIDELINES (8/23/05 Meeting)

1. Supplement and/or replace the existing design guidelines for private property in the Town Center with new design guidelines, focusing on humanizing the pedestrian environment within the Town Center, with consideration for courtyards, passages, and other provisions that help to link and extend the quality of public space into quasi-public and private areas. Guidelines are to address:
 - a. roof top gardens,
 - b. clarify encroachment for outdoor seating,
 - c. ensure guidelines are flexible,
 - d. architecture should be regionally significant, and
 - e. evening character and lighting.

MARKETING COUNCIL TASK FORCE (9/15/05 Meeting) *ACTED ON BY COUNCIL 9/28/005*

1. Retain economic development director and develop a formal Economic Development Program for the City of Dana Point that would involve the formulation of a formal economic development strategy to market the City as well as to assist with business development in Dana Point;
2. While staff is developing an Economic Development Program for the City, staff should be exploring opportunities to partner with the Harbor Association to market Dana Point as an upscale visitor destination that can be implemented immediately; and
3. In addition, direct staff to pursue, as a part of the Economic Development Program, a more regional approach with the Tri-City area Cities towards marketing South County as a visitor destination.

BUILDING HEIGHT (9/15/05, 9/27/05 and 10/24/05 Meetings)

1. Increase the overall Town Center building height standard for 3 stories to 40-feet (additional 5-feet).

DEVELOPMENT STANDARDS (9/15/05 and 10/24/05 Meetings)

1. Replace the existing development standards for the Town Center with new standards which would encourage design that would support the objectives of greater residential development, retail concentration and continuity, and economic feasibility (see matrices reviewed at 10/24/05 meeting).

ISSUES TO BE FINALIZED – the following issues have been discussed, but the Subcommittee has not approved final recommendations.

LAND USE (7/19/05 and 8/9/05 Meetings)

1. Create land use districts to focus specialty commercial along Del Prado, community commercial along PCH, and Commercial/Office in the area of La Plaza. Generate a land use matrix which would identify uses which would be permitted, conditionally permitted and prohibited in these districts.
2. Implement discretionary review process which would provide the tools needed for ensuring uses on Del Prado will generate activity and help achieve the vibrant pedestrian environment sought for the Town Center.

ART IN PUBLIC PLACES (7/19/05 and 1/3/06 Meetings)

1. As an implementation measure of the Town Center Plan, evaluate the current AIPP program and make revisions as necessary to ensure that the Town Center benefits from the establishment of public art.
2. Consider an increase to the required value of art which is currently one-half percent of the total development construction costs.

BUILDING HEIGHT (9/15/05, 9/27/05, 10/24/05 and 12/7/05 Meetings)

1. Consider items such as architectural elements, roof decks and other appurtenances to exceed the maximum building height.

SIGN CODE & GUIDELINES (10/11/05 and 1/3/05 Meetings)

1. Evaluate and update, as needed, the Sign Code & Guidelines to ensure regulations encourage signage which is consistent with the goals of the Town Center Plan.
2. Develop an interim Sign Program to address signage needs for existing businesses during the construction phase of roadway improvements and temporary signage needed for businesses relocating.

TOWN CENTER POLICIES (10/11/05 Meeting) – Continue to review and update draft policies.

ISSUES TO BE ADDRESSED

1. Develop incentives to promote improvements to historic structures and building façades and create programs to provide relocation assistance.
2. Explore program for business retention and modify guiding principle to reflect desire to retain business. *(The issue of business retention has been included as a policy of the Plan).*
3. Town Center and Street Names
4. Streetscape (lighting, seating, trash receptacles, restrooms, landscaping). *(Addressed through Plan policies. Detailed selection of lighting, seating, etc., will occur during streetscape design and will not be addressed in the development of the Plan. General guidance for these issues have been provided through Plan policies, as discussed at the 10/11/05 meeting.)*