

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
MEASURE C**

The Pacific Golf Club is a 27-hole private membership golf club situated on 248 acres of land north of Avenida La Pata and east of Avenida Pico in the City of San Clemente. The entire Pacific Golf Club property is designated for Open Space Golf Course (OSC) uses in the City's General Plan and as Open Space, Private (OSC2) in the Rancho San Clemente Specific Plan.

In June 2007, the San Clemente City Council approved a General Plan Amendment, Specific Plan Amendment, and other land use actions that allow 9 of the 27 holes at the Pacific Golf Club, comprising some 51 acres, to be converted to a Residential Medium Low (RML) designation and developed with 224 homes.

Subsequently, a referendum petition was circulated and qualified for the ballot. A "yes" vote on this measure will affirm and approve the City Council's action. A "no" vote will have the effect of rescinding the City Council's action, keeping the open space (golf course) land use designation in place for the entire Pacific Golf Club, and preventing the conversion of 9 holes of the 27-hole course to residential uses.

When the City Council approved converting 51 acres of the golf course to residential use it also approved a "development agreement" with the property owner. While the development agreement is not directly a subject of the referendum, a "yes" vote will have the effect of allowing the development agreement to be implemented, whereas a "no" vote will have the effect of preventing the development agreement from being implemented. The development agreement would "vest" the property owner with the right to convert 51 acres (9 holes) of the golf course to residential use consistent with the General Plan Amendment and Specific Plan Amendment referred to above. The development agreement would also obligate the property owner to pay the sum of \$11,950,000 to the City to be earmarked for the following improvements/projects: (1) \$11,000,000 for development of the La Pata Vista Hermosa Community Park; (2) \$500,000 for the Downtown Seniors Center; (3) \$150,000 for capital improvements or program sponsorship at the Casa Romantica; (4) \$200,000 for upgrades to the City's recycled water system; and (5) \$100,000 for improvements at the trail head at the eastern end of La Pata. The development agreement would also require the property owner to provide certain described environmental enhancements, including: (1) removal of all of the pampas grass on the Pacific Golf Club property; (2) installation of a storm drain treatment unit in La Pata that will treat runoff from a portion of the Rancho San Clemente Business Park; (3) restoration of 10-12 acres of coastal sage scrub habitat in the westerly portion of the property; (4) completion of public trail improvements; (5) dedication of a site within the Pacific Golf Club property for a recycled water reservoir site; and (6) recordation of a deed restriction against an offsite residentially zoned parcel of approximately 26 acres perpetually restricting the use of that parcel for open space (although the developability of that parcel is questionable).

The above statement is an impartial analysis of Measure C. If you desire a copy of the measure, please call the office of the San Clemente City Clerk at (949) 361-8301 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the City's Web site at the following Web site address www.san-clemente.org.

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ARGUMENT IN FAVOR OF MEASURE C

YES ON MEASURE C FOR BALANCE AND QUALITY OF LIFE

Yes on Measure C gives a green light to a **Balanced** project on **Private Property** that will **benefit the entire community** by preserving natural habitat, improving recreational opportunities for all residents, and making our community safer. Yes on Measure C will enhance the quality of life in San Clemente with **No New Taxes**.

Yes on Measure C will result in:

- **Permanent Preservation of 224 Acres**, including **26 Acres of Natural Habitat** next to Rancho San Clemente and Broadmoor.
- **Increased Water Supply For Drinking and Firefighting.** City to get **critical** Recycled Water Reservoir site at no cost, plus three-quarters of a million dollars for water conservation and increased water supply.
- **Clean Ocean and Beaches.** Improves treatment of existing runoff to **Trestles**.
- **New Bike and Hiking Trails.** Miles of trails built and opened to public across this private property.
- **New Community Sports Park and Aquatics Center.** Over **\$12 Million** funded without new taxes or new City debt.
- **Traffic Relief.** Funds major traffic improvements at San Clemente High School on Avenida Pico, and reduces business traffic on Calle del Cerro.
- **New Downtown Fire Station and Senior Center.** Major donation to seniors helps make this possible.
- **Improved Classrooms for our Children.** Over **\$3 Million** for local schools.
- **Keeps our Taxes Lower.** Through additional funding for Firefighters, Police, Beaches and Parks, Water Treatment, etc.

Please join us, citizens who care deeply for our community, in supporting Measure C. **It is a balanced effort to improve the quality of life for all San Clemente residents.** Yes on Measure C--for our children, firefighters, seniors, families and future.

PLEASE VOTE YES ON MEASURE C!

s/ **Susan Ritschel**

Chair, New Senior Center Capital Effort

s/ **Michael D. Hurlbut**

Teacher & Coach, San Clemente High School

s/ **Truman Benedict**

Former Educator & San Clemente Citizen of the Year

s/ **John Tully**

Youth Sports Coalition

s/ **Leonard Jensen**

Firefighter (Ret.)

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE C

Vote NO: Stop Overdevelopment and More Traffic

Don't be deceived! The supporters of this development's ballot statement hides the truth: the developer wants to build 224 homes and condos on Recreational Open Space.

The developer wants to swap 26 acres of unstable terrain for the right to develop 80 acres of Recreational Open Space. In fact, the 26 acres consist of unusable, rugged slopes that are subject to landslides!

The City Attorney's Analysis states that this measure, if passed, gives the developer the right to "convert" Open Space to houses and condos.

Costs to San Clemente:

- Increases traffic by almost 2,000 car trips EVERY DAY on Pico and adjacent streets!
- Local air quality will deteriorate and may contribute to air quality below State standards.
- Taxpayers may pay millions for infrastructure.
- Strains Fire, Police, City and School services

Consequences to San Clemente:

- Open Space and scenic views will be lost forever
- Residents can't rely on the City to protect planned Open Space
- Bulldozes several hundred pine trees on 5 acres of golf course land.
- Strips and re-contours 80 acres of Recreational Open Space.

Note: The developer would have you believe that only he can provide funds needed for community organizations. San Clementeans are a proud and self-reliant people. They know the City can fund the projects using its own resources.

The money for the Sports & Aquatic Park is already allocated by the City without this development—construction scheduled for December 2007.

Join 8,400+ San Clemente residents who signed petitions to save Open Space and stop more traffic.

Send a Message

Vote NO on Measure C.

s/ **Charles Mann,**
Save San Clemente Open Space

s/ **Paul Falk,**
Former San Clemente Traffic Commissioner,
Former San Clemente Police Officer

s/ **Tracey Edwards,**
Little League, Aquatics & AYSO Mom

s/ **Tom Barnes,**
Retired High School Teacher,
Former City Councilman

s/ **Alan Korsen,**
Former San Clemente City Council Member

ARGUMENT AGAINST MEASURE C

VOTE NO ON MEASURE C

Save San Clemente Open Space and Stop more Traffic! One of the last large Recreational Open Spaces in San Clemente will be developed unless you **Vote No** to stop it.

- A **Los Angeles** Developer will pave over Recreational Open Space to build 224 homes/condos on Pacific Golf Course. The City reserved this land in the Specific Plan as Open Space Recreational.
- The City Council voted 3-2 to give the right to develop Recreational Open Space land to the **Los Angeles home and condo Developer** who stands to **profit tens of millions** – at your expense, without your consent.

Over 8,400 residents signed petitions to stop these 50.5 acres of Open Space from being paved over forever.

- Traffic added will **strangle Pico** by almost 2,000 more car trips every day and **8,500** car trips every day from the new outlet mall, dumped on Pico and adjacent streets. Nearly **10,500** more Car Trips Every Day: **Gridlock!**

This DEVELOPER TRIED TO BLOCK thousands of **concerned** residents from signing the petitions to vote on Measure C.

- The Developer promised to contribute \$11.5 million to La Pata/Hermosa Sports Park, and other projects. BUT, the City may have to pay millions of your tax dollars for infrastructure.

The Developer bought the land cheaply because it is zoned Open Space Recreational. He'll make HUGE profits - multi-millions - more than anything "promised" for community projects.

- The City Council stated it **already has money for phase I of the Sports Park.**
- The City should budget for our community needs, **not give away Open Space to do it!**

San Clemente residents will be **paying the price in lost Open Space and more traffic forever!**

Don't be fooled San Clemente. Defeat the **Los Angeles** Developer's special interest plan to profit at your expense.

Vote No on Measure C.

s/ Charles Mann
For Save San Clemente Open Space

s/ Alan Korsen
Former City Council Member of San Clemente

s/ Bob Joseph
Member Friends of Harbors, Beaches and Parks

s/ Gary Hopp
San Clemente Resident and Land Use Consultant

s/ Bill Hart
President of San Clemente Watershed Task Force

REBUTTAL TO ARGUMENT AGAINST MEASURE C

The ANTI-PRIVATE PROPERTY claims made by opponents of this measure are FALSE and MISLEADING.

The FACTS: Yes on Measure C INCREASES the amount of permanently preserved natural habitat AND recreational opportunities for San Clemente. 26 acres currently zoned for development are preserved as natural land forever, golf legend Gary Player will design a championship course and the clubhouse is refurbished for community use, miles of trails will be built across private property for public enjoyment, and over \$12 Million will go to the new Community Sports Park and Aquatics Center. All this and more WITHOUT SPENDING ANY OF OUR TAXES.

The opposition has been led and largely financed by a few disgruntled club members who don't want to lose their favorite nine holes. But Measure C is **a balanced effort to improve the quality of life for all San Clemente residents.**

Yes on Measure C also results in:

- **Increased Water Supply For Drinking and Firefighting.** City to get **critical** Recycled Water Reservoir site at no cost, plus three-quarters of a million dollars for water conservation and increased water supply.
- **Clean Ocean and Beaches.** Improves treatment of existing runoff to Trestles.
- **Traffic Relief.** Funds major traffic improvements at San Clemente High School on Pico, and reduces business traffic on del Cerro.
- **New Downtown Fire Station and Senior Center.** Major donation to seniors helps makes this possible.
- **Improved Classrooms for our Children.** Over **\$3 Million** for schools.

Yes on Measure C--for our children, firefighters, seniors, families and our future.

YesforBalanceinSanClemente.Com

s/ **Michael D. Hurlbut**

Teacher & Coach, San Clemente High School

s/ **Rick Anderson**

Former San Clemente Police Officer, Reserve

s/ **Cathy Lee**

Director, San Clemente Senior Center

s/ **Steve Swartz**

Former San Clemente Parks and Recreation Commissioner

s/ **Leonard Jensen**

Firefighter (Ret.)