

**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
July 3, 2013 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

---

**1. CALL TO ORDER**

Vice Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:02 p.m.

**2. PLEDGE OF ALLEGIANCE**

Chair pro tem Brown led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Barton Crandell, Wayne Eggleston, Michael Kaupp, Jim Ruehlin and Kathleen Ward; Chair pro Tem Donald Brown and Vice Chair Julia Darden

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner  
John Ciampa, Associate Planner  
Christopher Wright, Associate Planner  
Eileen White, Recording Secretary

Vice Chair Darden welcomed new Commissioners Wayne Eggleston and Kathleen Ward and invited them to introduce themselves.

Commissioner Eggleston and Commissioner Ward introduced themselves and provided brief biographies.

**4. SPECIAL ORDERS OF BUSINESS**

**A. Selection of Planning Commission Chair, Vice Chair, and Chair Pro Tem**

It was moved by Commissioner Kaupp, seconded by Chair pro tem Brown and unanimously carried to nominate Julia Darden to serve as Chairwoman. There were no other nominations, and Julia Darden was elected Chairwoman on a unanimous vote.

It was moved by Commissioner Ruehlin, seconded by Chair Darden and unanimously carried to nominate Donald Brown to serve as Vice Chairman. There were no other nominations, and Donald Brown was elected Vice Chairman on a unanimous vote.

It was moved by Commissioner Kaupp, seconded by Vice Chair Brown and unanimously carried to nominate Barton Crandell to serve as Chairman pro tem. There were no other nominations, and Barton Crandell was elected Chairman pro tem on a unanimous vote.

**B. Selection of Design Review Subcommittee Members**

Select three members and one alternate to serve on the Design Review Subcommittee which meets the second and fourth Wednesday of each month at 10:00 a.m. in the Community Development Department, Conference Room A.

It was moved by Vice Chair Brown, seconded by Commissioner Ruehlin and unanimously carried to nominate Michael Kaupp, Julia Darden, and Barton Crandell to serve on the Design Review Subcommittee. There were no other nominations, and Michael Kaupp, Julia Darden, and Barton Crandell were elected to serve on the Design Review Subcommittee on a unanimous vote.

It was moved by Chair pro tem Crandell, seconded by Commissioner Ward and unanimously carried to nominate Jim Ruehlin to serve as alternative on the Design Review Subcommittee. There were no other nominations, and Jim Ruehlin was elected to serve as alternative on the Design Review Subcommittee on a unanimous vote.

**C. Selection of Coastal Advisory Committee Member**

Select one member to serve on the Coastal Advisory Committee which meets the second Thursday of each month at 7:00 p.m. in the Community Center, Ole Hanson Fireside Room.

It was moved by Chair Darden, seconded by Commissioner Kaupp and unanimously carried to nominate Donald Brown to serve as on the Coastal Advisory Committee. There were no other nominations, and Donald Brown was elected to serve on the Coastal Advisory Committee on a unanimous vote.

**D. Review of Miramar Theater and Bowling Alley Historic Structures Report (Ciampa)**

A report and presentation to the Planning Commission on the completed Historic Structures Report for the Miramar Theater and Bowling Alley.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "Miramar Theater and Bowling Alley Historic Structures Report, dated July 3, 2013." He noted that rehabilitation of the structure was a goal in the previous General Plan, and remains a goal in the proposed Centennial General Plan. In addition, working with the property owner to assist in the structure's rehabilitation is an Implementation Measure in the Centennial General Plan. Staff recommended the Commission receive the report, hear public testimony, and provide commentary/input as desired.

Peter Rutti, Westlake Reed Leskosky (SRL), Consultant, narrated a PowerPoint Presentation entitled, "Miramar Theatre and Bowling Alley Historic Structures Report, dated July 3, 2013, including a summary of the Report results, site plans indicating adjacent uses, history of the subject sites, photographs indicating the existing condition of the structures, photographs of restored projects and potential adaptive reuse options. He described major repairs needed, potential interior renovations, and potential adaptive reuses.

With regard to conversation regarding potential 'mothballing' of the building in order to prevent its future decay while options are being considered and/or restoration delays continue, Jim Pechous, City Planner, advised the owner does not intent at this point in time to mothball the structures and City may not have the authority to require it. In addition, he noted additional uses for the structures include it being rented out for special events, live concerts, etc.; advised the Report creates a road map for the property owner to create an adaptive reuse that makes economic sense, allows flexibility, and allows the building to be preserved.

In response to questions from the Commissioners, Mr. Rutti noted the site is not large enough and cannot support the infrastructure for multiple movie screens.

Mike Jorgenson, Building Official, read from pertinent sections of the California Historic Building Code; advised intent of the sections is to strive for reuse and flexibility when rehabilitating historic buildings.

David Kubly, representing the property owner, discussed efforts of the property owner and his representatives to stay at arm's length from the development of the Report to avoid the appearance of impropriety. He discussed some of the existing structure challenges and potential rehabilitation efforts; noted the goal to preserve as much as possible of the existing materials/structure; reviewed the history of the site; discussed potential uses for the structure once it is restored.

Mark Spizzirri, property owner, thanked staff for all their assistance with this project; expressed enthusiasm for rehabilitation efforts and future of the structures.

Chair Darden opened the public hearing.

Larry Culbertson, representing the Historical Society, welcomed new Commissioners and congratulated returning Commissioners for their reappointment; thanked John Ciampa, Associate Planner, for attending the recent Historical Society meeting; noted no concerns with plans revealed for the site this evening.

John Tengdin, resident, suggested the property owner consider partnering with The Cabrillo Theater as this site would be a sizeable improvement and substantially larger venue than they currently operate in; suggested the property owner consider tearing down and rebuilding rather than restoring in order to save costs and improve the interior space, commenting that the building is not a valuable historic structure.

Chair Darden closed the public hearing.

Jim Pechous, City Planner, commented that certain advantages are available if the building continues as a historic structure, including potential for parking requirement waivers. Additionally, destruction of a registered historic structure would require additional review including an Environmental Impact Report and potential further complications.

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

- Expressed support for the City for its interest and support in exploring new options for the historic structures and gateway to the City.
- Noted the Report will help to prevent further degrading of the building and provide a road map to encourage its reuse with financial viability.
- Speculated that rehabilitation of the historic structures will provide a catalyst for further rehabilitation and development at North Beach.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE STAFF REPORT.

## 5. MINUTES

### A. Minutes from the Planning Commission Adjourned Regular meeting of June 19, 2013

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY CHAIR PRO TEM CRANDELL, AND CARRIED 4-0-3, WITH VICE CHAIR BROWN, COMMISSIONER EGGLESTON, AND COMMISSIONER

WARD ABSTAINING, to receive and file the minutes of the Adjourned Regular Meeting of June 19, 2013, as submitted by staff.

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

**7. CONSENT CALENDAR - None**

**8. PUBLIC HEARING**

**A. Public Hearing Draft Centennial General Plan (Hook)**

Staff recommends the Commission take no action on this item. It was advertised in anticipation of receiving the DEIR and Strategic Implementation Program; however, at this writing, staff had not yet received these draft documents. Hence, these items are not ready for Planning Commission review. Staff anticipates receiving these documents by the first week in July and scheduling them for review and possibly, final action on the Draft General Plan and related documents, at the Commission's July 10<sup>th</sup> and July 24<sup>th</sup> special (adjourned) meetings.

Jim Pechous, City Planner announced staff is anticipating the draft copy of the Environmental Impact Report will be available at the Commission's July 10 meeting.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP AND UNANIMOUSLY CARRIED TO CONTINUE PUBLIC HEARING DRAFT CENTENNIAL GENERAL PLAN TO THE MEETING OF JULY 10, 2013.

**[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]**

**B. 1904 Calle De Los Alamos – Cultural Heritage Permit 13-141/Minor Exception Permit 13-142 – Tanner Residence Addition (Wright)**

A request to consider the expansion of a residence and the construction of a new accessory building on a lot located across the street from a historic structure. Minor exceptions are requested for: 1) a portion of a second story addition to be constructed along the building's legal-nonconforming five foot, seven inch side yard setback (six feet is required) and 2) for a stone building detail to encroach up to one foot into the required 20 foot front yard setback and the required side yard setback. The subject site is located within the Residential Low Density zone and Coastal Overlay (RL-CZ) at 1904 Calle De Los Alamos. The site's legal description is Lot 25 of Block 897 and Assessor's Parcel Number 692-304-07.

Commissioner Kaupp recused himself from consideration of this agenda item due to nearby property ownership and left chambers.

Christopher Wright, Associate Planner, narrated a PowerPoint Presentation entitled, "Tanner Residence Addition, CHP 13-141/MEP 13-142, dated July 3, 2013." Staff recommended approval of the request as conditioned.

In response to questions, Christopher Wright, Associate Planner, explained the wrong application was taken in for the project. Staff reviewed the Zoning Ordinance to determine if there is a way to minimize the delay. The Zoning Ordinance says Design Review Subcommittee (DRSC) review is not required if the City Planner determines the project meets required findings and finds it's consistent with design guidelines. The City Planner reviewed the Zoning Ordinance and the project and determined DRSC review was not necessary. The Planning Commission may choose to send the project to the DRSC for review if it desires.

Commissioner Crandall recommended for the applicant to consider adding some articulation on the second floor. He asked the applicant if they would be willing to work with staff to add more articulation on the second floor addition.

James Glover, representing the applicant, described the proposed additions and provided design details. With regard to the second story, he agreed to work with staff to make design changes that will add articulation to the second floor. He noted the front elevation wainscot was added to improve the front elevation symmetry.

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

Jim Pechous, City Planner, explained that an additional factors contributing to staff's recommendation that the project go directly before the Planning Commission was the distance of the project from the adjacent historic structure is large enough that the project design did not have the potential to impact the historic resource. Further the review process was delayed because the wrong application was taken in which causes a processing delay. So in fairness the applicant he elected to send the item directly to Planning Commission to provide a timely review.

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

- Commented that they would prefer DRSC review on future projects for benefit of City and applicant.
- Supported the project.
- Agreed the front elevation roofline should feature more articulation.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND CARRIED 6-0-1, WITH COMMISSIONER KAUPP ABSTAINING, TO ADOPT RESOLUTION NO. PC 13-023, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 13-141, MINOR EXCEPTION PERMIT 13-142, TANNER RESIDENCE, A REQUEST TO CONSIDER AN EXPANSION OF A LEGAL-NON-CONFORMING RESIDENCE, INVOLVING A CONTINUATION OF A LEGAL-NONCONFORMING SIDE YARD SETBACK AND A ONE FOOT REDUCTION OF THE REQUIRED FRONT YARD AND SIDE YARD SETBACKS, AND THE CONSTRUCTION OF AN ACCESSORY BUILDING, ON A SITE THAT ABUTS A HISTORIC STRUCTURE LOCATED AT 1904 CALLE DE LOS ALAMOS, with the following revision:

Add Condition of Approval number 28 to state:

“Prior to issuance of building permits, the applicant will work with staff to create articulation on the front elevation of the second story, to the satisfaction of the City Planner.”

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

Commissioner Kaupp returned to Chambers.

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 June 19, 2013
- C. Staff Waiver 13-218, 162 W. Mariposa
- D. Staff Waiver 13-234, 509 Monterey Lane
- E. Staff Waiver 13-235, 131 Avenida Pelayo
- F. Staff Waiver 13-236, 115 N. El Camino Real
- G. Staff Waiver 13-237, 602 N. El Camino Real
- H. Staff Waiver 13-240, 124 Avenida Santa Inez
- I. Staff Waiver 13-242, 533 Avenida Victoria
- J. Staff Waiver 13-244, 265 West Marquita #1
- K. Staff Waiver 13-245, 265 West Marquita #8
- L. Staff Waiver 13-246, 10 West Avenida Junipero
- M. Staff Waiver 13-248, 612 Calle Puente
- N. Staff Waiver 13-250, 315 Avenida Monterey

Vice Chair Brown reported that the Coastal Advisory Committee would be discussion Clean Ocean Fee renewal strategies at its upcoming meeting.

Chair Darden thanked her fellow Commissioners for their vote of confidence in electing her as Chairman; commented that she hoped to follow the efficient example set forth by her predecessors; commended the Commissioners for their collegiate attitude toward agreement and respectful disagreement on the issues that have been before the Commission in the past; stated optimism that this Commission will continue in the same spirit.

**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to adjourn at 8:01 p.m. to the Adjourned Regular Planning Commission Meeting to be held at 5:00 p.m. on July 10, 2013, 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