

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
October 8, 2014 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:08 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Crandell led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
John Ciampa, Associate Planner
Adam Atamian, Associate Planner
Alisha Patterson, Deputy City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Regular Study Session of September 17, 2014

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND CARRIED 6-0-1, WITH COMMISSIONER SMITH ABSTAINING, to receive and file the minutes of the Regular Study Session of September 17, 2014, with the following revisions:

Page 3, 1st paragraph, replace, "how much paved parking (versus unpaved) there is in the City" with "what percentage of the City's land area is dedicated to parking"

Page 3, following the last paragraph, insert the following paragraph, "Commissioner Eggleston commented that although grandfathering parking conditions is beneficial, the City must increase the amount of parking available first."

B. Minutes from the Planning Commission Regular Meeting of September 17, 2014

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER WARD, AND CARRIED 6-0-1, WITH COMMISSIONER SMITH ABSTAINING, to receive and file the minutes of the Regular Meeting of September 17, 2014, as presented.

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

7. **CONSENT CALENDAR - None**

8. **PUBLIC HEARING**

A. 959 Avenida Pico – Conditional Use Permit 14-221 – Plaza Pacifica Taco Bell Menu Board (Atamian)

A request to consider the replacement of the drive-through menu board at the Taco Bell restaurant at 959 Avenida Pico located within the Neighborhood Commercial portion of the Mixed-use zoning district of the Rancho San Clemente Specific Plan. The legal description is Lot 11, of Tract 15786, Assessor's Parcel Number 688-021-16.

Adam Atamian, Associate Planner, narrated a PowerPoint Presentation entitled, "Plaza Pacifica Taco Bell Menu Board, Conditional Use Permit 14-221, dated October 8, 2014;" recommended approval of the request as conditioned.

In response to a question, Associate Planner Atamian advised that staff has been working with the applicant for some time to replace the menu boards on both Taco Bell restaurants; noted there have been no complaints about the menu board to date.

John Bunning, the business owner, advised he is unable to comply with the condition that requires him to dim the lighting of the menu board, as the supplier does not offer that as an option, and he is required by contract with Taco Bell to purchase the menu board from this supplier.

Lacey David, representing the applicant, described the lighting for the new menu boards, which uses LED lamps which appear substantially dimmer than the existing lighting, and are more energy efficient. Additionally she noted only half the number of existing lamps is proposed for the new

installation and the menu board is only lit at night. She suggested that the lamp wattage could be reduced if there are complaints that the menu boards are too bright, and agreed to a new condition stating same. Ms. David said that construction of the menu boards will commence as soon as possible.

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

Chair pro tem Ruehlin suggested the resolution be revised to require the applicant to change the menu board within a shorter time period, such as 1 year, instead of the 3 year time period currently proposed so that the menu boards are brought into compliance with existing code in a shorter time period.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-041, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-221, PLAZA PACIFICA TACO BELL MENU BOARD, A REQUEST TO REPLACE THE DRIVE-THROUGH MENU BOARD SIGN AT THE TACO BELL RESTAURANT LOCATED AT 959 EAST AVENIDA PICO, with the following revisions:

Page 4, Condition no. 4, replace "three (3) years" with "one (1) year"

Page 4, Condition no. 6, strike the second sentence in its entirety.

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

B. 918/920 South El Camino Real – Conditional Use Permit 14-220 – South El Camino Real Taco Bell Menu Board Change (Atamian)

A request to consider the replacement of the drive-through menu board at the Taco Bell restaurant at 918/920 South El Camino Real located within the Neighborhood Commercial zoning district (NC2). The legal description is Lots 4 and 5, of Block 4, of Tract 822, Assessor's Parcel Number 692-151-53.

Adam Atamian, Associate Planner, narrated a PowerPoint Presentation entitled, "South El Camino Real Taco Bell Menu Board Change, CUP 14-220, dated October 8, 2014;" recommended approval of the request as conditioned.

Commissioner Eggleston suggested staff replace the Location Map in Attachment 2 with a more up to date one that includes the remodeled Ralph's Grocery Store.

John Bunning, the applicant, advised this sign is the same as the one proposed for Plaza Pacifica, agreed to the same condition revisions as proposed for the other signage.

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

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-040, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 14-220, SECR TACO BELL MENU BOARD CHANGE, A REQUEST TO REPLACE THE DRIVE-THROUGH MENU BOARD SIGN AT THE TACO BELL RESTAURANT LOCATED AT 918/920 SOUTH EL CAMINO REAL, with the following revisions:

Page 4, Condition no. 4, replace "three (3) years" with "one (1) year"

Page 4, Condition no. 6, strike the second sentence in its entirety.

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

C. 135 Avenida Florencia – Cultural Heritage Permit 14-146 – Price Residence (Ciampa)

A request to consider an addition to a legal nonconforming historic house located at 135 Avenida Florencia within the Residential High (RH) zoning district. The legal description is Lot 7, Block 4 of Tract 820, Assessor's Parcel Number 692-361-16.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "Cultural Heritage Permit, Price Residence, CHP 14-146, dated October 8, 2014." Included in the presentation were summaries of previous remodels, including detail of its move to this location, as well as review of the DRSC comments, site plans, elevations, floor plans, photo simulations, and summary of findings necessary for approval. Staff recommended approval of the request as conditioned.

Chair Darden commended Associate Planner Ciampa for his helpful report on this very complex project; established from Associate Planner Ciampa that although the curved wrought iron detail on the proposed Juliet Balcony does not really provide a functional use, it is consistent with Spanish Colonial Architecture and requested by the applicants.

Associate Planner Ciampa suggested the Commission could add a condition of approval requiring additional research into the curved iron

Juliet balcony, and let staff have final decision on whether it is appropriate for the period.

In response to questions from the Commission, Associate Planner Ciampa advised staff will ensure during Plan Check Review that the applicant uses true divided light windows; advised the new garage door will be constructed with wood; noted all DRSC recommendations have been reflected in the plans before the Commission this evening.

In response to a suggestion from Vice Chair Brown, the Commissioners considered conditioning the project to ensure its gas meter is not installed until all inspections pass, but determined that the applicant would need to keep the gas ongoing during construction. Vice Chair Brown suggested staff consider this measure for future projects.

Ian Buchan, project designer, advised the proposed remodel will enhance the view of the historic structure from the street and is not too large for its site; noted the applicants bought the building in its dilapidated condition and all the improvements to date have been with this final design in mind.

Chair Darden opened the public hearing.

Larry Culbertson, resident, disagreed that enlarging this structure would make it more compatible with the adjacent buildings; questioned why these large structures were allowed to be constructed adjacent to an Ole Hanson structure; questioned whether all recommendations made during DRSC were followed by the applicant; suggested the City require the applicant arrange for a Historic Resource Analysis for the project from a neutral third party to ensure the proposed revisions do not negatively affect the historic structure.

Chair Darden closed the public hearing.

Associate Planner Ciampa advised that the consensus of the DRSC was that the overall mass of the remodel does not negatively impact the historic structure; reviewed design details that were removed to reflect DRSC direction; noted a Historic Resource Report would be significant expense for the applicant; advised it was determined at the DMT level that staff analysis would be sufficient for the project; noted staff used the State Office of Historical Preservation as a resource while reviewing this project.

City Planner Pechous advised that a Historic Resource Report requirement can add \$10,000 to \$20,000 cost to a project; informed that City is considering turning down a recent grant award due to a similar requirement from Caltrans as it makes the project financially unfeasible; noted staff does not feel a Historic Resource Report is necessary for this project.

Commissioner Crandell commented that during its review, the DRSC researched the defining historic features of this home as cited in its historical survey review, and determined that none of those features were changing. In addition, they considered all the changes made to the home when it was moved to this site when reviewing the property. He advised that the building cannot be brought back to its original historic character due to its many changes over the years, but the proposed remodel brings back its historic feel.

Antoine Price, property owner, advised that the only window change proposed is to make a large window appear more historical in nature. The existing windows, which are not original to the structure, will be replaced with ones more in keeping with Spanish Colonial Revival architecture. The last remodel, which stabilized the structure and featured construction of a full foundation underneath, was actually the first step in the remodel presented to the Commission this evening. Additionally, the stucco needs major repair as it is in very poor condition.

Chair Darden commented that this is a very complex project as the home has lost much of its integrity throughout the years. Because the small original home had been dwarfed by the large buildings on all sides, the structure had lost much of its presence. The addition will create context for the structure and add more focus to the Ole Hanson feel of the home. She speculated that the curved iron detail on the Juliet balcony may not be strictly in keeping with Spanish Colonial Architecture but is not opposed to its inclusion. She agreed it is not possible to bring the home to its original condition, but commented that the applicant is trying to get as close as possible and add characteristics of homes of that period. She thanked Larry Culbertson for his interest and comments, and the applicant for his patience during the planning process, which was made more difficult due to the project's complexity.

Commissioner Smith commented that due to its many changes including a move to this site, the structure is a hybrid at best. He felt the proposed remodel brings the home into scale on its lot and its surroundings, and is an improvement to its existing condition.

Commissioner Eggleston agreed that in some cases it is good to get outside opinions, but it is not necessary in this case. He agreed the existing structure is a hybrid and questioned whether the proposed addition complements the existing house, but felt change is needed to ensure the historic home is not lost to its surrounding structures. He thanked Larry Culbertson for his comments and for being a conscience for Ole Hanson home additions; commented that one day the community may realize there are no more original Ole Hanson style homes due to the many additions made and felt that was a concern that deserves consideration. He established from staff that the subject property does not have a Mills Act Agreement.

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-042, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 14-146, PRICE RESIDENCE, A REQUEST TO ALLOW AN ADDITION TO A LEGAL NONCONFORMING HISTORIC HOUSE, LOCATED AT 135 AVENIDA FLORENCIA, with the following revision:

Page 6, add new Condition 6.C. as follows: "All windows shall be wood divided light to be approved by Planning Division staff. Staff will review the wrought iron detail on the Juliet balcony and come to a conclusion at the staff level."

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

D. Interim Guidelines for General Plan and Zoning Ordinance Consistency (Pechous)

The Planning Commission will consider interim guidelines for inconsistencies between the General Plan and Zoning Ordinance. The new Centennial General Plan changed several land use designations, density and building story standards, policies, and implementation measures. In most instances, these changes are inconsistent with the Zoning Ordinance. Until the Zoning Ordinance is updated (a project in process), it can be more challenging to advise the public and review applications because General Plan and Zoning Ordinance land use designations and standards can be inconsistent. To address this, staff recommends "interim guidelines" for reviewing applications until the Zoning Ordinance is updated. The Commission is to consider the guidelines and forward a recommendation to the City Council, who is to act on the guidelines. If the interim guidelines are approved, they would be used until a new Zoning Ordinance is adopted and effective.

Jim Pechous, City Planner, narrated a PowerPoint Presentation entitled, "Interim Guidelines for General Plan and Zoning Ordinance Compliance, dated October 8, 2014;" recommended the Commission recommend City Council approval of the guidelines as proposed.

In response to questions from the Commission, City Planner Pechous explained that in cases where guidelines in the Zoning Ordinance are different from the General Plan, applicants can process a Zoning Amendment to allow the project's process; commented that the Zoning Ordinance revision is ongoing, and he anticipates bringing it to this Commission for a first look within 6 months.

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

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-035, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT THE INTERIM GUIDELINES FOR GENERAL PLAN AND ZONING ORDINANCE COMPLIANCE.

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

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 September 18, 2014
- C. Staff Waiver 14-350, 130 W. Canada
- D. Staff Waiver 14-352, 130 Calle Iglesia B
- E. Staff Waiver 14-375, 301 Avenida Del Mar
- F. Staff Waiver 14-376, 104 Avenida Barcelona
- G. Staff Waiver 14-380, 800 S. El Camino Real
- H. Staff Waiver 14-383, 704 Calle Puente

Vice Chair Brown reported that the Coastal Advisory Committee is meeting Thursday, October 9, 2014, and reviewed topics the Committee will review once it has brought its new membership up to speed.

Commissioner Crandell advised he will be out of town for the DRSC meeting of October 29, 2014, and the Planning Commission meeting of December 5, 2014.

Commissioner Ward agreed to check her schedule to see if she is available as an alternative for the DRSC meeting.

Vice Chair Brown advised he will not be able to attend the November 5, 2014, Planning Commission meeting.

12. ADJOURNMENT

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to adjourn at 8:42 p.m. to the Study Session to be held at 6:00 p.m. on October 22, 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

DRAFT