

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
October 22, 2014 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA**

1. CALL TO ORDER

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:06 p.m.

2. PLEDGE OF ALLEGIANCE

Vice Chair Brown 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
Sean Nicholas, Associate Planner
Amber Gregg, Associate Planner
Zachary Ponsen, Senior Civil Engineer
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Regular Study Session of October 8, 2014

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Study Session of October 8, 2014, as presented by staff.

B. Minutes from the Planning Commission Regular Meeting of October 8, 2014

IT WAS MOVED BY COMMISSIONER WARD, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of October 8, 2014, with the following revisions:

Page 6, last paragraph, 1st sentence, replace "outside opinions" with "opinions from historic resources"; Insert new sentence following the first sentence as follows: "The better information the City has, the better informed it will be to operate and make decisions."

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

7. **CONSENT CALENDAR** - None

8. **PUBLIC HEARING**

A. 222 West Paseo De Cristobal – Cultural Heritage Permit 14-284 – Van Epp Residence (Gregg)

A request to construct a single-family home which is located adjacent to a historic resource. The project is located at 222 West Paseo De Cristobal in the Residential Low zoning district and Coastal Zone Overlay (RL-CZ). The legal description is Lot 11, Block 13, of Tract 822, and Assessor's Parcel Number 692-242-21.

Amber Gregg, Associate Planner, summarized the staff report; displayed site plans for consideration; recommended approval of the request as conditioned.

Jack Garland, representing the applicants, was available for questions.

Chair Darden opened the public hearing.

Alan Harry, resident, lives adjacent to the proposed structure. The lot in question was once owned by his family; he lost ownership of the lot due to loss of inheritance. He has recently completed a \$200,000 remodel of his home. The subject property if built as proposed will negatively impact all his views; he requested the Commission require the applicant move the home farther back on the lot in order to preserve some of his views.

Cheryl Harry, resident, noted she met with the applicant, who was indifferent to her request to retain the view from her kitchen window, and instead suggested she add on a second story to recapture their views. They prefer to have a one story home, and do not have the funds or desire to add a second story. Adding a second story onto their home will

block their neighbor's views as well. She stated that they plan to stay in this home and pass it down to their children; requested the new structure be scaled down or moved back on site so that they are able to retain some of their views.

Chair Darden closed the public hearing.

Commissioner Ward established from Mr. Garland that rotating the structure differently on the odd shaped lot will result in more view blockage; established from staff that the proposed deck is below the permitted height.

Commissioner Smith recounted addition/remodeling/view issues experienced by Shorecliff's residents for several years before they were rezoned by a public election; stated these types of problems were likely to continue because the City does not have a view preservation ordinance.

The Commissioners agreed that the structure as proposed does not negatively impact the historic home and complies with all applicable standards. The Commissioners sympathized with the Harry's position, but noted that their purview is to ascertain that the home meets all standards and will not negatively impact the historic structure. The applicants were advised by staff and the Commission that they have 10 days to appeal the decision to the City Council.

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-043, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 14-284, VAN EPP RESIDENCE, A REQUEST TO CONSTRUCT A SINGLE-FAMILY RESIDENCE THAT IS ADJACENT TO A HISTORIC RESOURCE, THE PROJECT IS LOCATED AT 222 WEST PASEO DE CRISTOBAL.

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

B. 550 Camino De Estrella – Architectural Permit 14-329/Site Plan Permit 14-346/Minor Conditional Use Permit 14-347 – Estrella Shopping Center Phase 1 (Nicholas)

A request to consider a façade enhancement for an existing shopping center as well as a request for the sale of beer and wine for offsite consumption. Signage is not a component of this application. This is for the portion of the commercial center that was the K-Mart facility located within the Community Commercial (CC2) zoning district at 550 Camino De

Estrella. The legal description is P BK 34, PG 17 PAR 1, PM 34-17, PAR 1 POR OF PAR, Assessor's Parcel Number 691-101-26.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Architectural Permit 14-29, Estrella Shopping Center Phase I, Planning Commission, dated October 22, 2014." He reviewed the proposal; displayed photos of the existing site, site plans, elevations, and landscaping plans; advised signage was not part of the current proposal. He noted residents living behind the proposed project have expressed support for the proposal; advised staff and the applicant have worked hard to establish the design quality proposed; noted the other building on site, which has a different owner but shares the same architect, will be coming to the Commission as Phase II of the project. Staff recommended approval of the request as conditioned.

In response to questions from the Commission, Associate Planner Nicholas advised that the applicant intends to reseal/repave the existing parking lot, including leveling it if necessary to meet drainage requirements; noted that as stated in the conditions of approval, the final landscaping and irrigation plans will be reviewed by staff and the City's Landscape Architect Consultant to ensure compliance with applicable requirements; displayed how patrons will be able to walk uninterrupted along the entire front façade of the project; noted intent to make façade improvements that will be simple and elegant.

With regard to landscaping requirements, Associate Planner Nicholas noted that only 5% of the site is proposed to be landscaped, whereas 15% is required for new development. Staff has worked diligently with the applicant to create as much landscaping as possible without impacting the number of parking spaces required/desired on site. The applicant is proposing more than the required number of trees to help make up the deficit, and staff has required larger (36" box) trees to increase tree presence and survivability. He has not established from the applicant whether he intends to relocate some of the existing trees. Additionally, he noted that there is no need to merge the two lots at this time; the slope on the eastern side of the building belongs to Caltrans; Caltrans has not provided any concerns regarding the project to date.

Zachary Ponsen, Senior Civil Engineer, advised that the proposed layout for rear deliveries is the same as existing, which do not currently violate any standards. The delivery layout will be reviewed again as the project makes its way through the plan check/approval process. In addition, no concerns have been expressed to date by Traffic or Engineering Divisions staff regarding the need for stop signs installed within the parking lot.

Bill Sandre, representing the applicant, noted there is no need for outdoor cart storage because Sprouts stores carts within the building itself, and constantly has employees going out to the parking lot to retrieve the carts;

advised that other tenants' needs for cart parking corrals have not been determined at this point, and the landlords recognize the requirement that they install corrals according to code if needed; advised they intend to install additional landscaping if opportunities are created as the plan progresses; noted Sprouts has greater parking needs that the City requires; advised efforts to redesign the parking lot according to code are ongoing.

Commissioner Smith commented that the landscaped strip along Camino de Estrella appears bare and will continue to appear that way unless beefed up during this remodel. He suggested the applicant consider removing up to six of the parking spaces within the parking lot in order to increase the landscaped beds along Camino de Estrella to improve the appearance of the site for the benefit of the public. He commended the applicant, staff and the DRSC for their efforts to dramatically enhance the project.

Mr. Sandre acknowledged that although currently there are 390 spaces on the lot when only 330 are required, many of the extra spaces have been allocated to Sprouts as part of their lease, and the center may lose spaces as details, such as a required fire lane, are worked out. He agreed to relocate the existing mature trees on site if possible and consider ways to widen the existing landscaped strip along Camino de Estrella. Additionally, he noted plans call for stamped and painted concrete along the building frontage.

City Planner Pechous stated that staff will continue to work with Mr. Sandre to find alternative ways to add landscaping without losing too many parking spaces.

David Anderson, architect for both Phase I and II, noted he is working with staff to fine tune Phase II of the project and anticipates having concept plans in to staff next week; advised tenants for Phase II have not been confirmed as yet.

Associate Planner Nicholas stated that the Phase I and Phase II submissions are about a month apart. The applicant's intend to open up the new businesses at the same time and the goal is to construct both Phases at the same time. At this time, the tenants hope to be open for business by mid to late summer. All buildings on site with the exception of the City Bank building are included in the remodel/modification. Because the same architect is being used for both Phases, all buildings will share consistent architecture.

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

Several Commissioners expressed concern that the two buildings may not be cohesive once the plans for Phase II have been designed. Commissioners discussed with staff ways to ensure cohesiveness, including bringing Phase I plans back for review once Phase II plans have been submitted, additional DRSC review of Phase I plans, giving staff authority to make minor changes to Phase I plans as necessary, and conditioning this project to ensure compliance with Phase II designs.

City Planner Pechous suggested the Commission consider conditioning this project to allow staff to make minor modifications during plan check review of Phase I during the processing of Phase II. He noted the applicant needs a certain level of security to proceed with working drawings and plan check for Phase I. Minor modifications would include those necessary to ensure consistency between the site plans for each project, and staff would consider the comments made today when making those minor modifications.

Mr. Nicholas stated that efforts were still ongoing to enhance Phase I, especially with regard to parking. It is anticipated that the plans for Phase II will come before the Commission in approximately one month's time. At that time, the Commission will be able to see both Phases of the site.

Chair Darden suggested that one issue of concern is the T-intersection going into the site to ensure no congestion on the street occurs.

Ajit Thind, Assistant City Attorney, advised that the comments given today during this hearing will be used by staff to review the site plans going forward. If the Commission delegates some of that authority to staff, it will be acceptable for staff to allow minor modifications.

Commissioner Crandell expressed confidence in staff's ability to work out those issues connected to cohesiveness between the sites in this situation. He commented that with regard to parking lot design, the most obvious design works best for drivers; established from staff that the signage shown on the rear elevation of the site plan is not part of this application.

Chair pro tem Ruehlin suggested the applicant consider experimenting with blocking off pedestrian areas, with planters or some other temporary solution, as they transition with the parking lots to ensure the safety of pedestrians as they walk through the center. He requested staff add a condition that lighting be adequately shielded and consistent throughout both Phases. Additionally, he suggested the Commission consider the architecture on the rear of the building, as it is currently an enormous amount of blank space, to break up the current industrial appearance of that elevation, including wrapping around details from the front/side elevations, installing pilasters to break up the wall space, and/or mimicking of roof details.

The Commission discussed potential to add minor/inexpensive/massing-appropriate rear elevation details to improve the view from residential windows including painted details, addition of minor design elements, painted coping on top of the wall, etc. The applicant agreed to continue working with staff to improve the elevation. The Commissioners acknowledged desire to avoid making the elevation appear too busy, as well as the impracticalness of adding landscaping along this elevation, and elected to condition the approval to allow staff to work with the applicant to come up with appropriate softening details for the rear elevation, including painted and parapet enhancements above the delivery doors.

The Commissioners commended City Planner Pechous and Associate Planner Nicholas for their extraordinary efforts to bring this project to the Commission in a timely manner, as well as their efforts to work with the applicant to improve and continue improving the project.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-044, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ARCHITECTURAL PERMIT 14-329, SITE PLAN PERMIT 14-346, AND MINOR CONDITIONAL USE PERMIT 14-347, ESTRELLA SHOPPING CENTER PHASE 1, A REQUEST TO ALLOW A FAÇADE AND SITE ENHANCEMENT TO AN EXISTING SHOPPING CENTER AND ALLOW FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION LOCATED AT 550 CAMINO DE ESTRELLA, with the following revisions:

Page 8, add Condition no. 9.H. as follows: "The applicant shall submit for City Planner approval an element where the color wainscot goes around the delivery doors on the rear elevation, as well as parapet enhancements above the delivery doors."

Page 15, add new conditions as follows:

"46. The applicant shall seek solutions to the design of the site plan including the design of the intersection at the end of the entry drive aisle to accomplish better traffic flow circulation and continuity between Phase I and Phase II designs if determined necessary and at the discretion of the City Planner and City Engineer."

"47. The parking lot lights shall be consistent with the aesthetics of the Center and consistent throughout Phase I and Phase II. All lighting shall be shielded to avoid light trespass."

“48. Staff is directed to work with the applicant to modify the site plan to address landscape comments and concerns expressed during discussion of the public hearing, including methods of widening the landscaped planter along Camino de Estrella.”

[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 Joint City Council, Commissions, and Committees meeting of September 9, 2014
- C. Minutes from the Zoning Administrator meeting of October 8, 2014
- D. Staff Waiver 14-385, 301 Avenida Del Mar
- E. Staff Waiver 14-393, 208 Avenida La Cuesta
- F. Staff Waiver 14-400, 2340 S. El Camino Real
- G. Staff Waiver 14-402, 801 Via Suerte

Vice Chair Brown announced that the Coastal Advisory Committee will have its regular meeting on November 13, 2014; announced Committee Member Susan Ambrose is hospitalized and awaiting diagnosis.

City Planner Pechous addressed changes to the Non Conforming Ordinance in response to comment from Chair pro tem Ruehlin. Additionally, he described the process staff typically follows to ensure applicant compliance with landscaping requirements.

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

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

Chair Darden established that the remaining Commissioners will be able to attend the November 5, 2014, meeting to ensure a quorum is on hand. Additionally, she will work with staff and the Commissioners to ensure a replacement for Commissioner Crandell is on hand for the DRSC meeting of October 29, 2014.

12. ADJOURNMENT


IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED to adjourn at

9:39 p.m. to the Study Session to be held at 6:00 p.m. on November 5, 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