

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
May 20, 2015 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA**

1. CALL TO ORDER

Chair Darden called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Smith led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Adam Atamian, Associate Planner
John Ciampa, Associate Planner
Cliff Jones, Associate Planner
Sean Nicholas, Associate Planner
Matthew Richardson, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Adjourned Regular Meeting of May 6, 2015

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 5-0-2, WITH VICE CHAIR BROWN AND CHAIR DARDEN ABSTAINING, TO APPROVE THE MINUTES OF THE ADJOURNED REGULAR MEETING OF MAY 6, 2015, AS SUBMITTED BY STAFF.

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

7. **CONSENT CALENDAR** - None

8. **PUBLIC HEARING**

A. **653 Camino De Los Mares – Discretionary Sign Permit 13-243 – SC Professional Plaza Monument Sign** (Nicholas)

Public Hearing to consider a request to build a new multi-tenant monument sign over six feet tall for an existing multi-tenant commercial center located at 653 Camino De Los Mares, within the Community Commercial (CC-2) zoning designation. The legal description is Parcel 1, on Page 43, of Book 131, Assessor's Parcel Number 675-071-35.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "DSP – 13-243, SC professional Plaza Monument, dated May 20, 2014." A copy of the PowerPoint Presentation is on file with Planning Division.

Associate Planner Nicholas announced that the applicant was unable to attend tonight's meeting, and submitted a letter indicating his agreement with the Conditions of Approval and asking for the Commission's support.

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

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

- Established from staff that with approval of the Discretionary Sign Permit, the proposed monument sign will be consistent with Municipal Code.
- Commented that the sign location is sloped upwards from the street, resulting in the sign being 4-feet taller than if it was located at street level.
- Commented that there are more tenants at the location than there are spaces for names on the sign.
- Established from staff that it is the building owner and tenants' prerogative to determine which businesses will be advertised on the sign, and whether each side of the sign would feature the same businesses.
- Suggested the sign would be clearer for motorists/patrons if there was more color contrast for the numbers.
- Found the sign well designed, complementary to the building, and convenient for patrons.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND CARRIED 6-1-0, WITH COMMISSIONER BARNES OPPOSED, TO ADOPT RESOLUTION NO. PC 15-021, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING DISCRETIONARY SIGN PERMIT 13-243, SC PROFESSIONAL PLAZA MONUMENT SIGN, FOR A MONUMENT SIGN SEVEN FEET TALL AND OVER 32 SQUARE FEET IN SIGN AREA FOR A MULTI-TENANT COMMERCIAL CENTER LOCATED AT 653 CAMINO DE LOS MARES.

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

B. 3009 Eminencia Del Norte – Conditional Use Permit 13-398 – Cook Residence (Nicholas)

Public Hearing to consider a request to complete grading to repair an old landslide and prepare a vacant parcel for development with a single family residence at 3009 Eminencia Del Norte. The grading work will occur in both Private Open Space and the Residential Low density zoning portions of the Forster Ranch Specific Plan. The legal description is Lot 10, of Tract 11781, Assessor's Parcel Number 680-531-01.

Sean Nicholas, Associate Planner, announced staff was recommending the Commission table this item to allow staff to re-notice the public hearing.

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY COMMISSIONER CRANDELL, AND UNANIMOUSLY CARRIED TO TABLE 3009 EMINENCIA DEL NORTE – CONDITIONAL USE PERMIT 13-398 – COOK RESIDENCE.

[AGENDA ITEM TABLED.]

C. 209 Avenida La Cuesta – Cultural Heritage Permit 14-107– McIlvain Residence (Ciampa)

Public Hearing to consider a request to allow an addition, remodel, and deck extension for a historic house located at 209 Avenida La Cuesta within the Residential Low (RL-2) zoning district. The site's legal description is Lot 123 of Tract 898, Assessor's Parcel Number 057-061-17.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "McIlvain Residence, CHP 14-107, dated May 20, 2015." A copy of the PowerPoint Presentation is on file with the Planning Division.

Pat McIlvain, applicant, discussed intention to keep the original integrity of the home intact while meeting the needs of the family; requested approval of the request as submitted.

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

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 15-001, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 14-107, MCILVAIN ADDITION, A REQUEST TO ALLOW AN ADDITION, REMODEL AND DECK EXTENSION TO A SINGLE STORY HISTORIC HOUSE LOCATED AT 209 AVENIDA LA CUESTA.

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

D. 1385 Calle Avanzado – Conditional Use Permit 14-500 – Driven Auto Repair (Atamian)

Public Hearing to consider a request to establish an automotive repair facility located in an existing commercial building within the Talega Business Park at 1385 Calle Avanzado. The legal description is Parcel 3, of Page 29, of Assessor's Parcel Book 344; Assessor's Parcel Number 701-035-03.

Adam Atamian, Associate Planner, narrated a PowerPoint Presentation entitled, "Driven Auto Repair, Conditional Use Permit 14-500, dated May 20, 2015." A copy of the PowerPoint Presentation is on file with Planning Division. Staff recommended denial of the project.

John Jenson, the applicant, advised he was not aware that automotive repair uses were not allowed in CC&R's when he purchased the property for that purpose; noted he has the support of the most impacted business owner adjacent to the property; advised he will use low noise tools, do all the automotive repair inside the building, install a wall for sound attenuation, and add landscaping in order to minimize impacts to the area.

Chair Darden opened the public hearing.

Tina Rector, resident, opposed the proposed use due to potential negative impacts on surrounding uses; displayed copies of the CC&R's indicating automobile repair was prohibited.

Tony Spriggs, resident, supported the staff recommendation to deny the request as allowing its use will affect property values and quality of life.

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

- Advised that the main reasons for denial are the project's inconsistency with the General Plan and its inability to meet required findings for establishing an automotive repair facility.
- Informed project's non-compliance with the area CC&R's and potential disclosure issues with the applicant's real estate representative are civil issues not considered when analyzing this project.

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC-020, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, **DENYING** CONDITIONAL USE PERMIT 14-500, DRIVEN AUTO REPAIR, A REQUEST TO ESTABLISH AN AUTOMOTIVE SERVICE USE IN AN EXISTING INDUSTRIAL BUILDING LOCATED IN THE BUSINESS PARK OF THE TALEGA SPECIFIC PLAN LOCATED AT 1385 CALLE AVANZADO.

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

E. 201 Avenida Del Mar – Conditional Use Permit 15-024/Cultural Heritage Permit 15-025 – Hamilton's Restaurant (Jones)

Public Hearing to consider a request to allow an exterior remodel to a building to accommodate a restaurant use, a full range of alcohol for on-site consumption, and amplified live entertainment. The building is located at 201 Avenida Del Mar within the Mixed-Use zoning district, and within the Architectural and Central Business Overlays (MU3-CB-A). The legal description of the property is Lots 1, 2, 3, 33, and 34, of Block 17 of Tract 779, Assessor's Parcel Number 058-112-64.

Cliff Jones, Associate Planner, narrated a PowerPoint Presentation entitled, "Hamilton's Restaurant, CHP 15-024, MCHP 15-025, dated May 20, 2015." A copy of the PowerPoint Presentation is on file with Planning Division.

Eric DeMatteo, project partner, advised the restaurant will be family-oriented, named after one of the City's founding fathers, Hamilton Cotton, and operated in a manner that they hope will be embraced by the community. Their intent is to provide family style service of home cooked food. The music and extended hours requests allow them flexibility to experiment with hours of operation and feature music from time to time.

Joel Snyder, architect, advised the parking lot in the rear is dedicated for the building uses and is being leased along with the tenant space. It is the same parking arrangement associated with the previous restaurant use.

Devin Mears, project partner, advised that currently the restaurant parking lot is always full because the building owner is not enforcing existing restrictions. The parking lot will be signed to indicate it is for restaurant patrons only, and staff will be advised to park elsewhere. In response to a request, he agreed to install water saving plants in the currently vacant planters in the rear parking lot.

Chair Darden opened the public hearing.

Lee VanSlyke, resident, supported the proposed use as an improvement over the vacant site; encouraged the applicant to manage the parking in a responsible manner.

Dena VanSlyke, resident, supported the proposed use; commented on the lack of available parking in the area.

There being no one else present desiring to speak to this issue, Chair Darden closed the public hearing.

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

- Requested the applicant provide parking instructions on their website and social media to ensure patrons park in the appropriate location.
- Established from staff that the continuation of use is permitted by right because an application to continue the restaurant use was filed within one year of termination of the Shore Restaurant use.
- Established from staff that the new use proposes the same amount of seating as the Shore Restaurant, and at issue tonight is the façade remodel.
- Established that bike parking is included on site.
- Established from the applicants that they understand that all doors and windows must be closed when amplified music is featured.
- Commended the applicant for the five-sided architectural design approach, for upgrading the façade of the building, and for undertaking the cost and initiative for the façade remodel, which will upgrade the entire area.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 15-019, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA,

APPROVING CONDITIONAL USE PERMIT (CUP) 15-024/MCHP 15-025, HAMILTON'S RESTAURANT, A PUBLIC HEARING TO CONSIDER A REQUEST TO ALLOW AN EXTERIOR REMODEL TO A BUILDING TO ACCOMMODATE A RESTAURANT USE, A FULL RANGE OF ALCOHOL FOR ON-SITE CONSUMPTION, AND AMPLIFIED LIVE ENTERTAINMENT. THE BUILDING IS LOCATED AT 201 AVENIDA DEL MAR.

Revised as follows:

Add Condition no. 36, "The applicant shall provide the parking location on their website and other electronic media forms, (e.g. email, facebook, etc.)"

[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 May 6, 2015
- C. Staff Waiver 15-148, 163 Avenida Del Mar

Vice Chair Brown reported that at the last Coastal Advisory Committee meeting, the Committee reviewed ESHA and Biological Inventory associated with the Local Coastal Program; advised tentatively scheduled for next month's meeting is a speaker on sand replenishment.

12. **ADJOURNMENT**

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to adjourn at 8:13 p.m. to a Study Session to be held at 6:00 p.m. on June 3, 2015 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