

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
April 20, 2016 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA**

1. CALL TO ORDER

Chair Brown called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair pro tem Crandell led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Michael Blackwell, Wayne Eggleston, Michael Smith, Zhen Wu; Chair pro tem Barton Crandell, Vice Chair Jim Ruehlin, Chair Donald Brown

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Adam Atamian, Associate Planner
Sean Nicholas, Associate Planner
Christopher Wright, Associate Planner
Brent Panas, Code Compliance Supervisor
Thomas Frank, Transportation Engineering Manager
Matthew Richardson, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Meeting of April 6, 2016

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY VICE CHAIR RUEHLIN, AND CARRIED 6-0-1, WITH COMMISSIONER BLACKWELL ABSTAINING, TO APPROVE THE MINUTES OF THE MEETING OF APRIL 6, 2016, WITH THE FOLLOWING REVISIONS:

Page 2, 1st paragraph, 1st sentence, following "meeting" insert "by another member of the public"

Page 7, end of page, add the following bulleted item: "Decided the term "home share" was confusing and suggested the term "multi-family STLU's" be used instead of the term "home share" or "home sharing."

Page 11, 3rd bulleted item, replace "State Park" with "MU 3-2, Commercial, T-Zone linkages, Pier Bowl linkages, and Greater North Beach linkages,"

6. ORAL AND WRITTEN COMMUNICATION - None

7. CONSENT CALENDAR

A. Proposed Parking Restriction on Calle Oso (Thomas)

Consider a recommendation to the City Council proposing parking restrictions on Calle Oso.

IT WAS MOVED BY CHAIR BROWN, SECONDED BY VICE CHAIR RUEHLIN, AND UNANIMOUSLY CARRIED TO FORWARD TO CITY COUNCIL A RECOMMENDATION TO APPROVE PARKING RESTRICTION BETWEEN THE HOURS OF 7:30 A.M. TO 3:30 P.M. ON SCHOOL DAYS, ON THE NORTHEAST SIDE OF CALLE OSO FROM THE SCHOOL EXISTING DRIVEWAY IN A NORTHERLY DIRECTION FOR A DISTANCE OF ONE-HUNDRED AND SIXTEEN (116) FEET.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL]

B. Proposed Parking Prohibitions on Elena Lane at Cazador Lane (Thomas)

Consider a recommendation to the City Council proposing parking prohibitions on Elena Lane at Cazador Lane.

Commissioner Eggleston recused himself from considering this item due to property ownership within 500 feet and left the meeting room.

Thomas Frank, Transportation Engineering Manager, briefly reviewed the staff report.

Public Comment:

Helen McCue, resident, opposed the proposed elimination of parking spaces due to high demand and potential that drivers looking for parking will negatively affect West Portal. She requested the City consider creative ways, such as one way streets, to solve

the traffic issues and make it safer near the school. Additionally, she opined that due to the heavy Latino population living in the area and at the school, notice of tonight's meeting should also have been published in Spanish.

Jim Pechous, City Planner, advised the City is not legally obligated to post notification in any other language than English.

Following discussion, Transportation Engineering Manager Frank agreed to publicize future notices in this area in Spanish; noted the City is partnering with the school to establish the Safe Routes to School Program; Suggested the adjacent neighborhood may want to consider circulating a petition if the majority would prefer a one-way street; noted the City intends to replace an existing "Right Turn Only" sign with an official sign so violators can be ticketed; agreed continuation of this issue would allow staff to post notification in Spanish and discuss potential solutions with the neighborhood residents.

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY COMMISSIONER BLACKWELL, AND CARRIED 6-0-1, WITH COMMISSIONER EGGLESTON ABSTAINING, TO CONTINUE PROPOSED PARKING PROHIBITIONS ON ELENA LANE AT CAZADOR LANE TO THE REGULAR MEETING OF MAY 18, 2016.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

Commissioner Eggleston returned to the meeting room.

8. PUBLIC HEARING

A. Conditional Use Permit 15-394, Rice Residence (Wright)

Public Hearing to consider a request to construct a detached accessory building that exceeds the 15 foot height limit. The project is a two-story detached accessory building with floor area above a garage. The site is located in the Residential Medium Density zoning district (RM) at 102 Avenida Santa Inez. The site's legal description is Lot 30, Block 2 of Tract 900 and Assessor's Parcel Number 060-072-12.

Vice Chair Ruehlin recused himself from considering this agenda item due to a business relationship with the applicant's architect and left the meeting room.

Christopher Wright, Associate Planner, reviewed the staff report; recommended striking the term "guesthouse" in the conditions.

Iain Buchan, representing the applicant, described the proposed project; indicated existing elements on the plans; noted it was more feasible to

add a garage and bonus room than add a second story to the home; stated the proposal meets all setback requirements; described topographical constraints dictating the staircase location.

Jay Rice, applicant, described room and yard plans.

Chair Brown 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:

- Commented the project as designed complies with code and will improve the existing property.
- Suggested the home could be used as a guest house and the bathroom could be converted to accommodate a tub or shower; opposed allowing the accessory structure due to potential it could be converted into an illegal housing unit.
- Suggested it is not the Commission's purview to consider how additions or renovations could be bootlegged at some point in the future. As the project is presented, it meets code and the required findings.

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY COMMISSIONER EGGLESTON, AND CARRIED 5-1-1, WITH COMMISSIONER WU OPPOSED AND VICE CHAIR RUEHLIN ABSTAINING, TO ADOPT RESOLUTION NO. PC 16-008, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 15-394, RICE RESIDENCE, A REQUEST TO CONSTRUCT A DETACHED ACCESSORY BUILDING THAT EXCEEDS A 15-FOOT MAXIMUM HEIGHT FOR DETACHED ACCESSORY BUILDINGS LOCATED ON A SINGLE-FAMILY RESIDENTIAL SITE AT 102 AVENIDA SANTA INEZ

Amended as follows:

Page 6, Condition 8, strike "or guesthouse"

Page 6, Condition 9, strike "or guesthouse" and correct resulting sentence by striking "an" before "additional" and replacing "space" with "spaces"

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

Vice Chair Ruehlin returned to the meeting room.

- B. 504 Avenida De La Estrella – Time Extension Conditional Use Permit 11-507/Time Extension Sign Exception Permit 11-508/Time Extension**

Discretionary Sign Permit 11-509/Time Extension Architectural Permit 11-511/Time Extension Site Plan Permit 11-512/Time Extension Minor Conditional Use Permit 11-510 – Valero Time Extension (Nicholas)

Public Hearing to consider a request for a time extension for the demolition of a service station, gas station pumps, gas pump canopy, and multiple office structures to develop a new gas station with six pumps, pump canopy, car wash, convenience store with the sale of beer and wine for off-site consumption, office, and off-site parking agreement, and to approve a master sign program, and freeway-oriented signs at 504 Avenida De La Estrella within the Neighborhood Commercial (NC2) zoning designation. The legal description is Lots 27, 28, 29, 30, 79, 80, and 91, of Block 1, of Tract 793, portion of Lot 91 and 7 of Tract 853, Assessor's Parcel Numbers 057-142-44 and 057-142-37.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "TE De La Estrella Plaza, (Valero), TE CUP 11-510/TE SEP 11-508/TE DSP 11-509/TE CUP 11-510/TE AP 11-511/TE SPP 11-512, dated April 20, 2016." A copy of the Presentation is on file in Planning Division.

Alex Irshaid, applicant, noted agreement with the conditions of approval and asked for approval of the request.

Eddie Ghossemi, applicant, was available for questions.

Chair Brown 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:

- Suggested a one year extension instead of the requested 3 due to potential that the guidelines/restrictions for this gateway area, especially with regard to signage/LED lighting, may have been revised during the General Plan update process.
- Requested that future Time Extension projects include more information for those Commissioners not on the Commission at the time the original approval was granted.
- Established from staff that the applicant has worked diligently and continuously with staff since the project was first approved.

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 16-013, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TIME EXTENSION FOR CONDITIONAL USE PERMIT (CUP) 11-507, TIME EXTENSION FOR SIGN EXCEPTION PERMIT (SEP) 11-508, TIME EXTENSION FOR DISCRETIONARY SIGN PERMIT (DSP) 11-509, TIME EXTENSION FOR

ARCHITECTURAL PERMIT (AP) 11-511, AND TIME EXTENSION FOR SIT PLAN PERMIT (SPP) 11-512, DE LA ESTRELLA PLAZA (VALERO) A REQUEST TO DEMOLISH A SERVICE STATION AND ALL STRUCTURES ON TWO PARCELS AND DEVELOP A NEW SERVICE STATION, CONVENIENCE STORE, CARWASH SIX FUEL STATIONS, MASTER SIGN PROGRAM AND FREEWAY ORIENTED SIGNAGE LOCATED AT 504 AVENIDA DE LA ESTRELLA

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

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 16-014, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TIME EXTENSION FOR MINOR CONDITIONAL USE PERMIT (MCUP) 11-510, A REQUEST TO ALLOW BEER AND WINE SALES FOR OFF-SITE CONSUMPTION LOCATED AT 504 AVENIDA DE LA ESTRELLA.

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

C. 647 Camino De Los Mares Suite 201 – Conditional Use Permit 16-012 – A Mission For Michael (Atamian)

Public Hearing to consider a request to establish a group counseling use, for up to 10 clients at a time, in a 3,180 square-foot commercial-office suite in the Community Commercial (CC4) zone at 647 Camino De Los Mares, Suite 201. The legal description of the property is Parcel 4 of Parcel Map 170-24, Assessor's Parcel Number 675-071-30.

Adam Atamian, Associate Planner, narrated a PowerPoint Presentation entitled, "A Mission for Michael, Conditional Use Permit 16-102, dated April 20, 2016." A copy of the Presentation is on file in Planning Division.

Mary Helen Beatificato, attorney for the applicant, described the proposed use for the site; noted no smoking would be allowed on property; advised the use has been ongoing since June 2013 with no complaints that they know of to date; informed that all clients would be brought to the site by vans.

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

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 16-012, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-102, A MISSION FOR MICHAEL, A REQUEST TO ALLOW A GROUP

COUNSELING USE LOCATED AT 647 CAMINO DE LOS MARES, SUITE 201.

Amended as follows:

Page 6, Condition no. 7, replace "10 patients" with "12 patients"

Page 7, Condition no. 12, add to the end of the condition: "The applicant will be responsible to ensure no patients smoke on property."

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

9. NEW BUSINESS

A. Fiscal Year 2017 Capital Improvement Program General Plan Consistency Review (Atamian)

Review of projects for the Fiscal Year 2016-2017 Capital Improvement Program for consistency with the San Clemente General Plan.

Adam Atamian, Associate Planner, summarized the staff report.

Chair Brown 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 the current status of the Poche Watershed Activities project.
- Established from staff the necessity for the Highland Light Ductile Iron Pipeline Replacements project.
- Requested information related to the location of proposed bicycle racks in the Downtown Bicycle Racks project.
- Requested information related to any opportunities for increasing multi-modal facilities with the Traffic Signal Controller Replacements project.

The Commissioners concurred the 2016-2017 Capital Improvement Program General Plan Consistency Finding as presented by staff should be presented at the Planning Commission meeting of May 4, 2016 as a public hearing item.

Report received and filed.

B. Interpretation 16-033, Forster Ranch Specific Plan Accessory Structures (Nicholas)

A request for an interpretation from the Planning Commission whether an accessory structure can exceed 15 feet in height with the approval of a Conditional Use Permit in the Forester Ranch Specific Plan.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Forster Ranch Specific Plan Accessory Structures, Interpretation 16-033, dated April 20, 2016." A copy of the Presentation is on file in Planning Division.

Sean Hennessy, applicant, noted he was advised by a member of the homeowners association to install a garage to accommodate his recreational vehicle. Due to its height, a 16 foot garage door is necessary.

Chair Brown 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 the Commission's direction this evening will direct staff to incorporate changes as the Forster Ranch Specific Plan is updated.
- Suggested it is necessary for the City to hear from the association(s) and potentially put a vote to residents before allowing a change in the specific plan.

The Commissioners agreed to direct staff to initiate the specific plan amendment process rather than an interpretation to ensure Forster Ranch residents have the opportunity to provide input.

10. OLD BUSINESS - None

11. REPORTS OF COMMISSIONERS/STAFF

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of 04-06-16
- C. Staff Waiver 15-372, 2922 Calle Grande Vista
- D. Staff Waiver 16-125, 515 Avenida Del Mar
- E. Staff Waiver 16-129, 111 Calle Seville E
- F. Staff Waiver 16-131, 210 Avenida Victoria
- G. Staff Waiver 16-132, 511 Avenida Del Mar 1
- H. Staff Waiver 16-139, 26 Via Calandria
- I. Staff Waiver 16-140, 234 Avenida Aragon

Chair pro tem Crandell announced that the Design Review Subcommittee (DRSC) meeting scheduled for next week has been canceled.

Vice Chair Ruehlin advised he recently attended the American Planning Association Meeting and will have information to share at a future meeting.

12. ADJOURNMENT

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY VICE CHAIR RUEHLIN, AND UNANIMOUSLY CARRIED TO ADJOURN AT 9:57 P.M. TO A STUDY SESSION TO BE HELD AT 6:00 P.M. ON MAY 4, 2016, AT CITY HALL LOCATED AT 100 AVENIDA PRESIDIO, SAN CLEMENTE, CA.

Respectfully submitted,

Don Brown, Chair

Attest:

Jim Pechous, City Planner