

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
May 17, 2017 @ 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

Vice Chair Crandell led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Wayne Eggleston (8:30 p.m. depart), Michael Smith, Zhen Wu; Chair pro tem Michael Blackwell, Vice Chair Barton Crandell, Chair Donald Brown

Commissioners Absent: Jason Talley

Staff Present: Amber Gregg, City Planner
Cliff Jones, Associate Planner
Christopher Wright, Associate Planner
Linda Vo, Assistant Planner
Ken Knatz, Principal Engineer
Matthew Richardson, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Study Session of April 19 2017.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY VICE CHAIR CRANDELL, AND CARRIED 4-0-2, WITH COMMISSIONER EGGLESTON AND CHAIR BROWN ABSTAINING, TO RECEIVE AND FILE THE MINUTES OF THE PLANNING COMMISSION STUDY SESSION OF APRIL 19, 2017.

B. Minutes from the Planning Commission Meeting of April 19, 2017.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY VICE CHAIR CRANDELL, AND CARRIED 4-0-2, WITH COMMISSIONER EGGLESTON AND CHAIR BROWN ABSTAINING, TO RECEIVE AND FILE THE MINUTES OF THE PLANNING COMMISSION MEETING OF APRIL 19, 2017.

6. ORAL AND WRITTEN COMMUNICATION

Irlando Snarhout, resident, reported vehicle speeds up to 55 mph and in excess of 70 mph in her residential neighborhood with the opening of the Avenida Del Rio Extension; expressed concern with the safety of pedestrians, bicyclists, children walking to and from school, and other cars. She has submitted a petition asking Traffic Division for relief and is looking for solutions. Commissioners advised her to contact Mayor Ward during the "Mayor's Hours," report her concerns to City Council, and continue working with Traffic Division for solutions.

7. CONSENT CALENDAR

None

8. PUBLIC HEARING

A. Cultural Heritage Permit 15-276/SPP 15-277 – 121 Avenida Granada, Thomas Building (Schuller)

Public Hearing to consider a request to construct a new 1,002 square-foot office building on a vacant site located at 121 Avenida Granada in the Downtown Transition Mixed-Use Zone and Architectural Overlay (MU3.1-A).

Cliff Jones, Associate Planner, narrated a PowerPoint Presentation entitled, "Thomas Office Building CHP 15-276, SPP 15-277, dated May 17, 2017." A copy of the Presentation is on file in Planning Division.

Alex Faulkner, the applicant, agreed to switch the exterior lights to ensure they were of a consistent style.

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

IT WAS MOVED BY VICE CHAIR CRANDELL, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 17-013 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 15-276 AND SITE PLAN PERMIT 15-277, THOMAS BUILDING, A REQUEST TO

ALLOW THE CONSTRUCTION OF A NEW OFFICE BUILDING ON A VACANT LOT, LOCATED AT 121 AVENIDA GRANADA.

Amended as follows:

Staff to ensure the lighting is consistent throughout the building to match the front elevation.

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

B. Conditional Use Permit 16-433, 1640 North El Camino Real – La Colombiana (Vo)

Public Hearing to consider a request to allow new services at a restaurant, including: 1) sales of a full range of alcohol for indoor and outdoor on-site consumption, and 2) establish indoor live entertainment with no amplified sound. The project site is located in the North Beach Mixed Use, Pedestrian, and Architectural Overlay (MU1-P-A) zone at 1640 North El Camino Real, Suite A. The legal description of the property is Lots 23, 24 and a portion of Lot 25, Block 1, of Tract 821, Assessor's Parcel Number 692-371-04.

Linda Vo, Assistant Planner, narrated a PowerPoint Presentation entitled, "La Colombiana Restaurant, Conditional Use Permit 16-443, dated May 17, 2017." A copy of the Presentation is on file in Planning Division.

Harold Alzate, representing the applicant, stated the restaurant is his mother's dream and started out very small due to restroom fixture constraints. They applied for a full range of alcohol permit from the ABC, won the lottery, and have to comply with an ABC-imposed deadline. He has submitted an offer to purchase the building, and is anxious to own it in order to bring it into compliance, and make improvements so it can continue to grow and prosper. He acknowledged that the CUP dictates that no amplified sound (no microphone or speaker) would be allowed with the new permit, and that installation of a microphone would put the restaurant in violation of the CUP.

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

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

- Commented that more than a total of 8 seats have been observed on past visits.

- Expressed concern that the addition of a full range of alcohol will add to the restaurant's popularity and exacerbate the existing lack of seating.
- Expressed apprehension approving this request when the restaurant has shown a lack of compliance (with regard to how many tables and chairs are provided inside) in the past.
- Suggested that although the restaurant has good food and is very popular, its façade is decrepit and interior is lacking. It is in everyone's best interest that the restaurant flourish, but the Commission would be derelict in its duty to turn a blind eye to existing conditions and restraints; suggested approving this request will put Code Enforcement in the position where they have to cite continuously.
- Commented that although there are some issues with the restaurant, it is the owner's responsibility to comply with the conditions placed on the CUP and he could lose his CUP if he doesn't comply.

Associate Planner Jones suggested the Commission consider tabling this request to allow the applicant to work with Building and Planning Division to see if the new building code would allow for greater occupancy and seating.

IT WAS MOVED BY COMMISSIONER WU, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO TABLE Conditional Use Permit 16-433, 1640 North El Camino Real – La Colombiana.

[AGENDA ITEM TABLED.]

C. Conditional Use Permit 17-055, Staff Waiver of Minor Architectural Permit 17-133, Sea Pointe Estates Pocket Park (Wright)

Public Hearing to consider a request to develop a pocket park and accessory pergola structure on a vacant lot in the private (gated) Sea Pointe Estates community, proposed by the Homeowner's Association. The project is to allow Sea Pointe Estates residents to have private low-impact recreational use of the site while containing and redirecting runoff water off-site. The lot is located at 14 Cantilena in the Residential Low Density Zoning district and Residential Special Overlay district (RL-18)

Cliff Jones, Associate Planner, displayed a site map indicating the location and layout of the proposed pocket park. He noted the site will remain residential, so that it could still be developed in the future as a home, but existing geotechnical issues have precluded that to date, and the site has been deeded over to the homeowners association.

David Abernathy, Sea Pointe Estates Association Boardmember, was available for questions.

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

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER EGGLESTON, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 17-015, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 17-055, STAFF WAIVER OF MINOR ARCHITECTURAL PERMIT 17-133, SEA POINTE ESTATES POCKET PARK, A REQUEST TO DEVELOP A POCKET PARK AND ACCESSORY PERGOLA STRUCTURE ON A VACANT LOT IN THE PRIVATE (GATED) SEA POINTE ESTATES COMMUNITY LOCATED AT 14 CANTILENA.

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

Commissioner Eggleston left the meeting due to illness at 8:30 p.m.

9. NEW BUSINESS

A. Capital Improvement Program Annual Update (Wright)

A request for the Planning Commission to find whether the Fiscal Year 2017-2018 Capital Improvement Program is consistent with the Centennial General Plan.

Christopher Wright, Associate Planner summarized the staff report.

Ken Knatz, Principal Engineer, was available for questions.

IT WAS MOVED BY VICE CHAIR CRANDELL, SECONDED BY COMMISSIONER WU, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 17-010, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, FINDING THE FISCAL YEAR 2017-2018 CAPITAL IMPROVEMENT PROGRAM IS CONSISTENT WITH THE SAN CLEMENTE GENERAL PLAN.

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

B. Public Safety Task Force Appointee

At its meeting of March 2, 2017, the San Clemente City Council created a Public Safety Task Force. The purpose of the task force is to review, discuss and analyze data to achieve consensus on recommendations for

potential implementation measures related to Police Services. Additionally, the task force will initiate and develop a community-based public safety strategic planning process that will result in a public safety strategic plan for the City Council to review and approve for future implementation. At this time, the City Council is accepting applications from members of the public who are interested in serving on this task force.

The Commissioners discussed qualifications and time commitments.

Vice Chair Crandell nominated Chair Brown and Chair Brown was elected to represent the Planning Commission on the Public Safety Task Force on a unanimous vote.

10. OLD BUSINESS - None

11. REPORTS OF COMMISSIONERS/STAFF

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of 4-19-17
- C. Staff Waiver 17-109
- D. Staff Waiver 17-123
- E. Staff Waiver 17-125
- F. Staff Waiver 17-140
- G. Staff Waiver 17-149
- H. Staff Waiver 17-150

City Planner Gregg reported she attended the California Historic Preservation Conference this past weekend in Pasadena, CA, where there was ample information presented and considerable opportunities for networking; announced the Miramar Theater Project would be on the Commission's June 7, 2017, agenda and suggested cancelation of the Study Session and regular meeting start at 6:00 p.m.; encouraged those Commissioners who have not yet toured the Miramar Theater Project to contact staff for arrangements.

Chair Brown encouraged the Commissioners to contact him with suggestions for additions to his presentation on behalf of the Commission at the May 30, 2017, Joint Meeting.

12. ADJOURNMENT

IT WAS MOVED BY VICE CHAIR CRANDELL, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO ADJOURN AT 8:57 P.M. TO THE JOINT COUNCIL/COMMISSIONS/COMMITTEES MEETING TO BE HELD AT 7:00 P.M. ON MAY 30, 2017, AT THE SAN CLEMENTE MUNICIPAL GOLF COURSE, WEDGEWOOD BANQUET ROOM, LOCATED AT 150 AVENIDA MAGDALENA, SAN CLEMENTE, CA.

Respectfully submitted,

Donald Brown, Chair

Attest:

Amber Gregg, City Planner