

**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
February 19, 2020 @ 6:00 p.m.  
Council Chambers  
100 Avenida Presidio  
San Clemente, California 92672**

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**1. CALL TO ORDER**

Vice Chair Blackwell 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**

Vice Chair Blackwell led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Donald Brown, Chris Kuczynski, Zhen Wu; Chair pro tem Barton Crandell, Vice Chair Michael Blackwell

Commissioners Absent: Chair Jim Ruehlin

Staff Present: Gabriel J. Perez, City Planner  
Stephanie Roxas, Senior Planner  
David Carrillo, Assistant Planner  
Cecilia Gallardo-Daly, Community Development Director  
Nestor Mangohig, Senior Civil Engineer - Traffic  
Zachary Ponsen, Senior Civil Engineer  
Matthew Richardson, Assistant City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS**

None

**5. MINUTES**

A. Minutes from the Regular Planning Commission Meeting of February 5, 2020

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF FEBRUARY 5, 2020, AS SUBMITTED.

**6. ORAL AND WRITTEN COMMUNICATION**

None

**7. CONSENT CALENDAR**

A. Speed Cushions on Avenida La Cuesta, East El Oriente, and Avenida Caballeros (Mangohig)

A recommendation to approve the use of speed cushion traffic calming treatments on Avenida La Cuesta, East El Oriente, and Avenida Caballeros.

Senior Civil Engineer Mangohig confirmed the required configuration of speed cushion installations. Orange County Fire Authority (OCFA) specifications require the initial cushion at centerline and that the cushions span the roadway, for roads without a raised median.

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO FORWARD TO CITY COUNCIL A RECOMMENDATION TO APPROVE THE USE OF SPEED CUSHION TRAFFIC CALMING TREATMENTS ON AVENIDA LA CUESTA, EAST EL ORIENTE, AND AVENIDA CABALLEROS.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]**

**8. PUBLIC HEARING**

A. 431 Calle Gomez – Cultural Heritage Permit 19-250 – Marloe Residence (Carrillo)

A request to consider a new 3,386 square-foot two-story, single-family residence on a vacant lot located at 431 Calle Gomez, adjacent to a historic resource. The project site is in the Residential Low (RL) Zoning District.

David Carrillo, Assistant Planner, narrated a PowerPoint Presentation entitled, "Marloe Residence, Cultural Heritage Permit 19-250," dated February 19, 2020. A copy of the Presentation is on file in Planning Division. Staff is recommending removal of the sidewalk requirement as construction of a sidewalk along the street frontage is not achievable due to its topography and existing development.

Chris Foerstel, applicant, was available for questions.

Vice Chair Blackwell opened the public hearing; noted receipt of a letter on the dais from Margo Beauchamp, resident, requesting the applicant

require that his contractors and other workers on site park their cars on East Avenida Magdalena.

Margo Beauchamp, resident, spoke on behalf of her elderly mother, who lives on Avenida Crespi. The street is old, very narrow, and has a hairpin curve. Very close to the project site is East Avenida Magdalena, which is single loaded and much wider. She asked that the applicant be required to have his contractor and workers park along there to ensure the safety of those trying to navigate Avenida Crespi. She noted her mom is very supportive of the proposed project.

Vice Chair Blackwell closed the public hearing.

Zachary Ponsen, Senior Civil Engineer, noted that Code Compliance can be called in the event unauthorized parking occurs. There is no mechanism in place to prevent individuals from using public streets for parking, and staff is reluctant to establish precedent in this instance. He encouraged the public to call with questions or complaints regarding the correct placement of trash dumpsters.

Comments/suggestions:

- Suggestion that the contractor for the project issue his business cards to residents living adjacent to this project to ensure if there are problems, he will be the first person contacted.
- Suggestion that the applicants request their contractor require all workers park their cars on East Avenida Magdalena as a courtesy for the residents living adjacent to the project.
- Supported the removal of the sidewalk requirement due to street topography and existing development.
- Commented the project would be improved with the addition of more landscaping on the rear slope of the property.

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY COMMISSIONER WU AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 20-003, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 19-250, MARLOE RESIDENCE, TO ALLOW A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE ON A VACANT LOT LOCATED AT 431 CALLE GOMEZ, ADJACENT TO A HISTORIC RESOURCE.

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

B. APN 679-021-05 – Specific Plan Amendment 19-014/Tentative Parcel Map 19-021/Site Plan Permit 19-022/ Architectural Permit 19-023/Conditional Use Permit 19-094 – Artis Memory Care Facility (Roxas)

A request to construct and operate a single-story, 72-bed State-licensed residential care facility for the elderly dedicated to memory care residents on approximately 2.5 acres of vacant land to be addressed as 2401 Calle Frontera. The project also includes the subdivision of a 5.6-acre parcel and text amendments to the Marblehead Inland Master Specific Plan. The project site abuts the I-5 freeway to the south, Faire Harbour condominiums to the east, and Pacific Coast Church at 2651 Calle Frontera to the west.

Stephanie Roxas, Senior Planner, narrated a PowerPoint Presentation entitled, "Artis Memory Care Facility, SPA 19-014, TPM 19-021, SPP 19-022, AP 19-023, and CUP 19-094," dated February 19, 2020. A copy of the Presentation is on-file in the Planning Division. She recommended approval of four additional conditions of approval relating to construction noise impacts. In response to questions, she noted staff did not receive any phone calls or written communication opposed to the project.

Mark McGuire, representing the applicant, thanked staff and the Design Review Subcommittee members for their assistance with the project. Applicant Rick Bell, Architect Keith Palmer, and Civil Engineer Joseph Daggett were also present to answer questions. The applicant team believes the proposed project is an excellent and passive use for the site, generates low traffic, and complies with applicable guidelines. In response to questions, he stated roof equipment will be placed in alcoves to reduce potential of being viewed from neighboring residents and the buildings are under the 25-foot height limit. He further stated the generator is the quietest commercially available model and is surrounded by 8-foot walls. In response to questions, he stated the generator will be tested once a week for less than 15 minutes between the hours of 10:00 a.m. to 2:00 p.m. He stated the applicant hosted two neighborhood meetings to address any concerns from adjacent residents.

Mark Ambrose, Pastor of the adjacent Pacific Coast Church, described the extensive process the Church followed in order to vet potential purchasers for the property and selected the applicant they felt they could achieve the best partnership.

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

- Established from staff that the noise study was prepared by a qualified acoustical engineer, reviewed by City staff and the City's environmental consultant, and was deemed to be prepared in accordance with industry standards.

- Established that the City's noise standards will be enforced in the event complaints are made; Code Enforcement will be dispatched in response to any complaints submitted.
- Commented that the palms shown on the artist's rendering have been replaced with crepe myrtle canopy style trees.
- Suggested additional noise study/testing be performed along the southeast edge, along the perimeter of Faire Harbour following full tenancy of the project at peak hours. The applicant would bear the burden of the additional testing. As an alternative, the additional noise study requirement would only be triggered by a noise complaint.
- Commented that the City has a process and protections in place in the event noise standards are not met.
- Commented that this type of facility generates very few visitors; most traffic generated is during personnel shift changes, food deliveries, etc.
- Commented that sound generated from emergency generators is exempt from the City's noise standards.
- Commented that this project is preferred by adjacent residents to denser housing, which would generate far greater traffic, light pollution, noise impacts, view impacts, etc.
- Commended the applicant for involving adjacent residences and agreeing to good neighbor practices.
- Suggested additional screening on the roof to hide the rooftop equipment such as a trellis.
- Commented that the City's code does not permit rooftop equipment exceeding the roofline.

IT WAS MOVED BY CHAIR PRO TEM CRANDELL TO ADOPT PC 20-004, A RESOLUTION OF THE CITY OF SAN CLEMENTE, CALIFORNIA RECOMMENDING THE CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT 19-014, TENTATIVE PARCEL MAP 19-021, SITE PLAN PERMIT 19-022, ARCHITECTURAL PERMIT 19-023, AND CONDITIONAL USE PERMIT 19-094, FOR ARTIS MEMORY CARE FACILITY, A REQUEST TO DEVELOP A 72-BED MEMORY CARE ASSISTED LIVING RESIDENCE ON 2.5-ACRES OF VACANT LAND LOCATED AT ASSESSOR'S PARCEL NUMBER 679-021-05, TO BE ADDRESSED AS 2401 CALLE FRONTERA.

Revised as follows:

Staff directed to work with the applicant to ensure roof equipment screening is adequate. In the event roof equipment exceeds the height of the roof ridge and/or is visible from the public right-of-way, a lattice screening should be integrated into the design.

The Landscape Plan submitted with the application reflects the landscaping approved for the site, and not the renderings.

Staff will add the following conditions of approval:

1. The project construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday and to between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays provided that grading and equipment operations within 0.5 mile of a structure for human occupancy shall not be conducted between the hours of 5:30 p.m. and 7:30 a.m. nor on Saturdays, Sundays, or City-recognized holidays. No construction activities shall be permitted outside of these hours or on Sundays or City-recognized holidays.
2. The project construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers consistent with manufacturer's standards.
3. The project construction contractor shall locate staging areas away from off-site sensitive uses during the later phases of project development.
4. The project construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site whenever feasible.

IT WAS MOVED BY COMMISSIONER WU TO AMEND THE MOTION TO REQUIRE THE APPLICANT AMEND THE ROOFTOP EQUIPMENT SO AS TO NOT EXCEED THE RIDGELINE. This motion died without a second.

Original motion seconded by Commissioner Brown and unanimously carried.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]**

**9. NEW BUSINESS**

**A. Selection of Design Review Subcommittee Rotating Member and Coastal Advisory Committee Replacement (Perez)**

The Planning Commission is requested to identify a Commissioner to fill a vacancy on the Design Review Subcommittee rotating member schedule and the Coastal Advisory Commission.

The Commissioners elected not to appoint a Commissioner to fulfil the remaining term on the Coastal Advisory Committee.

The Commissioners made the following changes to the DRSC Schedule:

February 26, 2020 replace "Talley" with "Kuczynski" as an alternate

March 11, 2020 replace "Talley" with "Brown" as rotating member and "Blackwell" with "Kuczynski" as alternate

March 25, 2020 replace "Talley" with "Blackwell"

**10. OLD BUSINESS**

None

**11. REPORTS OF COMMISSIONERS AND STAFF**

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of February 6, 2020
- C. Staff Waiver Memo and Reports

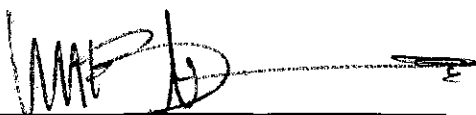
In response to a request for an update on recent housing laws, Gabriel Perez, City Planner, and Matthew Richardson, Assistant City Attorney, agreed to arrange a Study Session or organize a webinar featuring information amassed by his firm on recent changes in the State's Housing Laws.

Vice Chair Blackwell announced he will not be attending the March 4, 2020, Regular Planning Commission Meeting due to attendance at the California League of Cities Planning Commissioners Academy.

**12. ADJOURNMENT**

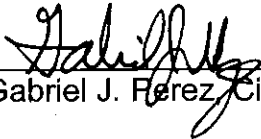
IT WAS MOVED BY COMMISSIONER WU, SECONDED BY COMMISSIONER KUCZYNSKI, AND UNANIMOUSLY CARRIED TO ADJOURN AT 7:53 P.M. TO THE ADJOURNED REGULAR MEETING OF THE PLANNING COMMISSION TO BE HELD ON MARCH 4, 2020, AT 6:00 P.M. IN COUNCIL CHAMBERS LOCATED AT 100 AVENIDA PRESIDIO, SAN CLEMENTE, CALIFORNIA.

Respectfully submitted,



Michael Blackwell, Vice Chair

Attest:

  
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Gabriel J. Perez, City Planner