

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
July 21, 2021 @ 7:00 p.m.  
Teleconference Only via  
[www.san-clemente.org/live](http://www.san-clemente.org/live) or Cox Channel 854**

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**CALL TO ORDER**

Chair Crandell called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:05 p.m. The meeting was offered teleconference only due to the COVID-19 Pandemic, and available to the public via live stream from the City's YouTube Channel or live on Cox Channel 854.

**2. PLEDGE OF ALLEGIANCE**

Vice Chair Tyler led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: M. Steven Camp, Cameron Cosgrove, Karen Prescott-Loeffler; Chair pro tem Scott McKhann, Vice Chair Hannah M. Tyler, Chair Barton Crandell. (All Planning Commissioners participated via teleconference)

Commissioners Absent: Gary P. McCaughan, M.D.

Staff Present: \*Cecilia Gallardo-Daly, Community Development Director  
\*Stephanie Roxas, Senior Planner  
\*Kyle Webber, Assistant Planner  
\*David Carrillo, Assistant Planner  
\*Matthew Richardson, Assistant City Attorney  
\*Eileen White, Recording Secretary  
\*Christopher Wright, Associate Planner II

\*Participated in meeting via teleconference

**4. SPECIAL ORDERS OF BUSINESS**

None

**5. MINUTES**

A. Minutes from the Planning Commission Regular Meeting of July 7, 2021

IT WAS MOVED BY COMMISSIONER PRESCOTT-LOEFFLER,  
SECONDED BY COMMISSIONER MCKHANN AND UNANIMOUSLY

CARRIED TO APPROVE THE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF JULY 7, 2021, as submitted.

## 6. ORAL AND WRITTEN COMMUNICATION

Cecilia Gallardo-Daly, Community Development Director, read a letter from David York, architect, expressing concerns that his project, ICRES Review 21-065, is subject to unnecessary review/moving too slowly through the Planning process. Director Gallardo-Daly agreed to research the project and report back to Mr. York.

## 7. CONSENT CALENDAR

### A. Housing Vacancy Rate Certification Fiscal Year 2021-2022 (Wright)

A request to certify the annual housing vacancy rate to determine allowances for conversion of apartments to condominiums in Fiscal Year 2021-2022.

IT WAS MOVED BY COMMISSIONER MCKHANN, SECONDED BY CHAIR CRANDELL, AND UNANIMOUSLY CARRIED TO ACCEPT THE HOUSING VACANCY RATE CERTIFICATION FOR FISCAL YEAR 2021-2022.

## 8. PUBLIC HEARING

### A. 1011 Buena Vista – Cultural Heritage Permit 20-378 – Ashabi Addition (Crockett)

A request for a 570 square-foot addition and remodel to a nonconforming multi-family residence as well as a modification to an existing nonconforming detached garage structure within 300 feet of a historic structure on the Coastal Bluff.

Stephanie Roxas, Senior Planner, narrated a PowerPoint Presentation entitled, "Ashabi Addition, CHP 20-378, dated July 21, 2021, on behalf of Katie Crockett, Associate Planner, Project Planner. A copy of the Presentation is on file in the Planning Division.

Heidi Kohler, architect for the project briefly described the intent of the proposed modifications and responded to questions. The property owners, Mr. and Mrs. Ashabi, were also available for questions.

Chair Crandell 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:

- Questioned whether the Zoning Code allows an existing non-conforming garage to maintain its non-conforming setbacks if the

structure is demolished and relocated; commented the reduced setback could result in parked cars encroaching onto the sidewalk. The existing garage features a non-conforming setback of 4 feet, the proposed remodel anticipates a 12-foot setback, and the Code typically requires an 18-foot garage setback. Planner Roxas explained that the existing garage structure encroaches into the setback requirements because it was constructed as an in-the-bank garage that followed the natural topography of the site to reduce the need for mass site grading; in-the-bank garages qualify for an exception that allows the structure to maintain its nonconforming setbacks.

- Commented the project reduces the structure's visibility from the historic resource; improves the aesthetics and curb appeal of the property; makes the new garages usable; and commented that, pursuant to staff's recommended condition, any encroachment of cars parked on the driveway onto the sidewalk would be a Code Enforcement issue.
- Suggested adding a condition to prevent vehicles from blocking the sidewalk by requiring garages to remain capable of parking the number of cars it was designed to accommodate. Also commented that some of the findings in the Resolution do not mention the legal existing site non-conformities.
- Questioned whether the Planning Commission would review similar remodel projects if the property were not located near a historic resource. Planner Roxas confirmed that if the project site was located further than 300 feet from a historic resource, the remodel would only require building permits, and Planning Commission approval would not be required.
- One Commissioner opposed the application because they believed the Code does not provide a legal mechanism to allow the new garage structure to encroach into the front setback area. However, also expressed support for the proposed remodel because it improves the property as a whole.

IT WAS MOVED BY COMMISSIONER MCKHANN, SECONDED BY COMMISSIONER PRESCOTT-LOEFFLER, AND CARRIED 5-1-1 WITH CHAIR CRANDELL OPPOSED AND COMMISSIONER MCCAUGHAN ABSENT, TO ADOPT RESOLUTION NO. PC 21-013, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 20-378, ASHABI ADDITION, A REQUEST FOR A 570 SQUARE FOOT ADDITION AND REMODEL TO A NONCONFORMING MULTI-FAMILY RESIDENCE AS WELL AS A MODIFICATION TO AN EXISTING NONCONFORMING DETACHED GARAGE STRUCTURE WITHIN 300 FEET OF A HISTORIC STRUCTURE ON THE COASTAL BLUFF AT 1011 BUENA VISTA.

Amended as follows:

Staff to revise the findings on Page 4, item E.1. to read: "Except for the legal non-conformities, the project meets development standards of the zone that

define the intended scale and size of development in the neighborhood, including but not limited to, setbacks, height, lot coverage, number of stories, and density.”

Add the following condition of approval: “Each parking space area within garages shall be free from obstructions at all times to allow the parking of vehicles.”

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

**9. NEW BUSINESS**

- A. Zoning Lookup Tool and Ongoing City Development Web App Demonstration (Webber)

Kyle Webber, Assistant Planner, provided a demonstration of new tools available for the public to access development standards, plan overlays, in-depth property information, exclusions or additional governance, etc., for individual properties. He demonstrated an existing story map linked to the City’s website that provides information on existing development projects.

Additionally, Chair Crandell requested that Director Gallardo-Daly add a definition for in-bank garages to provide guidance on when structures may encroach into the front setback area.

**10. OLD BUSINESS**

None

**11. REPORTS OF COMMISSIONERS AND STAFF**

- A. Tentative Future Agenda
- B. Staff Waiver Memo and Reports

**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER COSGROVE, SECONDED BY CHAIR CRANDELL, AND CARRIED 6-0-1, WITH COMMISSIONER MCCAUGHAN ABSENT, TO ADJOURN AT 8:30 P.M. TO THE REGULAR MEETINGS TO BE HELD ON AUGUST 4, 2021, AT 6:00 P.M. VIA TELECONFERENCE ONLY AND AVAILABLE TO THE PUBLIC VIA LIVE STREAM FROM THE CITY’S YOUTUBE CHANNEL OR LIVE ON COX CHANNEL 854.

Respectfully submitted,

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Bart Crandell, Chair

Attest:

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Cecilia Gallardo-Daly, Community Development Director

DRAFT