

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
December 7, 2022 @ 6:00 p.m.
San Clemente City Hall Council Chambers
910 Calle Negocio, 2nd Floor, San Clemente, CA 92673
Teleconference via www.san-clemente.org/live or Cox Channel 854**

CALL TO ORDER

Chair McKhann called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m. The meeting was offered in person at San Clemente City Hall Council Chambers, 910 Calle Negocio, 2nd Floor, San Clemente, California, 92673, and also via live stream from the City's YouTube Channel or live on Cox Channel 854.

2. PLEDGE OF ALLEGIANCE

Commissioner Crandell led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Barton Crandell, Karen Prescott-Loeffler; Chair pro tem M. Steven Camp, Vice Chair Cameron Cosgrove, Chair Scott McKhann

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

Staff Present: Adam Atamian, Dep. Community Development Dir./ City Planner
Jonathan Lightfoot, Economic Development Officer
David Carrillo, Assistant Planner
Zachary Ponsen, Assistant City Engineer
Ryan Kim, Senior Civil Engineer/Traffic Engineer
Matthew Richardson, Assistant City Attorney

4. SPECIAL ORDERS OF BUSINESS

None.

5. MINUTES

A. Minutes from the Regular Planning Commission Study Session of November 16, 2022.

B. Minutes from the Regular Planning Commission Meeting of November 16, 2022.

IT WAS MOVED BY CHAIR MCKHANN, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES FROM THE NOVEMBER 16, 2022, PLANNING COMMISSION STUDY SESSION AND PLANNING COMMISSION REGULAR MEETING AS SUBMITTED.

6. ORAL AND WRITTEN COMMUNICATION

None.

7. CONSENT CALENDAR

None.

8. PUBLIC HEARING

A. Conditional Use Permit 22-328, Amendment to Outlet Conditional Use Permit (CUP 16-349) for Outdoor Special Events, 101 West Avenida Vista Hermosa

A request to expand the previously approved program of outdoor events at the Outlets to include a weekly car show, biweekly food distribution, and seasonal events, such as a Christmas service or "Trunk or Treat" Halloween event, hosted in partnership with local non-profit or religious groups.

Jonathan Lightfoot, Economic Development Officer, narrated a PowerPoint Presentation entitled, "Outdoor Events at Outlets at San Clemente, CUP 22-328/Amending CUP 16-349," dated December 7, 2022. A copy of the Presentation is on file in the Planning Division. Staff is recommending halving the number of Car Shows between the months of October and May; modification of the ingress and egress on site, directional signage, use of flashing red lights to break up traffic flow and reduce speeding and encouragement for participants to use the entrance closest to Chick-fil-A.

Zachary Ponsen, Assistant City Engineer, noted that the flashing red lights option is an alternative for slowing traffic at intersections, but does require City staff management on-site in case of freeway detours or other unforeseen events. Additional/alternative mitigation measures can also be considered if issues occur.

Susan Jennrich, General Manager at the Outlets at San Clemente ("Outlets"), described the Cars and Coffee ("Car") Show and other events held at the Outlets; requested the Commission continue to allow the existing and expand events in response to community support.

James Wehr, representing the Wehr family which operates of the car show event, discussed the format followed at the car show events as well as potential events in the planning stages. Foot traffic at the Outlets and

restaurant sales show record growth on the car show days. The car show format has consistently evolved during its tenure to improve traffic circulation, respond to complaints, and adjust for safety concerns, including adding staff and signage, banning of individuals with a record of unacceptable behavior, and warnings posted on promotional materials. After the car exhibition spots are taken, the event is closed off to additional cars for display purposes. He described steps taken to identify and ban those individuals who are not following the rules, suggested that limiting the event to twice a month will create confusion for spectators and potential chaos with traffic if volunteer staff are not on site to help manage, and noted the majority of attendees live in San Clemente. In response to concerns raised in communications to the Commission, he agreed to focus effort on reducing traffic noise caused by revving of engines, high traffic speeds, and discourteous and unsafe driving behavior. With regard to flyers with the rules posted, the Outlets management may not be in favor as discarded flyers may result in littering. Changes in the ingress/egress points may cause traffic backup; the number of bad behavior incidents at the events have been few; the events create comradery with cars enthusiasts, are free to the public, and are a tremendously enjoyable social event for many. He agreed to add an email address to the website for complaint reporting/messaging with a log to list complaints and indicating their response/action. The seasoned volunteers redirect traffic as necessary.

Michael Muscarella, Chief of Security at the Outlets, reviewed alternative ideas discussed to better manage the participants and spectators attending on any given day; noted 250 to 300 is the maximum amount of exhibition cars allowed and estimated that a crowd of 600 attendees over the 3-hour event timeline. He suggested routing cars through the rear of the property will create a bottleneck and requested elimination of the condition requiring flashing lights. Security for the show includes two Outlet officers, an additional paid security guard for the show and a management personnel. On most Car Show Saturdays, security personnel spend their day watching over the parking lot from Starbucks. Volunteers are on radio with security, provide traffic direction for the most part, and have lists of names and car photos of those that have been banned. With regard to the one incident that occurred this past fall, the physical altercation dissipated on its own and OCSD deputies arrived promptly. Many of the existing safety measures were undertaken following this incident. Since the car show's inception, various circulation routes, combinations, staff postings, etc., have been tried to maximize the efficiency and safety of the events; the current format works very well. He noted the existing security officers are required to be certified by the State of California.

Deputy Joshua Roberts, OCSD, regularly patrols this area and remains on site on Saturday mornings unless dispatched elsewhere. His presence on site and on surrounding streets calms down bad behavior and/or traffic. Flashing red lights may help prevent speeding and maintain steady traffic. In his experience, there is not an excessive amount of bad behavior and the rare incidents are handled quickly and efficiently by the combination of volunteers and paid security staff. The CHP is also on I-5 to ticket those speeding/causing

disturbances and there is a CA Vehicle Code Section that can be used to ticket those with modified exhaust systems or excessively loud engine noise.

Chair McKhann opened the public hearing.

Patrick Hennebry, Scott Mahl, Hal Kolp, Scott Tree, Sabrina Londry, Larry Tiberi, and Colin Dearborn, San Clemente residents; Rick Loeffler, Jace Mullen, Sean Selff, Ida Chavez, Craig Guest, Gary Giacomini, Sabrina Londry, and Amit Hasan provided testimony.

Summary of the comments made during public testimony as follows:

- Cars and Coffee is a great event for locals and visitors alike. There is much comradery around love of cars, and the event attracts a mix of ethnicities, cultures, ages, etc. Good multigenerational family event that affords young people the opportunity to see cars they could only dream of seeing.
- Great location to bring dogs for socialization.
- Suggested the event proceed with certified, dedicated and/or unified security that is able to intervene in the event an incident occurs. It is a fun event featuring great staff, but 12-15 volunteers and "mall" security is not adequate for the number of attendees.
- Amongst the volunteers is a number of active and retired military to help in an incident. The viral incident that occurred was dispersed in 6.5 minutes with help from on-site security and volunteers. Deputies arrived shortly afterwards.
- The Outlets endured much loss of business during the pandemic and a recession might be on its way. The extra income generated by the events help to keep the businesses afloat.
- The Auto Academy at San Clemente High School encourages its students to attend and support the car show due to its positive example of how car owners should act as well as the opportunities to see unique vehicles; the events provide a refutation to the bad behavior of drivers in movies.
- Appreciation for the food distribution events which provide much needed relief for those struggling to feed themselves and families.
- Adjacent restaurants have experienced increases in business, revenue and paid staff as a result of the Car and other events.
- The Car show is great for today's youth to encourage shop and photography skills; brings youth and older adults together over love of cars; youth are encouraged by car owners that they too can realize their dreams of exotic/classic/restored car ownership.
- Many friendships, group discussions, fellowship, encouragement, etc., has been shared because car enthusiasts have a place to meet with like-minded people.
- The existing traffic flow is working very well; mandating the way traffic is circulated may bring about new challenges.

- Car shows motivate car enthusiasts to work hard and learn their dreams are attainable; brings youth and elderly together over love of cars; provides bonding opportunities, ability to grow knowledge and inspiration for Auto Academy members.

There being no further testimony, Chair McKhann closed the public hearing.

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

- Suggested all complaints be tracked, with detailed complaint, response/action taken, points of contact, etc., logged and available for City staff review; radar guns and traffic enforcement personnel on Avenida Vista Hermosa, as well as any other streets negatively affected, for a period of time in order to see if the area can self-correct its noise and traffic violations.
- Suggested retention of existing "Car Parade" route as many teens/photography students/car enthusiasts are there taking photos as the cars pass and/or enjoying the parade.
- Preferred the weekly format rather than biweekly for certain months as holding the event weekly establishes a rhythm and encourages attendance. Changing it to biweekly can confuse regular attendees.
- The car shows have been exciting, brought revenue, provided an opportunity for families to assemble, encouraged youth in the community, enabled friendships based on love of cars, etc., and in general has been very positive for the community. Loud engine noise, speeding cars and inconsiderate drivers are a concern on the streets nearby and put the community at risk. Supported staff continuing to work with the car show operators, Outlet management, OCSD, and others to improve the situation on the adjacent streets.
- Did not support rerouting the car parade to the rear or requiring cars to stop at every intersection with flashing red lights; Suggested car exiting be routed near the Chick-fil-A driveway; opposed mandating rigid traffic circulation as the operators need flexibility to adjust during specific seasons, combination events, etc.
- Suggested hiring a professional security officer or subcontracting with retired or existing OCSD deputies in addition to existing security and volunteers to ensure safety at the Car Shows.
- Suggested they focus on the subject of the complaints received, which is the loud engine noises and dangerous drivers off site.
- Suggested the current security be replaced with an OCSD deputy funded by the operator and at least two, 840-hour trained and uniformed security officers; established with staff that most events required to provide security feature service of alcohol. This event does not serve alcohol.
- Established with staff that OCSD Sargent Streeter has reviewed the proposal and is not recommending any changes to the existing security;

due to a smaller pool of deputies, it is unlikely that a deputy would be available each and every Saturday for the event; noted the operator would be responsible for the extra cost of a part time deputy at a cost of approximately \$500/day.

- Suggested the approval go forward with the four security providers each Saturday as outlined in the application and approved by OCSD. In the event this is insufficient, the City can ask OCSD for additional review and recommendation.

IT WAS MOVED BY CHAIR MCKHANN, SECONDED BY COMMISSIONER CRANDELL, AND UNANIMOUSLY CARRIED TO:

1) Determine the project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301, Class No. 1(e) (Existing Facilities); and direct staff to file a Notice of Exemption, and:

2) Adopt Resolution PC 22-031, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 22-328, AMENDING CUP 16-349, A REQUEST TO EXPAND THE PREVIOUSLY APPROVED PROGRAM OF OUTDOOR EVENTS AT THE OUTLETS TO INCLUDE A WEEKLY CAR SHOW, BIWEEKLY FOOD DISTRIBUTION, AND SEASONAL EVENTS, SUCH AS A CHRISTMAS SERVICE OR "TRUNK OR TREAT" HALLOWEEN EVENT, HOSTED IN PARTNERSHIP WITH LOCAL NON-PROFIT OR RELIGIOUS GROUPS AT THE OUTLETS AT SAN CLEMENTE LOCATED AT 101 WEST AVENIDA VISTA HERMOSA".

Amended as follows:

Page 9, Condition 53.a. revised to end at "weekly" and deleting the rest of the sentence.

Condition 53.c. "Security and Management Plan" on the dais and attached as "Attachment 6". Additionally, the Plan shall be subject to annual review by staff.

Staff to include within a condition a stated preference that car show exhibitors be directed to the back entrance, subject to staff review and recommendations.

Staff to add Condition no. 53.i. to require the applicant to add an email address dedicated to complaints received via its website or otherwise, keep a log of all complaints received and provide information on how the issue was resolved or what action was taken. This log must be available for staff review upon request.

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

Chair McKhann recessed the meeting at 8:45 p.m. and reconvened at 8:57 p.m.

B. Conditional Use Permit 22-342, The Happening Social Organization, 657 Camino De Los Mares, Suite 130

A request to allow a social organization for young adults with disabilities at a commercial suite located within a commercial center that consists primarily of medical offices, between the hours of 12:00 p.m. and 8:00 p.m., Tuesday through Saturday.

David Carrillo, Assistant Planner, narrated a PowerPoint Presentation entitled, "The Happening Social Organization, CUP 22-342," dated December 7, 2022. A copy of the Presentation is on file in the Planning Division.

Stratten Palmer, applicant, has worked 15 years in the Special Needs field and currently runs a ministry for special needs adults at a nearby church. The social club will provide an opportunity for Special Needs individuals to interact with peers and have fun activities. He anticipates less than 10% will need to have their own caregiver; Initial plans call for three, 3-hour classes per day, with a maximum of 45 per class, between 10:00 a.m. to 9:00 p.m. Attendees for the most part are high-functioning and job-holding special needs adults. Although he will be the adult in charge, he has volunteers and caregivers for other adults attending to provide assistance if necessary.

Chair McKhann opened the public hearing.

Elizabeth Luna, Capistrano Beach resident and Stratten Palmer's fiancé, noted she will be volunteering at the social club during classes. She opined that Mr. Palmer is gifted in his ability to connect with special needs adults and believes the social club will be life-changing for them. Those needing extra care will be required to have their own caregiver.

Gary Fitzpatrick, no city of residence given, supported the social club due to the need for clubs, activities, and/or opportunities for social interaction for high-functioning special needs adults. He is confident Mr. Stratten will succeed in his efforts as he is very supportive of them through his existing ministry and well known to many of the potential attendees.

Pam Nidelle, no city of residence given, is a mother of a special needs daughter who is very excited about this opportunity. She sees the great need for this type of facility and encouraged the Commission to approve the project as it will be an example for similar projects.

There being no further testimony, Chair McKhann closed the public hearing.

Discussion ensued regarding potential to create a drop off area in the parking lot with conclusion that it was not feasible at this time. Mr. Stratten will provide any necessary signage to ensure adequate drop off and pick up of clients. The

Commission also discussed potential to add a condition to require designated spaces, with Deputy Director Atamian suggesting it was unnecessary at this time based on the Parking Management Plan required by the conditions of approval.

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER COSGROVE, AND UNANIMOUSLY CARRIED TO:

1) Determine the project is Categorical Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities); and

2) Adopt Resolution no. PC 22-034, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 22-342, THE HAPPENING SOCIAL ORGANIZATION, TO ALLOW A SOCIAL ORGANIZATION FOR YOUNG ADULTS WITH DISABILITIES AT AN EXISTING COMMERCIAL SUITE LOCATED AT 657 CAMINO DE LOS MARES, SUITE 130".

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

9. NEW BUSINESS

A. Consideration of Traffic Calming in the Coast Neighborhood – Calle Frontera, Calle Juarez and Calle Vallarta

Zachary Ponsen, Assistant City Engineer, displayed the street graphics indicating the proposed changes.

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

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER PRESCOTT-LOEFFLER, AND UNANIMOUSLY CARRIED TO FORWARD THE PROPOSED TRAFFIC CALMING MEASURES TO THE CITY COUNCIL TO APPROVE AS FOLLOWS:

- 1) Install electric speed feedback signs, advisory speed signs, and edge lines as illustrated in Attachment 5.
- 2) Appropriate the required funds from the traffic calming budget.
- 3) Deploy the speed feedback trailer every month until the completion of the installation.
- 4) Request Police Services to consider increasing speed enforcement in The Coast Community.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]

10. OLD BUSINESS

None.

11. REPORTS OF COMMISSIONERS AND STAFF

A. Staff Waivers

B. Tentative Future Agenda

Deputy Director Ponsen announced that the update on the Calle Faro Street Calming Measures work would be on the Commission's next meeting agenda.

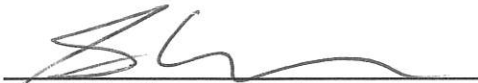
Deputy Director Atamian announced that there will be a meeting on December 21, 2022; recommended the Commission consider canceling its meeting of January 4, 2023, as City Council has canceled its meeting of January 3, 2023, and currently there are no items on the Commission's agenda.

Report received and filed.

12. ADJOURNMENT

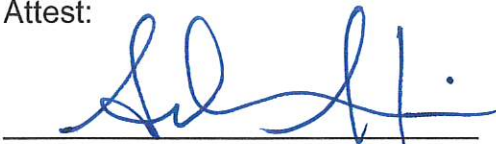
IT WAS MOVED BY CHAIR MCKHANN, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO ADJOURN AT 9:56 P.M. TO THE NEXT REGULAR PLANNING COMMISSION MEETINGS TO BE HELD IN-PERSON ON DECEMBER 21, 2022, AT 6:00 P.M. AT THE SAN CLEMENTE CITY HALL COUNCIL CHAMBERS LOCATED AT 910 CALLE NEGOCIO, SAN CLEMENTE, CA, 92672, AND TELECONFERENCE AVAILABLE TO THE PUBLIC VIA LIVE STREAM FROM THE CITY'S YOUTUBE CHANNEL OR LIVE ON COX CHANNEL 854.

Respectfully submitted,



Scott McKhann, Chairman

Attest:



Adam Atamian, Deputy Community Development Director