

These minutes will be considered for approval at the Planning Commission meeting of 02-08-2023.

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
January 18, 2023 @ 6:00 p.m.
San Clemente City Hall Council Chambers
910 Calle Negocio, 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, 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

Chair pro tem Camp led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Barton Crandell, Brent Davis, Karen Prescott-Loeffler Gary P. McCaughan, M.D.; Chair pro tem M. Steven Camp, Vice Chair Cameron Cosgrove, Chair Scott McKhann

Commissioners Absent: None

Staff Present: Adam Atamian, Deputy Community Development Dir./City Planner
John Ciampa, Contract Planner
Jonathan Lightfoot, Economic Development Officer
Christopher Wright, Associate Planner II
Matthew Richardson, Assistant City Attorney
Ryan Stager, Deputy City Attorney (Item 8.C.)

4. SPECIAL ORDERS OF BUSINESS

None.

5. MINUTES

A. Minutes from the Regular Planning Commission Meeting of December 21, 2022.

IT WAS MOVED BY COMMISSIONER PRESCOTT-LOEFFLER, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO RECEIVE

AND FILE THE MINUTES FROM THE DECEMBER 21, 2022, PLANNING COMMISSION REGULAR MEETING AS SUBMITTED.

6. ORAL AND WRITTEN COMMUNICATION

None.

7. CONSENT CALENDAR

None.

8. PUBLIC HEARING

A. Conditional Use Permit 22-365, Pronto Italian Market Full Alcohol, 221 Avenida Del Mar, Suite A

A request for an existing market to expand the alcohol sales from beer and wine (ABC Type 20 License) to full range alcohol for off-site consumption (ABC Type 21 License).

John Ciampa, Contract Planner, narrated a PowerPoint Presentation entitled, "Pronto Italian Market Full Alcohol, CUP 22-365," dated January 18, 2023. A copy of the Presentation is on file in Planning Division.

Donatella Polizzi, the applicant, was available for questions.

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

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY CHAIR PRO TEM CAMP AND UNANIMOUSLY CARRIED TO:

- 1) Determine the project is Categorically Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15301 (Class1: Existing Facilities); and
- 2) Adopt Resolution No. PC 23-002, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 22-365, PRONTO ITALIAN MARKET FULL ALCOHOL, LOCATED AT 221 AVENIDA DEL MAR SUITE A."

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

B. Master Project 21-322, Calvada Mixed-Use Development, 1430 S. El Camino Real

A request to develop a mixed-use building at 1430 S. El Camino Real, which is within the Mixed Use 3.2 Zone and the Architectural and Affordable Housing Overlays. A portion of the property is within the Coastal Zone. The proposed project includes 10 apartment units (including one affordable unit) totaling 16,864 square feet of interior space, with 25 corresponding parking stalls, and 6,681 square feet of retail/office space with 24 corresponding parking stalls. The development requires a Site Plan Permit, Cultural Heritage Permit, Conditional Use Permit, and a Discretionary Sign Permit. The project includes a request for a concession, pursuant to State Density Bonus law, to reduce the alley transitional setback to accommodate upper floor balconies.

Jonathan Lightfoot, Economic Development Officer, narrated a PowerPoint Presentation entitled, "Calvada Mixed Use, 'Moana Landing'", dated January 18, 2023. A copy of the Presentation is on file in Planning Division.

Hannibal Petrossi, architect representing the applicant, responded to questions posed by the Commission. The copper dome will be allowed to age to a patina and properly sealed every few years; clarified that the wall shown on the site plans enclosing the urban open area adjacent to the public alley has been removed to open the space up to the adjacent alley. He thanked staff and Design Review Subcommittee (DRSC) members for their comments and suggestions during the design process, and noted the project has been much improved with their input. He described challenges associated with the lot topography; advised they are in discussions with potential restaurant tenant(s); noted the project still has to go through the California Coastal Commission (CCC) process.

Tim Brown, speaking on the applicant's behalf, advised that at this point "Moana's Landing" is a working title for the project, and agreed there is plenty of inspiration throughout the area and town overall to find inspiration for naming the project; agreed with comments that the areas designated "Urban Open Area" could be transformed into alternative uses, such as an e-bike parking area or other use that would be both open and functional.

Chair McKhann opened the public hearing.

Craig Curtner, resident and nearby business operator, commended the project for its design and proposed use; suggested the sidewalk on the north side of the property could be reduced to improve traffic accessibility.

Tracy Grant, resident (no comment card submitted), agreed the northwest corner is very narrow; suggested traffic going in and out of the building may hamper traffic trying to enter the freeway via the adjacent entrance; commented that alternative/additional access points may help with traffic flow.

Chair McKhann closed the public hearing.

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

- Commended the applicants and their representatives for their openness and willingness to collaborate with the DRSC and staff to enhance the project; encouraged the applicant and representatives to continue working with staff for additional enhancement.
- With regard to signage, suggested the applicant consider reformatting the vertical signage on the left side of the front elevation for easier readability; also consider reformatting the signage typeface used in the site plans as it is not complementary to the rest of the project. The applicant was advised to work with staff/meet informally with DRSC Members to improve the proposed signage.
- Discussion ensued regarding uses for the two “Urban Open Area” spaces, with the Commission electing to 1) Allow the applicant to deviate from using it as simply open space as a condition of their Increased Density Bonus, and 2) Allow the applicant to use the space as they desire. E-bike parking, additional storage area, etc., were suggested as alternative uses.
- Ensure the street address is prominently marked in an area agreeable to the Orange County Fire Authority.
- Established from the applicant that graphic tiles, similar to the ones on Avenida Del Mar and suggested by the DRSC, are being considered for the tile-enhanced areas.
- Endorsed using a pre-patina treatment for the copper dome and sealing it against the elements in order to control the colors/pattern of the patina.

IT WAS MOVED BY VICE CHAIR COSGROVE, SECONDED BY COMMISSIONER DAVIS AND UNANIMOUSLY CARRIED TO:

- 1) Determine the project is Categorically Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15332 (Class 32: In-Fill Development Projects); and
- 2) Adopt Resolution No. PC 23-001, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MASTER PROJECT 21-322, CALVADA MISED USE, INCLUDING SITE PLAN PERMIT (SPP) 21-323, CULTURAL HERITAGE PERMIT (CHP) 21-324, CONDITIONAL USE PERMIT 22-412, AND DISCRETIONARY SIGN PERMIT (DSP) 21-326, TO DEVELOP A MIXED-USE BUILDING LOCATED AT 1430 S. EL CAMINO REAL.

Amended as follows:

- 1) Modify Condition 3.19, and add Conditions 4.20, 4.21, and 7.21 as proposed by Economic Development Officer Lightfoot.

2) Add a new condition of approval (4.22) authorizing an additional Increased Density Bonus to allow the applicant the opportunity to adopt and design the best uses for the two existing Urban Open Areas located in the upper parking area.

3) Ensure the project is adequately conditioned (COA 4.23) to require the applicant to ensure the roof mechanical units do not exceed the height of the parapet wall intended to screen the units.

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

Chair McKhann recessed the meeting at 7:55 p.m. and reconvened at 8:10 p.m.

C. Zoning Amendment 22-366 – Zoning Permit Streamlining

A request to consider a City-initiated amendment to Title 17 (Zoning) of the San Clemente Municipal Code to:

1) Reduce the level of public hearing decisions for several planning application types, while maintaining public minutes of decisions and appeal procedures when experience has shown the projects have not had issues of significant public concerns or impacts to prompt a higher level of public review. For example, smaller additions to residences less than 500 square feet visible from the street currently require Planning Commission review, and are proposed by this ordinance to be reviewed by the Zoning Administrator;

2) Modify the Zoning Code for administrative approval of minor projects requiring design review in the Architectural Overlay, adjacent to, or involving, historic structures, and nonresidential properties; to add general standards, project-specific standards, and change the types of projects and circumstances which would be eligible for staff-level approval, subject to appeal with permits disclosed publicly for transparency. Currently, there is a broader category of projects eligible for administrative approval. The proposed ordinance replaces this with lists of projects that may be approved by staff if they meet the general and project-specific standards (e.g., projects that won't affect character defining features of historic structures, such as a privacy fence constructed of certain materials), and the City Planner would have discretion to forward applications to a public hearing if warranted;

3) Consolidate planning applications to simplify submittals and administrative processing;

4) Allow beer and wine sales for indoor, on-site consumption in restaurants with food service by-right with a State license; and

5) Clarify planning permit review procedures to facilitate staff and public understanding and implementation (e.g., how requests for alcohol sales/service are processed for hotels and entertainment venues).

Christopher Wright, Associate Planner II, narrated a PowerPoint Presentation entitled, "Zoning Permit Streaming, ZA 22-366," dated January 18, 2023. A copy of the Presentation is on file in Planning Division.

Deputy Director Atamian explained that at its meeting on May 25, 2022, City Council directed staff work with the Planning Commission to identify a list of ideas for streamlining various permit procedures in the Zoning Code. On June 8, 2022, the Planning Commission reviewed staff's suggested streamlining ideas and provided input. At its meeting of August 16, 2022, City Council considered the Planning Commission's input, initiated the proposed zoning amendments, directed staff to pursue the ideas presented at the meeting.

Chair McKhann opened the public hearing. The public hearing will remain open until the item is re-agendized for Commission consideration.

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

- Suggested that Public Noticing should still be completed for those projects that currently require a Public Notice to ensure that residents living adjacent to and/or those that could be negatively affected have the opportunity to provide input.
- Established that staff would have the ability to refer applications to a higher level at a public hearing if the City Planner determines a proposal has potential for significant public concerns or impacts.
- Requested staff identify where the bottlenecks are in the permit approval process to determine the best path to improve.
- Expressed concern regarding the number of applications that would be changed, especially in locations in areas of the City that have established character.
- Requested staff provide the date and time of City Council's review of this proposal for the Commissioners' review of the meeting discussion.
- Discussed the pros and cons of story poles, including high costs, value to the public, and purpose if the applicant provides adequate and accurate computerized before and after views.

Deputy Director Atamian encouraged the Commission to contact staff in the event they have additional questions or comments. Additionally, the Commissioners can request to meet with staff individually or in small groups for a better understanding of the proposed Amendments. The Commissioners should arrange to meet with staff within the next two weeks in order to bring back the item for the March 8, 2023, Regular Planning Commission meeting.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO CONTINUE ZONING AMENDMENT 22-366 – ZONING PERMIT STREAMLINING, WITH THE PUBLIC HEARING HELD OPEN, TO THE REGULAR PLANNING COMMISSION MEETING OF MARCH 8, 2023.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS

None

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

A. Staff Waivers

B. Tentative Future Agenda

Reports received and filed.

Commissioner Crandell commented that as a rule, the City requires developers provide storage areas for residential units. Storage area (that can only be used for storage, and does not reduce maximum square footage) in order to charge electric cars, store surfboards, gardening equipment, etc., in order to maintain order in the neighborhood. He requested staff review the State’s and City’s regulations regarding storage and report back regarding any potential opportunities to require storage for additional units.

Vice Chair Cosgrove reported that homes above the Beach Trail by Linda Lane have lost ground under their patios and it appears there has been landslides in the area. He expressed concern with public safety and requested information on the City’s policies and liability protections on ground movement.

Deputy Director Atamian will forward him information regarding the City’s hazards and bluff erosion policies.

12. ADJOURNMENT

IT WAS MOVED BY CHAIR MCKHANN, SECONDED BY CHAIR PRO TEM CAMP AND UNANIMOUSLY CARRIED TO ADJOURN AT 9:31 P.M. TO THE NEXT REGULAR PLANNING COMMISSION MEETINGS TO BE HELD IN-PERSON ON FEBRUARY 8,

2023, 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

DRAFT