

These minutes will be considered for approval at the Planning Commission meeting of 10-04-2023.

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
September 20, 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 Cosgrove called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:01 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.

2. PLEDGE OF ALLEGIANCE

Commissioner McKhann led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: None

Staff Present: Adam Atamian, Deputy Community Development Director
Jonathan Lightfoot, Economic Development Officer
David Carrillo, Assistant Planner
Gena Burns, Deputy City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS

A. Public Outreach on District Elections

Adam Atamian, Deputy Community Development Director, narrated a PowerPoint Presentation entitled, "Transfer from At-Large to District Elections," dated September 20, 2023. A copy of the Presentation is on file in Planning Division.

Deputy Director Atamian described the process of determining the districts; discussed the City's legal options, costs of litigation and likelihood of prevailing; responded to questions regarding the directive, which is from a private law firm. He noted that although a substantial majority of San Clemente residents voted in

favor of retaining the at-large election process, litigation would be costly with little chance of prevailing. The City has begun the process of establishing districts.

Report received.

B. Recognition of Commissioner Scott McKhann

Commissioner McKhann was recognized with a plaque for his tenure on the Commission and recent responsibility as Chair. Commissioners praised his fairness, courtesy, and composure, as well as his respectful manner with staff, applicants, public and fellow Commissioners.

Commissioner McKhann thanked everyone for their kind words; acknowledged the experience was enjoyable and informative; noted his time as Chair afforded him the opportunity to become better acquainted with the Commissioners and staff on both a personal and professional level.

5. MINUTES

A. Minutes from the Regular Planning Commission Study Session of August 16, 2023.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY VICE CHAIR CAMP, AND CARRIED 5-0-2, WITH COMMISSIONER DAVIS AND COMMISSIONER PRESCOTT-LOEFFLER ABSTAINING, TO RECEIVE AND FILE THE MINUTES FROM THE AUGUST 16, 2023, PLANNING COMMISSION REGULAR STUDY SESSION AS SUBMITTED.

B. Minutes from the Regular Planning Commission Meeting of August 16, 2023.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY VICE CHAIR CAMP, AND CARRIED 6-0-1, WITH COMMISSIONER DAVIS ABSTAINING, TO RECEIVE AND FILE THE MINUTES FROM THE AUGUST 16, 2023, PLANNING COMMISSION REGULAR MEETING AS SUBMITTED.

6. ORAL AND WRITTEN COMMUNICATION

Charles Pope, resident, advised that Bayside Village, the area in which he resides, has been beset by an ever-increasing number of speeding motorists using the area as a shortcut to and from their destination. This has made the area dangerous for pedestrians and resident motorists. He would like information on options for improvement.

Susan Pope, resident, noted that some of the reasons why it is dangerous is due to the increase of speed to 30 MPH as vehicles enter the Bayside Village neighborhood, downhill terrain, and blind intersections. She is concerned about public safety if

measures to address speeding motorists/lack of traffic calming measures are not put in place.

Deputy Director Atamian provided his contact information to ensure their concerns are directed to the correct department.

7. CONSENT CALENDAR

None

8. PUBLIC HEARING

A. Architectural Permit 23-079, Krogius Residence Second Story ADU, 205 Avenida Miramar (Continued from August 2, 2023)

A request to allow a second story Accessory Dwelling Unit (ADU) above the rear-yard detached garage, deviating from objective ministerial ADU standards, on a property located at 205 Avenida Miramar and listed on the City's list of Designated Historic Resources.

David Carrillo, Assistant Planner, narrated a PowerPoint Presentation entitled, "Krogius Residence 2nd Story ADU, AP 23-079," dated September 20, 2023. A copy of the Presentation is on file in Planning Division. He noted a condition of approval had been added to require clay roof materials and a letter of support was received from an adjacent neighbor.

Chair Cosgrove opened the public hearing.

Lars Krogius, applicant, described improvements/repairs performed on the home since they acquired ownership; acknowledged that it will need California Coastal Commission (CCC) review and approval before permits and construction, which can begin once the project is signed off following the appeal window.

Stephanie Krogius, applicant, thanked the Commission for their guidance and support, especially with regard to their recommendation to continue the item at the previous hearing to allow design improvements.

There being no other testimony, Chair Cosgrove closed the public hearing.

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

- Opined the improvements and renovation on the home to date are beautiful and have restored the home to its 1926 glory.
- Thanked the Krogius' for their willingness to revise and respond to comments and suggestions made during the various stages of review.

- Expressed concern that approval of this application might set precedence.
- Supported the project due to its large front yard setback, which offsets the constraints of site due to existing non-conforming side yard setback; opined the project will not be detrimental to the neighborhood.

IT WAS MOVED BY COMMISSIONER MCKHANN, SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 6-1-0, WITH COMMISSIONER PRESCOTT-LOEFFLER OPPOSED, TO:

1. Determine the project is Categorically Exempt from the requirements of the CEQA pursuant CEQA Guidelines Section 15301 (Class 1: Existing Facilities), 15303 (Class 3: New Construction or Conversion of Small Structures), and 15331 (Class 31: Historic Resource Restoration/Rehabilitation); and
2. Adopt Resolution No. PC 23-12, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ARCHITECTURAL PERMIT 23-079, KROGIUS RESIDENCE SECOND STORY ADU, TO ALLOW A SECOND STORY ACCESSORY DWELLING UNIT (ADU) ABOVE A REAR YARD DETACHED GARAGE, DEVIATING FROM OBJECTIVE MINISTERIAL ADU STANDARDS, ON A PROPERTY LOCATED AT 205 AVENIDA MIRAMAR AND LISTED ON THE CITY'S LIST OF DESIGNATED HISTORIC RESOURCES, AND FINDING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER SECTIONS 15301, 15303, AND 15331 OF THE CEQA GUIDELINES (14 CCR § 15301) CLASS 1: EXISTING FACILITIES; (14 CCR § 15303), CLASS 3: NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES; AND (14 CCR § 15331), CLASS 31: HISTORICAL RESOURCE RESTORATION/REHABILITATION."

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

It was noted for the record that there is a 10-day window of appeal for the public, which remains open until the October 3, 2023, Regular City Council Meeting.

9. NEW BUSINESS

None

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

A. Tentative Future Agenda

B. Staff Waivers

Chair Cosgrove announced that the City Council has adopted the Planning Commission's recommendations for Permit Streamlining, with the exception of an appeal fee reduction; noted Council has announced intent to request the Planning Commission review and update Zoning Permitted Uses to brainstorm ways that parking shortages/overcrowding may be addressed in advance of approval of non-conforming uses as much as possible; stated Council desire for the Commission to conduct workshops with area architects and builders for feedback on their experiences working with the City. Jonathan Lightfoot, Economic Development Officer, advised staff will agendaize for discussion/involve the Commission regarding these Council directives in the future.

Commissioner Davis suggested that exceptions be established to the 3-minute public testimony rule when large projects, such as the Streamlining Permit Update, have been approved by the Planning Commission and are undergoing Council consideration.

Commissioner McKhann announced he will be attending the next Design Review Subcommittee (DRSC) meeting as the alternate.

Commissioner Crandell suggested developers be required to procure a Completion Bond when renovating/repairing major Historic Resources within the City to discourage them from walking away from a project and leaving it in an incomplete state.

Economic Development Officer Lightfoot agreed to provide updates on the Providence Memorial and Memorial Care projects as they evolve; noted to date the Development Partner for the Memorial Care project has not been identified.

Reports received and filed.

12. ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE COMMISSION, IT WAS MOVED BY CHAIR PRO TEM MCCAUGHAN, SECONDED BY COMMISSIONER MCKHANN AND UNANIMOUSLY APPROVED TO ADJOURN THE MEETING AT 7:12 P.M. TO THE NEXT REGULAR PLANNING COMMISSION MEETINGS TO BE HELD IN-PERSON ON OCTOBER 4, 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.

Respectfully submitted,

Cameron Cosgrove, Chairman

Attest:

Jonathan Lightfoot, City Planner

DRAFT