

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
June 5, 2024 @ 6:00 p.m.  
San Clemente City Hall Council Chamber  
910 Calle Negocio, San Clemente, CA 92673  
Teleconference via [www.san-clemente.org](http://www.san-clemente.org)**

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**CALL TO ORDER**

Chair Cosgrove 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.

**2. PLEDGE OF ALLEGIANCE**

Chair Cosgrove led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Barton Crandell; Scott McKhann; Karen Prescott-Loeffler; Chair Pro Tem Gary P. McCaughan, M.D. (arrived at 6:23 p.m.); Vice Chair M. Steven Camp; Chair Cameron Cosgrove

Commissioners Absent: Brent Davis

Staff Present: Jonathan Lightfoot, City Planner  
Gena Burns, Deputy City Attorney  
Zachary Ponsen, Assistant City Engineer  
John Ciampa, Contract Planner  
David Carrillo, Associate Planner

*These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.*

**4. SPECIAL ORDER OF BUSINESS/SPECIAL PRESENTATION**

None

**5. MINUTES**

None

**6. ORAL AND WRITTEN COMMUNICATION**

None

**7. CONSENT CALENDAR**

None

**8. PUBLIC HEARING**

**A. Public Hearing Project (PHP) 24-231, Chabad Jewish Center 1306 N. El Camino Real**

The Planning Commission will consider a request for an Amended Development Permit (AM DP 20-399) and a Conditional Use Permit (CUP 22-430) for a 1,479 square foot addition, remodel, and off-site parking for an existing institutional facility.

The Planning Commission will also consider whether the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities).

Chair Cosgrove opened the public hearing.

John Ciampa, Contract Planner, narrated a PowerPoint Presentation entitled, "Chabad Jewish Center CUP 22-430/AM DP20-399," dated June 5, 2024. A copy of the Presentation is on file in Planning Division.

In response to Commissioner questions, Contract Planner Ciampa indicated the hours of operation could be included in the resolution; and clarified that there were adequate parking spaces, the second story element was moving closer to the street, and the operation conditions.

Herman Jack Ajamian, Kobra Design, indicated he was available to respond to questions.

Christine M. Lampert indicated support for the project and urged approval.

A student commented that he attends Hebrew school, has fun and feels safe, and is looking forward to Bar Mitzvah.

Rabbi Slavin provided an overview of their service in the City and requested approval of the project.

Jeff Lerner indicated support for the project and discussed outreach to the military.

Rabbi Slavin discussed his attendance at Hebrew School.

The audience raised hands to show support for the project.

Chair Cosgrove closed the public hearing.

During discussion, the Commission made the following comments:

- DRSC looked at the building twice. Requested some modifications, most of which have been incorporated into the project.
- There was some concern about the location of parking; however, the practice of many congregants walking showed in the parking study and validated that parking will not be an issue for this development.
- Update resolution to change references from CUP to MCUP.
- Recommend adding in the hours of operation into the off-site parking agreement, to be reviewed by the City Council.
- Discussed the difference between parking for seating versus occupancy limits of the Building Code.
- Clarified that special events beyond the 68 occupancy referenced in the staff report would require a Special Activities Permit (which requires a Temporary Use Permit application).
- Commented that the Chabad has been a good neighbor in this area.
- Complimented the applicant and architect for the project.
- Complimented DRSC for the improvements and final product.
- Regarding Condition 7.2, would like for staff to draft the off-site parking agreement to be specific to the Chabad.

Jonathan Lightfoot, City Planner, explained the requirement for a temporary use permit for special events over 50 people; parking requirements; and occupancy maximum.

Chair Cosgrove reopened the public hearing.

Rabbi Slavin discussed the use of valet parking for a larger event.

Chair Cosgrove closed the public hearing.

The Commissioners found the project categorically exempt under CEQA, could make findings, and indicated support of the project.

IT WAS MOVED BY CHAIR PRO TEM MCCAUGHAN, SECONDED BY COMMISSIONER PRESCOTT-LOEFFLER, AND CARRIED 6-0, COMMISSIONER DAVIS ABSENT, to: 1. Determine that the project is categorically exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities); and 2. Adopt Resolution PC 24-012, approving Amended Development Permit (AM DP 20-399) and Minor Conditional Use Permit (MCUP 22-430), Chabad Jewish Center, subject to the

attached conditions of approval and with a revision to Condition of Approval no. 4.3 to incorporate hours of operation into the off-site parking agreement.

#### RECESS

Chair Cosgrove called a 5-minute recess at 6:56 p.m. The meeting reconvened with all Commissioners present, except Commissioner Davis.

#### **B. Continued Public Hearing Project (PHP) 23-083, Sea Cliff Hotel & Restaurant, 402 Pasadena Court**

A continued public hearing item for the Planning Commission to consider the development of an eleven-unit boutique motel and a restaurant with 25 outdoor seats at a historic property located at 402 Pasadena Court within the Pier Bowl. The project preserves the existing historic four-level residence and portions of the garden, including the fountains, and rehabilitates the runnel and lower terrace patio. Two new buildings are proposed on the southern portion of the property and a new garage is provided with access from Avenida Victoria.

The Planning Commission will also consider whether the project is categorically exempt from CEQA pursuant to State CEQA Guidelines 14 CCR §15301, Class 1: Existing Facilities, §15303, Class 3(c) New construction of small structures including motels with under 10,000 square feet of floor area; §15331, Class 31: Historical Resource Restoration/Rehabilitation; and §15332, Class 32: In-Fill Development Projects.

Chair Cosgrove opened the public hearing.

The Commissioners disclosed that they had visited the site.

David Carrillo, Associate Planner, narrated a PowerPoint Presentation entitled, "Sea Cliff Boutique Motel & Restaurant CHP23-084/CUP23-085," dated June 5, 2024. A copy of the Presentation is on file in Planning Division.

Chair Cosgrove read the definition of CRC1 from the Specific Plan.

Jim Holloway, representing the applicant, discussed the documents governing the site. He explained the proposed adaptive reuse for historic preservation; public access areas; and geologic stability. He discussed the creative design as multi-purpose, and multi-beneficial.

Tony Massaro provided an overview and presented a video showing the proposed development. He discussed the geotechnical review and engineered construction drawings.

John Boland indicated opposition to the proposed development due to lack of parking, undersized street, and removal of the historic wall. He indicated the project would impact the quality of life and have safety and environmental impacts.

Melissa Boland requested the Commission continue the project to allow for CEQA and EIR review. She expressed concern regarding the speed of the project, parking, and neighborhood impacts.

Amanda Quintanilla discussed the importance of preserving historical buildings and suggested CEQA and EIR review and a parking study. She expressed concern regarding geotechnical issues.

Kathy Ward discussed the need to ensure the development was not injurious to the surrounding areas and suggested requiring a full geotechnical report. She indicated she did not support the five parking spaces on Pasadena Court and suggested more effort to separate the commercial uses from the existing residential uses. She suggested the historic wall be extended across the residential side of the lot and installation of a gate to prevent public access. She questioned whether the spa was a permitted use and suggested bungalows situated around the fountain. She requested continuance to allow for redesign.

Nancy Sterling referenced her prior written comments. She expressed concern with the proposed project, specifically noise, uses and neighborhood compatibility.

Greg Sterling expressed concern regarding the infrastructure of Pasadena Court and safety concerns of the neighborhood.

Dorothy Prohaska provided historical images of the property and suggested relocation of the parking and lowering the structure height. She suggested the commercial and residential uses be separated.

Mike Palkovic concurred with the prior speakers.

Gerald Roger, President of Driftwood Bluffs, concurred with the prior speakers and reemphasized the concern of safety on Pasadena Court.

Christy MacBride Hart expressed concern about the land stability under her home. She requested a continuance until a thorough geological study was completed.

Larry Culbertson, Historical Society, indicated opposition to the proposed project due to destruction of historical material and features. He suggested requiring a full EIR.

Le Anne expressed concern about the applicant's noise at his prior residence.

Jill Ammirato indicated opposition to the proposed project due to impact to the views from the vista area and requested an EIR.

Scott Potter protested the project due to the size, traffic safety, parking, and noise.

Alexander Alacene discussed existing traffic issues and parking on Pasadena Court. He suggested reducing the curb heights.

Catherine Hall expressed concern regarding the parking.

Christine Lampert, architect and historic property journalist, suggested preserving the garden and reducing the size of the project.

Suzi Klickstein, Historical Society, concurred with the prior speakers.

Wayne Eggleston expressed concern with the process due to current code violations; the need for the LCP/LUP approval prior to a Planning Commission decision; and the need for additional geotechnical review to make the required findings. He suggested a continuance to allow for CEQA and EIR review.

Jarold Laidlaw discussed the Beachcomber property and expressed concern about geological stability impacting his property.

Sarah Colbo discussed the applicants' other business, employing over 50 people and giving back to the community. She indicated support for the proposed project.

Tiffany Northway, applicant's Human Resources Director, indicated support for the project.

Joelle Dunnwald, applicant, discussed the nuisance of the gathering wall outside of her window. She explained the garden maintenance and preservation of the property. She discussed their commitment to the community.

Peter Rock concurred with the concerns expressed by the prior speakers. He added concern with construction equipment and damaged to existing properties.

Rochelle Brannon indicated the Pier Bowl was a vibrant hub of social life and the project would contribute to the culture. She discussed the loyalty, integrity and passion of the applicants and indicated support for the project.

Spencer Brokaw stated there were already parking issues. He indicated support for the proposed project and support for the applicants.

Allison Schumacher discussed the successful renovations of the applicants' other properties and indicated support for the project.

Alyse Dunnwald requested the Commission consider that the project would preserve and protect the surrounding land.

Marley Seabern expressed appreciation for the Dunnwald's and indicated support for the project.

John Eggers, geologist, presented the findings of the preliminary geotechnical report.

Mr. Massaro stated the floor area ratio was .59 when 1.5 was allowed and the lot coverage was 69%. He discussed the parking regulations, sound remediation, plan checks with OCFA, and emergency access approved.

Audrey Von Ahrens, Senior Architectural Historian, discussed work with the applicant to revise the plans to rehabilitate the building and property. She discussed the existing condition of the property and indicated the proposed development was for areas that no longer retained integrity. She explained that the project was reversible which was important to consider in historic preservation. She stated adaptive reuse would allow future use of the property. She discussed Secretary of Interior Standard No. 9 allowing compatible alterations preserving important character defining features and the proposed changes were for soil areas. She discussed the historic significance of the residence and proposed restoration of the historic features. She indicated the fountain and stairs were primary character defining features because they were primarily intact. The pergola did not retain integrity however was designed to be reconstructed closer to its original appearance.

In response to Commission questions, Deputy City Attorney Burns confirmed that the exemptions were appropriate. Associate Planner Carrillo confirmed that the Fire Department had reviewed the project; project and design review began in June and August 2023; temporary use permits would be required for special events; limitations on functions of motel lodging and accessory uses; housing units on Pasadena Court. City Planner Lightfoot discussed the Miramar permits and abatement remedies.

Mr. Massaro stated the fountain would need to be refinished and repaired. He discussed the integrity of the house; fire master plan; excavation and temporary shoring.

Vice Chair Camp discussed geotechnical review; noise study as part of the building permit process; Coastal Commission review requirement; the need for better signage for traffic control; and concern with parking.

In response to Commissioner Crandell, Assistant City Engineer Ponsen discussed improvement and construction bonds to protect against abandoned development; and review of slope stability analysis by outside consultant. City

Planner Lightfoot explained the Coastal Commission review and reconsideration by the Planning Commission only for substantial changes.

In response to Chair Cosgrove, Assistant City Engineer Ponsen discussed his review of the grading plan and did not anticipate major changes; suggested providing direction to staff to determine whether and where to install inclinometers during construction and garage gate approval. He clarified that there would be no shoring on the Beachcomber side. Mr. Massaro explained the north wall on Victoria, south wall, and Pasadena courtside. Mr. Holloway indicated they were willing to install inclinometers to measure land movement.

Chair Cosgrove expressed concern about the garage being used for public parking and light issues. City Planner Lightfoot indicated a photometric plan could be required. Associate Planner Carrillo referenced draft Conditions 5.7 and 5.10, in addition to requiring photometric plan. Chair Cosgrove reiterated the need to be specific about a condition of approval requiring a CUP for special events. He expressed concerns about traffic flow and the five parking spots on Pasadena. Mr. Holloway explained that all marketing for guests and service would use the Avenida Victoria entrance. He explained the five spaces on Pasadena Court would be reserved for guests at the top villa and for staff. He anticipated low traffic due to being in a multimodal center and explained staff parking. Chair Cosgrove indicated the parking was inadequate because there would be more staff and suggested the possibility of a condition prohibiting employees from parking on Pasadena.

Commissioner Prescott-Loeffler expressed concern for residents above and business below the project. She asked the construction timeline and expressed concern with noise. She stated she was not opposed to the project but felt the need for compromise. She suggested the wall remain to provide privacy and sound barrier to the existing residences. She expressed concern with the size of the project, slope slippage, drainage, parking on Pasadena and the need to respect the Dark Sky ordinance.

In response to Commission McKhann, Associate Planner Carrillo explained that curb spaces could be counted under the City's Pier Bowl Specific Plan but the Coastal Commission had not approved the use of on street spaces.

In response to Vice Chair Camp, Mr. Holloway explained the proposed food prep area, indicating it was not a full-service restaurant.

Chair Cosgrove closed the public hearing.

Chair Pro Tem Gary P. McCaughan questioned the guaranteed completion bond; if inclinometers had been required for other projects; and if there was a better solution for the five parking spots.

Chair Cosgrove reopened the public hearing.



Mr. Massaro explained that efforts to retain the fountain limited parking. Mr. Holloway stated they were happy to rebuild the fountain to allow more parking in the subterranean garage.

Audrey Von Ahrens, Senior Architectural Historian, recommended construction monitoring and conservation involved to ensure proper removal of ceramic clay tile. She explained that repair and rehabilitation in place was preferred to the greatest extent feasible but, if necessary to make the project feasible, rebuilding the fountain would comply with the standards.

The Commission resumed discussion, and there was general consensus to relocate the five parking spaces on Pasadena Court into the garage and to rebuild the garden fountain due to the necessary expansion of the garage.

IT WAS MOVED BY CHAIR PRO TEM MCCAUGHAN, SECONDED BY CHAIR COSGROVE, AND CARRIED 6-0, COMMISSIONER DAVIS ABSENT, to continue the hearing to July 17, 2024, to allow the applicant to time to modify plans to bring five spaces on Pasadena into the underground parking; City staff to look at slope movement and whether inclinometers should be required as a component of the construction management plan; provide a Secretary of the Interior's compliance memo regarding reconstruction of the fountain; add a condition that special events, live entertainment and amplified sound were not included in the CUP; applicant to study operation of the garage and come back with conditions including requiring a photometric study to ensure no light spill; evaluate options of widening Pasadena Court or lowering its curb height; and Public Works to review an appropriate performance bond requirement.

**9. NEW BUSINESS**

None

**10. OLD BUSINESS**

None

**11. REPORTS OF COMMISSIONERS AND STAFF**

A. Tentative Future Agenda

The Commission discussed attendance at the June 19, 2024 meeting and determined to poll the Commission for a special meeting.

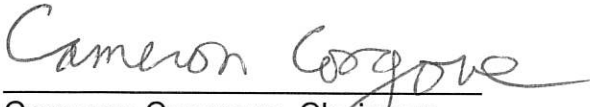
B. Administrative Development Permit Report

**12. ADJOURNMENT**

THERE BEING NO OTHER BUSINESS BEFORE THE COMMISSION, IT WAS MOVED BY CHAIR COSGROVE, SECONDED BY VICE CHAIR CAMP, AND CARRIED 6-0, COMMISSIONER DAVIS, TO ADJOURN THE MEETING AT 11:58

P.M. TO THE REGULAR PLANNING COMMISSION MEETING TO BE HELD IN-PERSON ON JUNE 19, 2024, AT 6:00 P.M., AT THE SAN CLEMENTE CITY HALL COUNCIL CHAMBERS LOCATED AT 910 CALLE NEGOCIO, 2<sup>nd</sup> FLOOR, SAN CLEMENTE, CALIFORNIA.

Respectfully submitted,

  
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Cameron Cosgrove, Chairman

Attest:

  
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Jonathan Lightfoot, Secretary of the Planning Commission