

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
January 8, 2014**

Staff Present: James Holloway, Cliff Jones, Christopher Wright, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meeting of December 18, 2013 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 242 Avenida Del Mar – Minor Cultural Heritage Permit 13-498/Temporary Use Permit 13-499 – Library Expansion Temporary Trailer and Patio (Jones)

A request to consider: 1) exterior changes to the front of the Library building and site fronting Avenida Del Mar to create an outdoor patio; and 2) a temporary trailer to be used by the Library and Friends of the Library during construction at the San Clemente Library located at 242 Avenida Del Mar located within the Mixed Use zoning district, and within the Architectural and Central Business Overlays (MU3-CB-A). The legal description is Lot 13, Block 16 of Tract 779, and Assessor's Parcel Number 058-111-60.

Associate Planner Cliff Jones summarized the staff report.

Applicant Dennis Downs was present and stated he is the project manager representing the County of Orange for the Library expansion project.

Mr. Holloway stated he likes the signage, he believes it will bring more visibility to the Friends of the Library bookstore. He stated that the quality of the signage will be important. Mr. Jones stated the awning sign will be fabric with wrought iron spears. Mr. Holloway and Mr. Jones examined the site elevations. Mr. Jones stated the applicant will be required to process an administrative sign permit which is condition of approval number eight included with this request.

Mr. Holloway stated the railing looks contemporary; however, Mr. Jones stated in his staff report that the railing will be solid wright iron to match the Casa Romantica which goes with Spanish Architecture. Mr. Jones stated that is condition of approval number six.

George Gooch was present and stated he is with the San Clemente Art Association. Mr. Gooch stated the proposed location of the trailer is in the lawn area. They have two events that use the total lawn area, the San Clemente Plein Air Fair and the San Clemente Arts and Crafts Fair. Those are their main fund raisers, they do those every year, they are partners with the City, and they have permits for these events. If this proposal goes through it will be taking away space for both of their events.

Mr. Holloway asked Mr. Gooch how many days these events are held. Mr. Gooch responded the Arts and Crafts Fair is a weekend event, Friday through Sunday, the third week in August, and the Plein Air Fair is two weekends, beginning the third week of June, and includes 100 vendors.

Antoine Price was present. Mr. Price stated his addresses are 243, 245, and 245 ½ Avenida Del Mar. He has a business at 243, he lives at 245, and he has a tenant at 245 ½. He is concerned about the 1,344 square foot temporary trailer, basic box and lack of any design elements as proposed, other than planters out front, for a proposed twelve month maximum with one month extensions, right across the street in the greenbelt area, which also hosts a lot of different weekend activities, the car show, the glitz, everything that uses the greenbelt area. He asked where these events will be held since the City has offered that area for the trailer. He believes this is unfair. Also he and his neighbors are not happy about having the greenbelt taken. The City has a parking area that could be used for the Friends of the Library.

Mr. Price asked if Friends of the Library is a concession. Mr. Holloway responded that Friends of the Library is not a profit making enterprise and it is an operation that the County is responsible for. It is a relationship between the County and the Friends of the Library just like it is a relationship between the Art Gallery and the County Library.

Mr. Holloway explained that the purpose of this meeting is to look at form and function of the site plan and the architecture. Mr. Price asked what is broken with what we have right now, what are the limitations or guidelines for the use of that space, and why is the trailer not going to be in the parking lot.

Mr. Holloway stated that good questions have been asked. He asked if the trailer was placed in the parking lot how many parking spaces would it

take up. Mr. Downs responded approximately 20 parking spaces would be lost; there are between 80 and 90 parking spaces in that lot.

Mr. Holloway wondered if there was an alternative location that would be better for the trailer. The San Clemente Art Association events are for 12 days of the year. The parking lot is heavily used 365 days of the year. For one year during the construction perhaps the Art Association events could be moved into the parking lot. The parking lot would be taken up during 12 days of the year but the parking would be retained for the community for 365 days minus the 12.

Mr. Gooch stated he appreciates the thought of giving them the parking lot. The parking lot is heavily used; it is used by about 12 City and Library vehicles on a constant basis. Their vendors are intense and they are used to coming to San Clemente and being on the grass. Their event is one of the nicest events around, people love coming to it, plus they use the parking lot for the customers.

Mr. Holloway asked Mr. Gooch where the trailer should be put in his opinion. Mr. Gooch responded he agrees with Mr. Price that the trailer should go into the parking lot. He realizes they would lose that parking for their events. It isn't just their events; there are several events that go on there during the year. It isn't just 12 days; it is probably at least four months of constant use. There is the Hawaiian event, the glitz; there are a lot of other events that use that grass area. They cannot change those to the parking area.

Mr. Gooch stated he has been in construction for a long time; the trailers can be put into the parking lot with no problem. It isn't a big deal and it wouldn't upset the community, except for the parking. Parking is at best very hard in this City anyway. Ever since he has been in this City it has been the number one complaint about downtown. If for 12 months and for the Library the trailer could be put in the parking lot then the beat goes on as far as all of the groups that use that area. He does not know how many people have permits already for that area; there are a lot of permits out there because they have a window of time to apply for them.

Mr. Gooch stated he could move his event to the parking area and get away with it for one year, probably. The vendors will not be happy, it would kill it and they won't like it. They've been there 54 years. It is a prestigious event.

Mr. Holloway asked Mr. Jones if this request has been to the Beaches, Parks and Recreation Commission for discussion; Mr. Jones responded no. Mr. Downs, the project manager for the County, stated they have been in contact from the very beginning with Sharon Heider, Beaches,

Parks and Recreation Director, and this request was met favorably with her but just in conversation.

Mr. Holloway asked if this request was presented to the Downtown Business Association (DBA). Mr. Jones responded no and stated that the former president of the DBA, Michael Kaupp, commented on this request but it has not been brought to any of the DBA meetings.

Ruth Gooch was present and she stated she is with the Art Association. Ms. Gooch stated the greenbelt area is used daily by a lot of people. She asked if it would be possible to put the trailer on the other side of the Community Center because that area is very rarely used. Their event is there too but it is not as busy an area on Seville, she believes there is enough physical room. That area would interfere less with all of the events. That would affect only one of the Art Association events but they could utilize the parking lot, they could adjust. Using the area on Seville wouldn't congest Del Mar as much. There are hundreds of events in the area being proposed for the trailer.

Mr. Holloway stated he likes the patio, he likes the railing details, he likes the architectural details which is the main application before the Zoning Administrator. He is going to approve the architecture, the applicant needs to move forward with their construction drawings and get their bids going. It takes a long time to get through the public bid process.

Mr. Holloway stated the temporary use issue is the trailer issue, he hears everyone's concerns. He is struggling with taking away parking spaces. He is looking for solutions, he believes to arrive at a good solution we do not have the right people present. In addition to those present today, we need the Beaches, Parks and Recreation people here, and we need the DBA and the Friends of the Library here. All of the interested parties need to be here. This is a Beaches, Parks and Recreation operation.

Mr. Holloway stated he is going to approve everything; however, it will be approved with the condition that the Temporary Use Permit (TUP) approval is pending for more consideration. He would like the applicant to get going on the architectural design drawings so he is going to bifurcate this application. The applicant can proceed with the permanent improvements; therefore the Minor Cultural Heritage Permit is approved. However, the TUP is tentatively approved. Before the application is formally approved he directed there be a meeting at the Beaches, Parks and Recreation Commission level with the DBA notified and participating, and any other interested parties including Friends of the Library, Art Association, neighbors, etc. He stated that Mr. Jones will know which user groups should be included. He stated more people need to

brainstorm about the TUP. Everyone who has a stake in this should be in the same room at the same time in order to come up with a solution.

Mr. Holloway stated what the Zoning Administrator has jurisdiction over is the process of the TUP for approval. He directed staff to add a condition of approval that there needs to be a discussion at the Beaches, Parks and Recreation Commission with all of the stakeholders present.

Mr. Holloway thanked everyone for attending the meeting and voicing their opinions and for working with the City. The Library expansion is a high priority for the County, for the City Council, and for the community. Everyone needs to keep that in perspective. He believes these issues can be resolved.

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 13-498, the permanent improvements to the Library, subject to Resolution ZA 14-001 with attached Conditions of Approval, and Temporary Use Permit (TUP) 13-499, subject to an additional condition that prior to final approval the TUP be sent to the Beaches, Parks and Recreation Commission with notification to the DBA, the Friends of the Library, the neighbors, the San Clemente Art Association, and anyone else who may have a stake in this decision, subject to Resolution ZA 14-001 with attached Conditions of Approval. The TUP will be approved when the City Council has had an opportunity to review and approve (or appeal) the minutes of the Beaches, Parks and Recreation Commission discussion.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

B. 313 West Avenida De Los Lobos Marinos – Minor Architectural Permit 13-467 – Reenders Residence (Wright)

A request to consider an 850 square foot addition to a single-story legal-nonconforming residence. The residence is legal-nonconforming because it does not meet the required coastal canyon setback. The subject site is a coastal canyon lot located within the Residential Low Density zone and Coastal Overlay (RL/CZ) at 313 West Avenida De Los Lobos Marinos. The site's legal description is Lot 35, Block 13 of Tract 852 and Assessor's Parcel Number 692-312-30.

Associate Planner Christopher Wright summarized the staff report.

Applicants Jeff and Kelly Reenders were present; they had no comments.

Architect Jack Garland was present. Mr. Garland stated that one existing minor nonconforming issue is that the existing garage is narrow; it is eight

inches narrower than what it should be. The new garage will be wider to meet parking design requirements; so they are eliminating a minor nonconformity.

There were no members of the public present to address this item.

Mr. Holloway stated it is in the staff report that square footage is being added to the garage. The garage will be more functional which will help parking in the neighborhood. Currently the garage is deep but not wide enough.

Mr. Holloway stated this house was built in 1955. The code has changed many times since 1955. When this house was built it was conforming. Now it is nonconforming because of the code changes which happened after this home was built as a conforming structure. Recognizing that, especially in this southwest San Clemente area, the codes do allow minor exceptions and this is being applied exactly and precisely the way it was intended, so that people can make improvements to their homes that are in scale with the neighborhood and within the context of the neighborhood.

Mr. Holloway stated that the staff report was written very clearly. He stated the City has processed 50 of these types of proposals since the code was amended. He thanked the applicant and the architect for working with staff. He informed them of the ten day appeal period.

Action: The Zoning Administrator approved Minor Architectural Permit 13-467, Reenders Residence, subject to Resolution ZA 14-002 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

5. NEW BUSINESS

None

6. OLD BUSINESS

None

ADJOURNMENT

The meeting adjourned at 3:40 p.m. to the regular Zoning Administrator meeting to be held on January 22, 2014 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR



James Holloway