

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
March 6, 2013**

Staff Present: Jim Pechous, Cliff Jones, Adam Atamian, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meetings of February 6, 2013 and February 20, 2013 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 804 Avenida Pico – Minor Conditional Use Permit 12-427 – Albertson’s Alcohol Tasting Gateway Plaza (Atamian)

A request to consider the addition of instructional beer and wine tastings to a grocery store use located at 804 Avenida Pico within the Community Commercial (CC1) zoning district. The legal description is Assessor’s Parcel Number 688-101-04.

Assistant Planner Adam Atamian summarized the staff report. Mr. Atamian stated that since the time of writing the staff report and resolution the applicant has requested that the hours listed in the Resolution be extended from what was originally proposed, Thursday through Sunday, to be seven days a week, for the possibility of special holidays throughout the year.

Doreen Gallaher was present representing the applicant; she had no comments.

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

Mr. Pechous asked for clarification regarding the days and hours of the tastings. Mr. Atamian responded Monday through Friday between 12:00 p.m. and 8:00 p.m. and Saturday and Sunday between 11:00 a.m. and 7:00 p.m.

Mr. Pechous asked the purpose of limiting the tastings to one type of alcoholic beverage per event. Mr. Atamian responded that is a requirement of the California Department of Alcoholic Beverage Control.

Mr. Pechous asked why the barrier for the tasting area isn't a permanent barrier; he's concerned about under age people accessing the tasting area and he would like to know what the provisions are for preventing this. Chris Velardi was present representing the applicant for the request at 989 Avenida Pico. He responded that the barrier is removed when there are no tasting events and Albertson's always hires a third party company to do the pouring. The representatives from the third party company are all alcohol safe trained. The only people allowed to be within the cordoned off area have already been properly carded and they are over the age of 21. Mr. Atamian added that there is also signage which is required.

Mr. Pechous asked how many Albertson's stores are doing these tastings. Mr. Velardi replied approximately 40 stores in multiple states.

Mr. Pechous asked if the request to extend the hours were to be granted would this be a problem for the Sheriff's department. Mr. Atamian responded that Condition of Approval number seven states that if the Sheriff's department or Code Compliance determine the permitted hours of operation are not appropriate to mitigate impacts on the surrounding area, the permitted hours of operation may be revised at their discretion.

Mr. Pechous agrees that this request will not be a problem for the surrounding area or the high school because of the professional staff that will be trained and monitoring the events. The cordoned off area will be limited to people over 21 years of age. The California Department of Alcoholic Beverage Control, the Sheriff's department, and the City Code Compliance Division support this request. There is a condition of approval which allows for flexibility should problems arise, which he does not anticipate.

Action: The Zoning Administrator approved Minor Conditional Use Permit 12-427, Albertson's Alcohol Tasting Gateway Plaza, subject to Resolution ZA 13-009 with attached Conditions of Approval modifying condition number three by striking the word Thursday and replacing it with Monday.

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

B. 989 Avenida Pico – Minor Conditional Use Permit 12-428 – Albertson's Alcohol Tasting Plaza Pacifica (Atamian)

A request to consider the addition of instructional beer and wine tastings to a grocery store use located at 989 Avenida Pico within the commercial portion of the Mixed Use zoning district of the Rancho San Clemente Specific Plan. The

legal description is a portion of lots 1, 2, 3, 4, and 5, of Tract 15883, Assessor's Parcel Number 688-131-21.

Assistant Planner Adam Atamian summarized the staff report. The applicant is making the same request as the previous applicant to modify the hours to allow tastings seven days a week. The only difference between these two applications is this one is not located near a high school.

Chris Velardi was present representing the applicant; he had no comments.

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

Mr. Pechous thanked the applicants for working with staff.

Action: The Zoning Administrator approved Minor Conditional Use Permit 12-428, Albertson's Alcohol Tasting Plaza Pacifica, subject to Resolution ZA 13-010 with attached Conditions of Approval modifying condition number three by striking the word Thursday and replacing it with Monday.

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

5. NEW BUSINESS

A. 222 Calle Roca Vista – Waiver Minor Cultural Heritage Permit 13-019 – Pickle Residence (Jones)

A request for a waiver of a Minor Cultural Heritage Permit to allow a garage extension and addition at the rear of the property located at 222 Calle Roca Vista. The property is located across from a historic home at 223 Calle Roca Vista.

Associate Planner Cliff Jones summarized the staff report.

Designer Pryn Dana was present; she had no comments.

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

Mr. Pechous stated the entire addition will be added to the Calle Primavera street side elevation. The historic home is located on Calle Roca Vista. The addition will not be visible from the historic home; the addition faces an entirely different street.

Mr. Pechous stated that he supports this request as a waiver because the addition does not have any visual impact to the historic resource. The reason for the Cultural Heritage Permit is to examine potential impacts, there being none, a waiver is warranted. This request meets the findings for a waiver.

Mr. Pechous thanked Ms. Dana for working with staff.

Action: The Zoning Administrator approved Waiver Minor Cultural Heritage Permit 13-019, Pickle Residence, subject to Resolution ZA 13-011 with attached Conditions of Approval.

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

6. OLD BUSINESS

None

ADJOURNMENT

The meeting adjourned at 3:25 p.m. to the regular Zoning Administrator meeting to be held on April 3, 2013 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

A handwritten signature in black ink, appearing to read "Jim Pechous", is written over a horizontal line.

Jim Pechous