

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR  
ZONING ADMINISTRATOR MEETING  
December 21, 2011**

01/17/12  
6B(1)

Staff Present: James Holloway, Sean Nicholas, Amber Gregg, Adam Atamian and Kimberly Maune

**2. MINUTES**

Minutes of the Zoning Administrator meeting of December 7, 2011 received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARINGS**

**A. Minor Architectural Permit 11-219, U-Haul Color Change (Nicholas) (continued from 12-07-11)**

A request to change the exterior colors of a commercial building located at 310 East Avenida Pico, within the Industrial (M2) zoning district. The Assessor's Parcel Number is 691-433-02.

Mr. Holloway stated that he understands from staff there has been a request to continue this item. Mr. Nicholas responded that is correct.

The applicant was not present.

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

Action: The Zoning Administrator continued Minor Architectural Permit 11-219, U-Haul Color Change, to the Zoning Administrator meeting of January 18, 2012.

**B. Minor Conditional Use Permit 11-525, San Clemente Auto Center Auto Sales (Nicholas)**

A request to establish automotive sales at an existing auto repair business located at 2345 South El Camino Real within the Neighborhood Commercial (NC3) zoning district. The legal description is Lot 209 and portion of Lot 210, of Tract 938, Assessor's Parcel Number 060-031-40.

Associate Planner Sean Nicholas summarized the staff report.

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Applicant Uriel Jimenez was present; he had no comments.

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

Mr. Holloway stated this is already an automotive use; the location that is proposed for the display of "for sale" automobiles will not have any conceivable impact on the surrounding neighborhood. There has been no public comment regarding this request.

Mr. Holloway thanked the applicant for working with staff and informed him of the ten day appeal period.

Action: The Zoning Administrator approved Minor Conditional Use Permit 11-525, San Clemente Auto Center Auto Sales, subject to Resolution ZA 11-049 with attached Conditions of Approval.

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

**C. Minor Exception Permit 11-488, Aska Property Wall (Gregg)**

A request to construct a garden wall six feet in height within the front yard setback. The garden wall will replace an existing six foot tall wood fence. The property is located at 2917 Via Corbina and is within the Residential Low (RL) zoning district. The legal description is Lot 47 of Tract 4938 and Assessor's Parcel Number 691-262-04.

Associate Planner Amber Gregg summarized the staff report and displayed plans and photographs. Ms. Gregg and Mr. Holloway examined the plans.

Architect Chris Foerstel was present; he introduced the applicants Christian Aska and Jan Winfrey who had no comments. Mr. Foerstel stated for the sake of clarification the existing wood fence in the front is currently six feet tall. In the back corner there is a small portion of the retaining wall that needs to be eight feet high; eight feet is permitted by the Zoning Ordinance so an exception is not required for that portion.

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

Mr. Holloway thanked staff for the color coded plans. As viewed from the aerial photo it is clear this is an isolated lot on a steep slope at the end of a cul-de-sac. This in combination with the applicants' desire to have a safe play area in the front yard is the purpose of this proposed fence. The request is clear on the

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plans in conjunction with the aerial views. There will not be any impact on the surrounding neighbors.

Mr. Holloway thanked everyone for working with staff and informed them of the ten day appeal period.

Action: The Zoning Administrator approved Minor Exception Permit 11-488, Aska Property Wall, subject to Resolution ZA 11-046 with attached Conditions of Approval.

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

**D. Minor Conditional Use Permit 11-519, Daphne's Restaurant (Atamian)**

A request to allow the sale of beer and wine for in-door consumption at the Daphne's California Greek restaurant located at 979 Avenida Pico Suite F. The project is located within the commercial area of the Mixed-use land use designation of the Rancho San Clemente Specific Plan, the legal description being portions of Lots 1, 2, 3, and 4 of Tract 15883, Assessor's Parcel Number 688-131-22.

Assistant Planner Adam Atamian summarized the staff report.

Applicant Gillian Yassim was present; she had no comments.

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

Mr. Holloway stated this location is very well buffered from the residents which are completely up the hill and away from the windows and the doors of this restaurant. There are other similar establishments in this food court situation and they have beer and wine licenses, they have never had any Code Enforcement complaints as a result of that. The beer and wine will be contained to the indoors only.

Mr. Holloway thanked Ms. Yassim for working with staff and the City and he informed her of the ten day appeal period.

Action: The Zoning Administrator approved Minor Conditional Use Permit 11-519, Daphne's Restaurant, subject to Resolution ZA 11-047 with attached Conditions of Approval.

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

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**E. Minor Conditional Use Permit 11-526, Little Thai Hut Beer and Wine (Atamian)**

A request to sell beer and wine at a new Thai food restaurant within the Krikorian Theater Commercial Center. The property is located at 641 Camino De Los Mares D110 within the Community Commercial (CC2) zoning district. The legal description is Lot 7 with a portion of Lot 6, of Tract 5951, Assessor's Parcel Number 675-071-23.

Assistant Planner Adam Atamian summarized the staff report.

Applicant Panu Wongngam was present. Mr. Wongngam stated for his nine years experience in a Thai restaurant the customers always request beer and wine because Thai food is spicy and it matches well with the beer and wine. Another amenity is this will increase his profits.

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

Mr. Holloway stated this establishment is well buffered from the nearest residential properties. There are other restaurants in this complex that do have beer and wine and there have not been any complaints from those operations. The beer and wine will be served strictly indoors. There is no contrary public testimony.

Mr. Holloway asked Mr. Wongngam when the restaurant will open; Mr. Wongngam responded they hope to open in two weeks. Mr. Holloway thanked Mr. Wongngam for working with City staff and he informed him of the ten day appeal period.

Action: The Zoning Administrator approved Minor Conditional Use Permit 11-526, Little Thai Hut Beer and Wine, subject to Resolution ZA 11-048 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**

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The meeting adjourned at 3:25 p.m. to the regular Zoning Administrator meeting to be held on January 18, 2012 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