

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR  
ZONING ADMINISTRATOR MEETING  
September 3, 2014**

Staff Present: James Holloway, Sean Nicholas, and Kimberly Maune

**2. MINUTES**

Minutes of the Zoning Administrator meeting of August 20, 2014 received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARING**

**A. 140 West Avenida Pico – Special Activities Permit 14-313 – Casino SAP 2014 (Nicholas)**

A request to consider fourteen (14) special activity events with amplified sound to occur between September 17, 2014 and December 31, 2014 at the Historic Casino located at 140 West Avenida Pico within the Commercial (C-2) zoning designation. The legal description is Lot 23, of Tract 972, Assessor's Parcel Number 057-193-02.

Associate Planner Sean Nicholas summarized the staff report. Staff received two communications from two members of the public. Both wanted copies of the staff report and resolution. One resident had some concerns regarding noise and stated she called the Orange County Sheriff's previously. He encouraged the resident to attend the meeting and informed her it would be her opportunity to express concerns.

Mr. Nicholas stated that Linda Sadeghi submitted a letter which expresses their request for the Special Activities Permit for 2014. The events are primarily for holiday events. They are always willing and able to meet the two week notice which needs to be given to Code Enforcement before each event.

Micki Marlow was present and stated she is the Venue Manager for Casino San Clemente. The staff report covered everything. They will be in compliance with all of the conditions. Their staff is fully aware of the Noise Ordinance. They have noise decibel readers that they use. They try to be very cognizant of the neighborhood and respectful of their rights.

Karen Bartlett was present and stated she lives 95 feet from the Casino. She and her husband are senior citizens, they are lucky if they are up until nine o'clock. The location of the speakers does not matter, their bedroom is only 95 feet from the Casino, it is impossible to sleep. She is surprised there haven't been more complaints. She called the police last year when there was a wedding, she even went over and asked them to please tone down the noise; this was at about 11:00 p.m. and the event was still going strong. The next day everyone in the neighborhood complained to her about the noise. The owner of Knuckleheads said the event even drowned them out; they have to have their doors and windows closed at 10:00 p.m., no music can be heard beyond that time. She is wondering why the Casino isn't held to that same standard.

Mr. Holloway asked if Ms. Marlow has a response to Mrs. Bartlett's comments. Ms. Marlow responded yes and stated that she would like to apologize to the Bartlett's on behalf of the Casino. She knows exactly what event is being referred to. She was the daytime representative during that event, which included a reception in the rock garden, which is the back area. There was amplification with a DJ and dancing. Since then, and due to that event, the Casino has changed their policy, they no longer allow any receptions to be held in the rock garden. They only allow the ceremonies to be held in the rock garden. Typically ceremonies, depending on what time of year they are held, occur between 4:00 p.m. and 6:00 p.m. and are usually completed by 7:00 p.m.

Ms. Marlow stated her boyfriend owns Knuckleheads, she lives right across the street from the Casino, she also heard the music during that event and she is also sensitive to the noise. The Casino management felt very badly about that event. Mrs. Sadeghi then bought two decibel readers so they can check the decibel levels from anywhere outside the building to keep this from happening again. They no longer allow any amplification in the rock garden, only the music for the ceremony, which isn't usually loud, it is usually harmonious, ceremonial music, and the officiant uses a microphone. After the ceremony everyone is brought in front to the patio of the stars for the cocktail hour, which is typically about an hour and goes until 8:00 p.m. Then everyone goes into the main ballroom, the doors to the back and to the delivery room are then shut. They shut the back area, they are very cognizant and aware of the noise level. She again apologized for the previous incident that disturbed the neighbors.

Mr. Holloway asked Ms. Marlow to reiterate the measures taken in response to a previous event which sounds as if it became out of control. Ms. Marlow stated they allowed a reception to be held in the rock garden. The reception is the portion of the event where the attendees are seated and having a meal, the DJ is playing music, and there is dancing. From

this point forward the Casino does not allow receptions to be held in the rock garden. Everything has to be contained inside in either the ballroom or the west wing which is their other inside area. Only ceremonies are allowed to be held in the rock garden, typically ceremonies are concluded by 7:00 p.m. When the DJ starts the music and the food is served, the guests will be inside in either the ballroom or the west wing.

Mr. Holloway stated he is glad to hear the Casino responded to the noise concern; the Casino shared the concern and took action. He directed staff to add a condition of approval stating that receptions and DJs will not be allowed in the rock garden after 7:00 p.m.

Mr. Holloway stated he appreciates Mrs. Bartlett attending this meeting and Ms. Marlow's information and the Casino's responsiveness to noise concerns. He stated there is a common understanding of what DJs do and what receptions are like; they can get loud. He has directed staff to add a condition which will state no receptions and no DJs are allowed after 7:00 p.m. in the rock garden.

Mr. Holloway stated the Casino is a great facility and an asset to have an active, lively, well maintained facility versus a blighted, vacant building. He informed everyone of the ten day appeal period and thanked everyone for attending this meeting.

Action: The Zoning Administrator approved Special Activities Permit 14-313, Casino SAP 2014, subject to Resolution ZA 14-036 with attached Conditions of Approval including the addition of Condition of Approval number 29 stating that receptions and DJs will not be allowed in the rock garden after 7:00 p.m.

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

**5. NEW BUSINESS**

None

**6. OLD BUSINESS**

None

**ADJOURNMENT**

The meeting adjourned at 3:20 p.m. to the Adjourned Regular Zoning Administrator meeting to be held on September 18, 2014 at 11:30 a.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 "James Holloway", is written over a horizontal line. The signature is stylized and cursive.

James Holloway