

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
February 3, 2016**

1. CALL TO ORDER

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on February 3, 2016 at 3:00 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, California, by Zoning Administrator Jim Pechous

Staff Present: Jim Pechous, Zoning Administrator (ZA); Amber Gregg, Senior Planner; Sean Nicholas, Associate Planner; Sarah Geldmacher, Planning Intern; and Kimberly Maune, Office Specialist II

2. MINUTES

The minutes of the Zoning Administrator meeting of January 20, 2016 were approved.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 124 Avenida Del Mar, Suite 2 – Minor Conditional Use Permit 15-365 – Capistrano Winery (Nicholas)

Public Hearing to consider a request for the onsite indoor sale and consumption of beer and wine associated with a new restaurant located at 124 Avenida Del Mar, Suite 2 in the Mixed Use zoning district with a Central Business District, Architectural, and Coastal Zone overlay (MU3-CB-A-CZ). The legal description is Lot 31, of Block 5, of Tract 779, Assessor's Parcel Number 058-081-28.

Associate Planner Sean Nicholas summarized the staff report.

ZA Pechous asked if there is parking behind the building. Mr. Nicholas responded there's a public parking lot behind the building. ZA Pechous asked about the kitchen on the plans. Mr. Nicholas responded the previous tenant used the kitchen in the back; this applicant is proposing a new facility associated with this request.

Applicants Bill Peters and Kyle Franson were present. Mr. Franson stated the unit they will be using in their kitchen is self contained; they will not be using a hood nor will they need to make exterior modifications.

ZA Pechous opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Pechous stated this request is of a similar intensity as the previous use; therefore, no additional parking spaces are required. The use is consistent with the goals and the policies of the downtown district.

Action: The Zoning Administrator approved Minor Conditional Use Permit 15-365, Capistrano Winery, subject to Resolution ZA 16-004 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

**B. 2030 Calle de los Alamos – Minor Exception Permit 15-342/Minor Architectural Permit 16-015 – Dusablon Residence
(Geldmacher/Gregg)**

Public Hearing to consider a request to construct a garage and second-story addition to a nonconforming residence located on a coastal canyon. The 215 square-foot garage addition would expand the single-car garage into a two-car garage and the second story addition would add 438 square feet to the residence. The subject site is located at 2030 Calle de los Alamos in the Residential Low (RL-6) zoning district and is in the Coastal Zone overlay. The legal description is Lot 112 of Tract 2964, Assessor's Parcel Number 060-191-13.

Planning Intern Sarah Geldmacher summarized the staff report. She stated since the staff report was written staff received one letter from a member of the public questioning the height of the project.

Architect David York stated to improve the quality of the home they are adding a two car garage, and a modest addition to make it a three bedroom home. They want to keep the home in character with the neighborhood while doing everything within the boundaries of the new setbacks. They would like to add new caissons underneath to upgrade the foundation since the home is next to a slope.

Mr. York stated he gave Ms. Gregg a copy of the CC&Rs which show their height allowance is 25 feet above the highest point on the lot. They are well under the allowed height.

Property owner Richard Dusablon stated the property is part of the Riviera Homeowner's Association (HOA), although the lot is located on the north side of Riviera Canyon outside what most people consider the Riviera District. There are seven or eight lots specifically identified within the HOA that are allowed to be 25 feet; his lot is one of those lots. The total height of this project is below 24 feet. They are trying to having as minimal an impact on the neighborhood as possible.

ZA Pechous stated this project is below the HOA height limit and it is below the Zoning height requirement. He asked what percentage of the home will now be two stores; Mr. York responded less than 25 percent.

ZA Pechous stated there would be no prohibition against the homeowner tearing this house down and building a structure that is entirely two stories, which could easily result in a home having over 3,000 square feet. With this proposal this home will be less than 2,000 square feet. This proposal is for a modest addition in terms of their development potential on the lot.

ZA Pechous opened the public hearing.

Neighbor Dale Gain asked about his view and stated he lives four houses up from this home. He would like to know where the second story is being added. Ms. Gregg explained the location of the addition while referring to the plans.

There being no others wishing to speak, ZA Pechous closed the public hearing.

ZA Pechous stated the City does not protect private views. Projects which conform to the regulations are allowed. This second story addition is modest in terms of what is allowed, it maintains the quality and character of the existing building, and it fits the character of the neighborhood.

ZA Pechous stated the garage is only a one story element. Due to the topography of the site, the garage qualifies for a reduced setback of ten feet; however, maintaining the existing setback of five feet creates a better situation because a ten foot setback would impact the coastal canyon and cars parked in the driveway would impact the sidewalk. The second parking space in the garage will result in one less car being parked on the street.

ZA Pechous stated the addition to this nonconforming residence is less than 50 percent of the existing square footage. The City encourages small cottage homes to do these types of modest additions as opposed to mansionization of their lots.

Action: The Zoning Administrator approved Minor Exception Permit 15-342/Minor Architectural Permit 16-015, Dusablon Residence, subject to Resolution ZA 16-003 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

5. NEW BUSINESS

None

6. OLD BUSINESS

None

ADJOURNMENT

The meeting adjourned at 3:25 p.m. The next Regular Zoning Administrator meeting will be held on March 2, 2016 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



Jim Pechous