

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
JULY 20, 2016**

1. CALL TO ORDER

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on July 20, 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); John Ciampa, Associate Planner; Adam Atamian, Associate Planner; Meredith Scott, Administrative Assistant

2. MINUTES

The minutes of the Zoning Administrator meeting of July 06, 2016 were approved.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 111 West Avenida Palizada, Suite G – Minor Conditional Use Permit 16-143 – Guido Trattoria Restaurant Beer and Wine

Public Hearing to request to allow a restaurant to allow the sale of beer and wine for on-site consumption indoors, located in a historic building at 111 West Avenida Palizada Suite G. The project site is located in the Mixed Use zoning district and Architectural Overlay (MU.3.1-A), legal description being Lots 9, 10, 11, and 23-27, Block 2 of Tract 779, Assessor's Parcel Number 058-071-43.

Associate Planner John Ciampa summarized the report. Staff recommended that this item be tabled due to issues with Building and Code Enforcement violations at the site that must be addressed prior to the issuance of a Minor Conditional Use Permit for beer and wine, and to give the property owner time to correct the code violations.

Action: The Zoning Administrator approved the recommendation.

B. 140 W. Avenida Pico – Special Activities Permit 16-235 – Casino 2016

Public Hearing to consider a request for fourteen (15) special activity events with amplified sound to occur between August 1, 2016 and December 31, 2016 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 John Ciampa summarized the report.

ZA Pechous opened the public hearing.

Karen Bartlett, a neighboring homeowner, spoke about the noise levels at the Casino during special events. Ms. Bartlett stated that there were no issues with noise during this last year, however, she wanted to express her opinion to make sure that the rules and guidelines stay the same for the time period of this Special Activities Permit. She expressed that prior to the last year, there were many issues with noise and music going late into the evening.

Associate Planner Ciampa addressed her concerns, and reiterated that all outside entertainment will cease at 11:00 pm. He stated that a manager will be on premises during special events.

ZA Pechous asked Associate Planner Ciampa if there had been any Code Enforcement violations. There was only one complaint in the last year.

ZA Pechous directed Associate Planner Ciampa to supply Ms. Bartlett with an after hours phone number for a contact at The Casino, as well as the after hours Code Compliance hotline phone number. Associate Planner Ciampa will also supply Ms. Bartlett with a copy of the Conditions of Approval.

ZA Pechous closed the public hearing.

ZA Pechous stated that during the seven years of the Casino's Special Activities, there have been relatively few complaints. He stated that neighbors such as Ms. Bartlett should continue to notify the City when there are issues, so that those issues may be addressed.

Action: The Zoning Administrator approved Special Activities Permit 16-235, fifteen special events, The Casino Special Events, subject to Resolution 16-031 with attached Conditions of Approval.

C. MAP 16-175, Rihn-Watkins Residential Addition, 234 Avenida Lobeiro

Public Hearing to consider a request for an addition to a legal nonconforming house located at 234 Avenida Lobeiro in the Residential Medium zoning district and Coastal Zone (RM-CZ). The legal description of the property is lot 62 of Tract 961, Assessor's Parcel Number 060-132-13.

Associate Planner John Ciampa summarized the report.

Architectural Designer Christine Sprague spoke on behalf of the homeowners. She asked Associate Planner Ciampa to clarify the following Conditions of Approval:

#10: Ms. Sprague asked for clarification on this condition, asking if it was a standard condition of approval. Associate Ciampa assured her that it was.

#15: Ms. Sprague asked if sprinklers would be required in this home addition. Associate Ciampa informed her that sprinkler requirements would be decided by the Building division.

#22: Ms. Sprague asked what the required width of the sidewalks is. Associate Ciampa informed her that it is four feet. Ms. Sprague asked if a three foot sidewalk would ever be approved. ZA Pechous stated that it might be possible if there was a retaining wall adjoining it, but that the City Engineers would make that determination.

#24: Ms. Sprague asked for clarification on what constituted the public right of way. Associate Ciampa told her that it is anything outside of the property line.

#25: Ms. Sprague commented that the walkway is already in the grant deed and believed that the two lots are already merged. Associate Ciampa clarified that this condition is required because legally, the two lots are still considered separate parcels.

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

ZA Pechous stated that the proposed project will be a nice addition to the home. It will not negatively affect the neighborhood, as the addition is entirely in the back, and will not be seen from the street.

ZA Pechous stated that Southwest San Clemente has challenging setback issues, and this project addresses that nicely.

Action: The Zoning Administrator approved Minor Architectural Permit 16-175, Rihn-Watkins Residence, subject to Resolution ZA 16-028 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

D. 218 Trafalgar Lane – Minor Architectural Permit 15-266 and Minor Exception Permit 16-241 – Mundia Residence

Public Hearing to consider a request for an addition to a legal nonconforming house on a coastal canyon. The project requests to continue the legal nonconforming side yard setback for a second story addition and a reduction in the garage setback to create a second garage parking space. The project is located at 218 Trafalgar Lane in the Residential Low zoning district and Coastal Zone (RL-CZ). The legal description of the property is lot 4 and 5 of block 10, Tract 822, Assessor's Parcel Number 692-252-20.

Associate Planner John Ciampa summarized the report.

Homeowner Tamra Mundia stated that the home was built in 1961, and that it is in desperate need of an upgrade.

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

ZA Pechous asked Associate Ciampa to clarify the garage setback and addition. Ciampa explained that this project is intended to avoid any fill of land in Trafalgar Canyon. Associate Ciampa explained that the Zoning Administrator is given discretion given topographical restraints such as this.

Homeowner Gregory Mundia clarified that the addition of garage spaces will still be in compliance, it will just make the garage wider.

ZA Pechous stated that by adding additional parking on the property, it will reduce on-street parking impacts in the neighborhood.

Action: The Zoning Administrator approved MEP 16-241/ MAP 15-266, Mundia Residence, subject to Resolution 16-029 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

E. 638 Camino De Los Mares – Minor Architectural Permit 15-268 – Ocean View Plaza Escalator Modifications

Public Hearing to consider a request to cover four exterior escalators with stucco- and tile-finished enclosures to match the center's exterior located at 638 Camino De Los Mares within the Community Commercial (CC4) zone. The legal description is Lot 4, of Tract 5951, Assessor's Parcel Number 675-072-17.

Associate Planner Adam Atamian summarized the report.

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

ZA Pechous stated that he appreciated the owners of the Plaza coming up with a project that will improve overall aesthetics for patrons.

Action: The Zoning Administrator approved Minor Architectural Permit 15-268, Ocean View Plaza Escalator Modifications, subject to Resolution 16-030 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL OR CALL-UP BY CITY COUNCIL

F. 420 S. El Camino Real – Minor Conditional Use Permit 16-181, Staff Waiver of a Minor Cultural Heritage Permit 16-242 – Mr. Pete's Beer and Wine

Public hearing to consider a request to allow minor exterior changes to a commercial site and to allow beer and wine sales for on-site consumption at a restaurant. The beer and wine service is proposed to occur indoors and within an outdoor patio area in front of the commercial building on-site. The site is located in the Mixed Use 3.2 zoning district and Architectural Overlay (MU3.2-A) at 420 S. El Camino Real. The site's legal description is Lots 3, 4, and 5, Block 9 of Tract 779, and Assessor's Parcel Number 058-092-031.

Associate Planner Adam Atamian summarized the report.

Applicant David Lavey commented that he is not looking to change anything about his business, he just wants to offer more to his customers, keeping with the trend of other burger establishments that serve beer and wine. He stated that ABC has reviewed his application and will approve the request if it is approved by the City.

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

ZA Pechous stated that the addition of a wrought iron railing around the outside seating area was complimentary and consistent with the Spanish architecture in that area of San Clemente. He stated that the hours for the outdoor dining are limited to 9 p.m. which is consistent with the rest of businesses and the surrounding neighborhood.

Action: The Zoning Administrator approved Minor Conditional Use Permit 16-181 and Staff Waiver of Minor Cultural Heritage Permit 16-242, subject to Resolution 16-025 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 3:50 p.m. to the next Regular Zoning Administrator meeting of August 3, 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