

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING
OF THE ZONING ADMINISTRATOR**

JUNE 3, 2021

**Teleconference Only via
www.san-clemente.org/live**

1. CALL TO ORDER

Zoning Administrator Gallardo-Daly called the Regular Meeting of the City of San Clemente Zoning Administrator to order on June 3, 2021 at 3:00 p.m. The meeting was offered teleconference only due to the COVID-19 Pandemic, and available to the public via live stream from the City's YouTube Channel.

Staff Present: *Cecilia Gallardo-Daly, Zoning Administrator
 *Stephanie Roxas, Senior Planner
 *Katie Crockett, Associate Planner

*Participated in meeting via teleconference

2. MINUTES

- A. The minutes of the Zoning Administrator meeting of May 6, 2021 were received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARING

- A. **218 Avenida Miramar – Minor Exception Permit 21-004 & Minor Cultural Heritage Permit 21-066 – Piana Residence** (Crockett)

A request to consider a 421 square-foot addition and remodel to a legal nonconforming single-family residence abutting two historic properties at 215 and 219 Avenida Miramar. The proposed addition will maintain the existing nonconforming front and side setback.

Katie Crockett, Associate Planner, summarized the staff report. Staff noted that the report clarified that when the project was noticed an additional encroachment into the front setback for the entry overhang, but the applicant had since revised the plans to comply with the development standards in the Zoning Ordinance. Therefore, no additional encroachment into the front setback for the entry overhang is needed.

Jim Ettinger, applicant, was present and available for questions.

ZA Gallardo-Daly asked staff to clarify whether the proposed project includes modifications to the existing garage.

Staff confirmed there are no proposed changes to the existing garage.

ZA Gallardo-Daly opened the public hearing.

City staff read the below public comments, both from the same person, into the record which are on file with the Community Development Department.

Ani Miraki, email received 6/3/2021.

ZA Gallardo-Daly closed the public hearing.

Staff spoke with Ms. Miraki whose primary concern was the proposed block wall. Staff sent her the proposed plans, including the topographical survey, and explained that the block wall is not part of the approval of the Minor Exception Permit nor the Minor Cultural Heritage Permit. Staff will convey to the applicant that a wood fence is preferred, and if it is a shared property line wall, the applicant should be consulting the other property owner.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Minor Exception Permit 21-004 based on the following findings: The requested minor exception will not interfere with the purpose of the zone in which the property is located. This proposal does not affect the use of the property as a single-family residence. The setback encroachments requested for the addition are consistent with the existing condition at the lot and do not affect any other property's ability to be developed or used as a single – or multi-family residence. The Zoning Ordinance provides for minor encroachments of primary structures. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit. The proposed encroachments do not substantially modify existing conditions on the subject site. The addition to the front of the property additionally maintains the general scale and massing of the existing property. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety, or welfare of the general public. Building permits and OCFA reviews are required for the new construction, ensuring it meets all Building and Safety Codes.

ZA Gallardo-Daly approved Minor Cultural Heritage Permit 21-066 based on the following findings: The architectural treatment of the project complies with the San Clemente General Plan and Coastal Land Use Plan (LUP). The proposed

changes will update the façade, enhancing the character of the existing residential neighborhood. The proposed project maintains the existing one-story massing of the existing residence, and does not change the scale of the structure since most of the addition is at the rear of the building. The architectural treatment of the project complies with the Zoning Ordinance in areas including, but not limited to, height, setback, and color. The project complies with all development standards including height and lot coverage, except for the minor exceptions requested for the front and side setback encroachments, consistent with the existing structure. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines. On this section of Avenida Miramar, there is a mix of one-two-story residences, with several single-story residences in the immediate vicinity. The scale and massing of the project remain consistent with the general development pattern on the street. The general appearance of the proposal is in keeping with the character of the neighborhood. The proposed stucco, wood shingle siding, and composition shingle roof will be consistent with the character of other structures in the neighborhood. The proposal is not detrimental to the orderly and harmonious development of the City. The proposed project will not have negative visual or physical impact upon the historic structure. The project does not affect the height of the existing structure, nor does it significantly impact the massing or scale, particularly as viewed from the historic structures across the street. The general updates to the structure will be compatible with the existing buildings in the neighborhood and will not negatively impact the historic structures across the street.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and Section 15305 (Class 5: Minor Alterations in Land Use Limitations).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-014, Minor Exception Permit 21-004 and Minor Cultural Heritage Permit 21-066, Piana Residence, subject to the Conditions of Approval.

B. 240 Avenida Vista Montana – Minor Architectural Permit 20-040 – Seacrest Apartments Storage Units (Carrillo)

A request to consider six detached storage buildings constructed over existing landscaped areas at the Seacrest Apartments residential development located in the Rancho San Clemente Specific Plan. Each storage building consists of six storage units.

Action: The Zoning Administrator continued this item to the regularly scheduled Zoning Administrator meeting of June 17, 2021.

C. 129 Avenida De La Grulla – Minor Cultural Heritage Permit 20-380 – Cameron Addition (Roxas)

A request for a 499 sq. ft. addition to an existing 1,492 sq. ft. single-story, single-family residence with a nonconforming garage setback located adjacent to a historic home at 146 Avenida Pelayo.

Stephanie Roxas, Senior Planner, summarized the staff report.

Stephen Ball and Charles Ou-Yang, applicants, were present and available for questions.

ZA Gallardo-Daly stated the Design Review Subcommittee recommended the shape of the roof top deck be rectangular rather than the original proposed round deck, and asked the applicants to clarify on the plans, sheet A2.02.

Stephen Ball confirmed the roof top deck will be rectangular as recommended by the Design Review Subcommittee.

ZA Gallardo-Daly opened the public hearing, and there being no public comment received to this item, closed the public hearing.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Minor Cultural Heritage Permit 20-380 based on the following findings: The architectural treatment of the project complies with the San Clemente General Plan. The project's size, scale, architecture, setbacks, and materials are consistent with General Plan residential land uses goals. The project enhances the property's curb appeal by adding a second floor wraparound balcony, adding a new front porch/deck, and various improvements to the front yard landscape and hardscape. The proposed second-story addition is thoughtfully integrated into the design of the existing home. The architectural treatment of the project complies with the Zoning Code. The project complies with all applicable requirements of the zone, with the exception of the existing nonconforming front yard setback. The proposed second-story addition is 22-feet in height, as measured from the top of the roof ridge, which is well under the 25-foot height limit of the zone. The project also eliminates the property's nonconforming parking condition by expanding the garage to comply with the City's number of parking spaces required for single-family residences. As required by Zoning Ordinance, the project was reviewed by the Design Review Subcommittee. The Subcommittee found the project represents a high-quality architectural design that is compatible with the neighborhood and consistent with the City's Design Guidelines, and the applicant has incorporated all design changes recommended by the Design Review Subcommittee. The general appearance of the proposal is in keeping with the character of the neighborhood.

The proposed improvements are consistent with the massing and scale of other properties in the neighborhood and general character of the street. The proposal is not detrimental to the orderly and harmonious development of the City. The proposed garage and driveway expansions improves the property's functionality and alleviates the demand for street parking. The existing property exceeds the 50% minimum front-yard landscape requirement. The proposed front-yard landscape and hardscape improvements further enhance the property's appearance, thereby creating additional value for the neighborhood. The project does not impact the adjacent historic resource at 146 Avenida Pelayo. The addition is oriented towards front of the property furthest away from the historic building. The proposed addition respects the privacy, sun, and light exposure of the historic resource by being setback over 73 feet. The historic resource is located on a different street; therefore, the proposed addition will not affect public views or sight lines of the historic structure.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-016, Minor Cultural Heritage Permit 20-380, Cameron Addition, subject to the Conditions of Approval.

D. 1531 N. El Camino Real – Master Project 21-030 – Publik House Parking Revisions (Roxas)

Requests for the "Publik House" multi-use facility comprised of: (1) An amendment to the previously-approved entitlements to provide secondary alley access to the site as required by the California Coastal Commission; and (2) Minor Exception Permit for two parking waivers.

Stephanie Roxas, Senior Planner, summarized the staff report.

Jim Holloway and Eric Bowman, applicants, were present and available for questions.

Jim Holloway stated the General Plan policy referenced in the staff report emphasizes the importance of economic development and revitalization of North Beach, and stated that this project advances those economic and revitalization goals. Mr. Holloway stated he hopes the City Council and City Manager understand that sufficient staff resources are necessary in order to provide quality development review and efficient customer service in order to advance General Plan policies regarding economic development and revitalization. Additionally, Mr. Holloway thanked City staff for their time and effort on this project.

ZA Gallardo-Daly asked for staff's clarification on the impact to parking and circulation with the loss of the six parking spaces.

Staff stated there are no concerns with parking or traffic circulation as it was thoroughly reviewed during the original entitlement review process. There is ample parking and capacity on surrounding streets to be able to offset any additional parking demands.

ZA Gallardo-Daly opened the public hearing, and there being no public comment received to this item, closed the public hearing.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Master Project 21-030 based on the following findings: The architectural treatment of the project complies with the San Clemente General Plan. The amendment is limited to changes to the parking lot layout. The proposed project is consistent with the Coastal Land Use Plan (LUP) and brings the project into compliance with the policy in the Coastal Plan by maintaining alley access to commercial businesses. The architectural treatment of the project complies with any applicable specific plan requirements in areas including, but not limited to, height, setback, and color. This amendment does not involve changes to the building architecture nor the approved courtyard wall. The proposed amendments provide an opportunity to resolve concerns previously raised during the original entitlement review related to traffic circulation and vehicle stacking. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines. The proposed project does not impact the building architecture nor the approved courtyard wall. The general appearance of the proposal is in keeping with the character of the neighborhood. The proposal would allow the site to retain its existing ingress and egress access points off El Camino Real and Los Obreros Lane alley. The proposal is not detrimental to the orderly and harmonious development of the City. The proposed modifications, alterations, or additions are sufficiently in conformance with the Secretary of the Interior Standards for the Treatment of Historic Properties and the San Clemente Design Guidelines to substantially further the City's goals of historic preservation. The amendment does not involve changes to the historic building. Significant renovations are included in the Publik House project that improves the site's conformance with current regulations, such as the Building Code, ADA, and parking lot standards. The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public. The structure is listed on the City's Designated Historic Structures List. The site is on the City's local register of historic properties.

Public parking is available in close proximity to the structure. Public parking is available on the streets and in the nearby Metrolink commuter parking area. The parking required by the zone and/or district within which the property is located cannot be provided without altering or modifying the historic structure in a manner which is incompatible with the historic structure's original architectural style and character. Providing all required parking on the premises would result in the reduction of site landscaping. Landscaping was a critical piece of the original design review of the entitlements. Significant consideration was given to the approved landscape plan to increase visibility of the west building elevation from street views. Landscaping was also strategically added around and within the site to soften views of the courtyard walls and enhance the site's overall aesthetic character. Removing site landscaping in favor of parking would be detrimental to the project's design intent. The modification of the parking requirements will not be detrimental to the health, safety and general welfare of either the people residing in the area or the general public.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-017, Master Project 21-030, Publik House Parking Revisions, subject to the Conditions of Approval.

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**

None

7. **ADJOURNMENT**

The meeting adjourned at 3:50 p.m. to the Regular Meeting of the Zoning Administrator, which will be held Thursday, June 17, 2021 at 3:00 p.m. via teleconference.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR



Cecilia Gallardo-Daly, Zoning Administrator