

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 CIVIC CENTER DRIVE, NEWPORT BEACH
CORONA DEL MAR CONFERENCE ROOM (BAY E-1ST FLOOR)**

**THURSDAY, DECEMBER 12, 2019
REGULAR MEETING – 3:00 P.M.**

I. CALL TO ORDER – The meeting was called to order at 3:00 p.m.

Staff Present: Gregg Ramirez, Zoning Administrator
David Lee, Assistant Planner
Melinda Whelan, Assistant Planner
Joselyn Perez, Planning Technician
Liane Schuller, Planning Consultant

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF NOVEMBER 14, 2019

Action: Continued to the Zoning Administrator meeting of January 16, 2020

IV. PUBLIC HEARING ITEMS

**ITEM NO. 2 Santiago Lot Merger No. LM2019-003 (PA2019-187)
Site Location: 2309, 2311 and 2321 Santiago Drive**

Council District 3

Melinda Whelan, Assistant Planner, provided a brief project description stating the application was for a lot merger and request to waive the parcel map requirement for three properties, under common ownership. The merger would combine the three legal lots into a single parcel. She explained that for more than 20 years, 2309 and 2311 Santiago Drive have been used as one single family development, and for the last 20 years, they have been used together with 2321 Santiago Drive for a single-family development. The purpose of the lot merger is to merge the parcels into one parcel to allow for a future single-unit residence to be built over the existing lot lines. All construction will be required to comply with the Zoning Code standards, including parking and setback requirements.

Ms. Whelan added a correction to a typographical error in the resulting lot size on page 3 of the Resolution under Finding C.4.

Applicant David Smith, Architect, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

The Zoning Administrator added “will not change the historic size or shape” to Finding E.4.

Action: Approved

ITEM NO. 3 Bay House 2100, LLC Lot Line Adjustment No. LA2019-002 (PA2019-229)
Site Location: 2021 East Bay Avenue and 2100 East Balboa Boulevard
Council District 1

David Lee, Assistant Planner, provided a brief project description stating that the proposed project is a lot line adjustment to adjust the boundary between two contiguous parcels. Mr. Lee described the location and zoning of the lot. Mr. Lee described the adjustment, which would shift a 99-lineal-foot section of the common property line approximately 15.5 feet easterly into the 2100 East Balboa Boulevard lot and reallocate approximately 1,535 square feet of land from 2100 East Balboa Boulevard to 2021 East Bay Avenue. Both lots exceed the minimum width and area for interior lots as required by the Zoning Code. The lot line adjustment is for the purpose of constructing a new swimming pool. Mr. Lee read a revision to the resolution regarding a statement of fact which clarified that the lot line adjustment does not need a coastal development permit. Mr. Lee also clarified that it is for construction of a new pool, not the enlargement of an existing pool.

Applicant Paul Shaver of CAA Planning, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Frank Train, spoke and asked to view the exhibit for the lot line adjustment. Mr. Lee showed the exhibit and Mr. Train stated that he had no objections.

The Zoning Administrator closed the public hearing.

Action: Approved

ITEM NO. 4 Home Sweet Home LLC Residence Coastal Development Permit No. CD2019-038
(PA2019-145)
Site Location: 417 and 417 1/2 Edgewater Place
Council District 1

Liane Schuller, Planning Consultant, summarized the report prepared by Liz Westmoreland, Assistant Planner. The applicant is requesting approval to demolish the existing duplex and construct a new approximately 2,500-square-foot, single-family residence and attached two-car garage which, is an allowed use in the R-2 zoning district. The plans include a waterproofing curb around the perimeter of the new structure to protect against flooding and sea level rise. A condition of approval has been included in the draft resolution requiring the waterproofing curb. She explained that the property is separated from the bay by a public walkway and City-owned bulkhead which is part of a larger bulkhead system that exists in sections of the peninsula. Any modifications to the existing bulkhead would be part of an area-wide project, and no modifications to the bulkhead are proposed in conjunction with the project. Furthermore, the project does not affect or alter current coastal access conditions. Vertical and lateral access to the oceanfront is provided and will continue to be provided by street ends throughout the neighborhood with access to the public walkway and sandy beach areas along the waterfront. The project complies with all applicable development standards, including the standards and approval requirements of the City's Local Coastal Program, and is consistent with the existing pattern of development in the vicinity.

Architect Brad Smith, on behalf of the owner, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing.

Marianne Zippi of 420 East Bay Avenue, expressed concerns related to parking and the potential future use of the property as an Airbnb or residential care facility. Zoning Administrator Ramirez clarified the standards of review for the coastal development permit and new single-family residence. Based on a follow-up question from Ms. Zippi, Mr. Ramirez explained how to obtain information should she wish to appeal the approval of the coastal development permit.

The Zoning Administrator closed the public hearing.

Action: Approved

ITEM NO. 5 Larkin Residence Coastal Development Permit No. CD2019-053 (PA2019-217)
Site Location: 2541 Circle Drive Council District 3

Liane Schuller, Planning Consultant, provided a brief project description stating that the project site is located within the private community of Bayshores in the R-1 zoning district. The property is currently developed with a single-family residence, which the applicant proposes to demolish and replace with a new approximately 3,900-square-foot, single-family residence and attached two-car garage. The project complies with all applicable development standards, including the standards and approval requirements of the City's Local Coastal Program.

Architect Eric Olsen, on behalf of the property owner, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

ITEM NO. 6 Avocado, LLC Residence Coastal Development Permit No. CD2019-055 (PA2019-220)
Site Location: 407 North Bay Front Council District 5

Liane Schuller, Planning Consultant, provided a brief project description stating that the project site is located on Balboa Island and is currently developed with an existing single-family residence. The applicant is requesting approval to demolish the existing single family development and construct a new approximately 2,500-square-foot, single-family residence and attached two-car garage. Ms. Schuller further explained that there is no intensification of use that would create an increased demand for access and recreation opportunities, and the project does not affect or alter current coastal access conditions. Vertical and lateral access to the oceanfront is provided and will continue to be provided by street ends throughout the neighborhood with access to the public boardwalk and sandy beach areas along the waterfront. The project complies with all applicable development standards, including the standards and approval requirements of the City's Local Coastal Program, and is consistent with the existing pattern of development in the vicinity. The property is separated from the ocean by a public boardwalk and City-owned concrete bulkhead which is part of a larger bulkhead system that surrounds Balboa Island.

Applicant Caitlin Smith of Brandon Architects, on behalf of the property owner, stated that she had reviewed the draft resolution and agrees with all of the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

ITEM NO. 7 Kelegian Residence Coastal Development Permit No. CD2019-049 (PA2019-205)
Site Location: 612 Via Lido Nord Council District 1

Planning Consultant Liane Schuller summarized the report prepared by Consultant David Blumenthal. The applicant is requesting approval to demolish the existing single-family residence and construct a new 3,988 square-foot, single-family residence and attached two-car garage. A coastal development permit is required for the removal and replacement of a single-family residence on a site located within the coastal zone. The proposed work is located entirely within the confines of the private property, and is consistent with the

neighboring condominium complex was concerned with the approval of an illuminated sign facing Bayview Place as there had been a sign there previously and the light was an annoyance to residents.

Austin Evelo of JB3D, stated that he agreed with all conditions of approval except for the reduction of size for Sign Type 7. Mr. Evelo then explained that he did not believe the graphic should be considered a sign simply because the graphic contains letters or numbers. The purpose and intent of Sign Type 7 is to modernize the building entry and provide an artistic sunshade. He stated that the design team of JB3D does not feel that 48 square feet is reasonable for a building of this size and that alternatives such as blinds or window film were considered but not selected for various reasons including difficult to operate, boring, and obstructing the outside view for internal users. Additionally Mr. Evelo added that the Zoning Code is to regulate items visible from public rights-of-way and this sign is only visible from a private street.

Zoning Administrator Ramirez asked staff if the neighboring twin building had any permits for signage. Ms. Perez responded that the neighboring building does have a modification permit for signage and that permit proposes tenant identification signs larger than the currently proposed tenant identification signs however none of the approved signs for the neighboring twin building are similar in size to the proposed Sign Type 7.

Zoning Administrator Ramirez stated he agreed with staff's recommendation for the reduction in size and then asked the applicant if they would agree to a condition of approval turning Sign Type 1 off at 10 p.m. in order to address the previous public comment and protect the nearby residents. The applicant agreed.

Zoning Administrator Ramirez added two additional conditions of approval: 1) prior to final of the building permit for Sign Type 1, a night time inspection shall be conducted to ensure signage lighting is not causing a nuisance and 2) each illuminated sign shall be subject to a 30-day review period, during which time the Director may determine that a reduction in illumination or turning off of illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, and at any time, the Director may order the dimming or turning off of any illumination found to be excessively bright. The Director's determination will be made without regard to the message content of the sign.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

The meeting was adjourned at 3:54 p.m.

The agenda for the Zoning Administrator Hearing was posted on December 5, 2019, at 5:40 p.m. on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on December 5, 2019, at 5:30 p.m.

James Campbell
Zoning Administrator