



Scott Kinsey, AICP, Hearing Officer
Zoning Administrator Meeting Minutes of July 8, 2024
Via Zoom Teleconference

At 2:05 PM, Acting Zoning Administrator Scott Kinsey called the meeting to order, provided an overview of ZA hearing body, rules of order, how items are heard, and the appeal process.

Regular Items

- 1) **Application No.** 2308-33 (LCDP23-051)
Address: Public Right-of-way Abutting 5100 2nd Street
Council District: 3

Project Description: Local Coastal Development Permit for a permanent parklet (189 square feet) within the public right-of-way, currently designated for two on-street parking spaces, abutting the Panama Joe's restaurant at 5100 2nd Street in the CNP Zoning District.

This project **IS** in the Coastal Zone and **IS NOT** appealable to the Coastal Commission.

This project qualifies for a categorical exemption (CE-24-089) per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines

Acting Zoning Administrator Kinsey called the item; and introduced Planner Jonathan Iniesta to give the staff report.

Planner Iniesta spoke and provided a PowerPoint presentation.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Iniesta.

Cody Lauterback, applicant, spoke.

Greg Newman, applicant, spoke.

Acting Zoning Administrator Kinsey called Department of Public Works staff to speak on the process.

Manny Salgado, Department of Public Works, spoke.

Acting Zoning Administrator Kinsey spoke.

Cody Lauterback, applicant, spoke.

Acting Zoning Administrator Kinsey called for public comment on the item.

Public Comments:

Julie Dean spoke.

Jerry [last name not stated], spoke.

Keith [last name not stated], spoke.

Kurt [last name not stated], spoke.

Brian [last name not stated], spoke.

Michelle [last name not stated], spoke.

Elizabeth [last name not stated], spoke.

KM [name unclear], spoke.

Melinda Cotton, spoke.

Jeff Miller spoke.

Acting Zoning Administrator Kinsey spoke.

There was no further public comment and Acting Zoning Administrator Kinsey spoke and closed public comment on the item.

Cody Lauterback, applicant, spoke.

Greg Newman, applicant, spoke.

Cody Lauterback, applicant, spoke.

Acting Zoning Administrator Kinsey spoke.

Paul Van Dyk, City Traffic Engineer, Department of Public Works, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Paul Van Dyk, City Traffic Engineer.

Paul Van Dyk, City Traffic Engineer, spoke.

Acting Zoning Administrator Kinsey spoke.

Manny Salgado, Public Works, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Manny Salgado, Public Works.

Acting Zoning Administrator Kinsey spoke.

Cody Lauterback, applicant, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Cody Lauterback.

Acting Zoning Administrator Kinsey added to conditions of approval the removal of all sandwich boards signs on the outside, the removal of exterior speakers, and removal or reorientation of exterior-facing televisions.

Planner Iniesta spoke.

Acting Zoning Administrator Kinsey spoke.

Cody Lauterback, applicant, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Iniesta.

Manny Salgado, Public Works, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Cody Lauterback.

Acting Zoning Administrator Kinsey added another condition of approval for the business operator to provide an exterior sign for nuisance reporting.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Iniesta.

A dialogue ensued between Acting Zoning Administrator Kinsey and Manny Salgado, Public Works.

Acting Zoning Administrator Kinsey added language to each condition of approval that each condition shall be met prior to occupancy or approval of the permit and final inspection by the Department of Public Works for the proposed parklet.

A dialogue ensued between Acting Zoning Administrator Kinsey and Cody Lauterback.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Iniesta.

Acting Zoning Administrator Kinsey, spoke.

ACTION: Accepted Categorical Exemption (CE-24-089) and approved Local Coastal Development Permit LCDP23-051, subject to conditions.

- 2) Application No.** 2401-04 (LCDP24-003)
Address: Public Right-of-way Abutting 5620 2nd Street
Council District: 3

Project Description: Local Coastal Development Permit for a sidewalk extension for sidewalk dining (386 square feet in area) within the public right-of way, currently designated for approximately two on-street public parking spaces, abutting the Michael's on Naples restaurant at 5620 2nd Street in the CNP Zoning District. The proposed project would include an extension of the public sidewalk with curb and gutter for a new outdoor dining area that includes movable tables and chairs, a 36-inch-high barrier, and parkway landscaping.

This project **IS** in the Coastal Zone and **IS NOT** appealable to the Coastal Commission.

This project qualifies for a categorical exemption (CE-24-090) per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines.

Acting Zoning Administrator Kinsey called the item and introduced Planner Manraj Bhatia to give the staff report.

Planner Bhatia spoke and provided a PowerPoint presentation.

Acting Zoning Administrator Kinsey spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Bhatia.

A dialogue ensued between Acting Zoning Administrator Kinsey and Manny Salgado, Public Works.

A dialogue ensued between Acting Zoning Administrator Kinsey and Paul Van Dyk, City Traffic Engineer.

Manny Salgado, Public Works, spoke.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey called for public comment on the item.

Public Comments:

Brett [last name not stated], spoke.

Keith [last name not stated], spoke.

Jeff [last name not stated], spoke.

Elizabeth [last name not stated], spoke.

There was no further public comment. Acting Zoning Administrator Kinsey closed public comment on the item.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Bhatia.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey modified a condition of approval, to prohibit speakers on sidewalk or public right-of-way.

Planner Bhatia spoke.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey spoke.

Paul Van Dyk, City Traffic Engineer, spoke.

Acting Zoning Administrator Kinsey added a condition that applicant retains a valet curb reservation permit from Public Works department and prior to obtaining permit, that applicant notify and consult with adjacent business owner.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Bhatia.

ACTION: Accepted Categorical Exemption (CE-24-090) and approved Local Coastal Development Permit LCDP24-003, subject to conditions of approval, as amended.

- 3) Application No.** 2401-05 (LCDP24-004)
Address: Public Right-of-way Abutting 5734 2nd Street
Council District: 3

Local Coastal Development Permit for a sidewalk extension for sidewalk dining (386 square feet in area) within the public right-of way, currently designated for approximately two on-street public parking spaces, abutting the KC Branaghan’s restaurant at 5734 2nd Street in the CNP Zoning District. The proposed project would include an extension of the public sidewalk with curb and gutter for a new outdoor dining area that includes movable tables and chairs, a 36-inch-high barrier, and parkway landscaping.

This project **IS** in the Coastal Zone and **IS** appealable to the Coastal Commission.

This project qualifies for a categorical exemption (CE-24-091) per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines.

Acting Zoning Administrator Kinsey called the item and introduced Planner Gina Casillas to give the staff report.

Planner Casillas spoke and provided a PowerPoint presentation.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey called for public comment on the item.

Public Comments:

Planner Casillas stated that two written public comments were received, one in opposition and one in support of the project, and that two calls were received in opposition to the project.

There was no further public comment. Acting Zoning Administrator Kinsey closed public comment on the item.

A dialogue ensued between Acting Zoning Administrator Kinsey and Mark Turpin, applicant.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey modified conditions of approval, to prohibit outdoor speakers and music, unless the applicant provides an acoustical study prepared by a California licensed acoustic engineer and demonstrating compliance with the noise ordinance.

Mark Turpin, applicant, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

ACTION: Accepted Categorical Exemption CE-24-091 and approved Local Coastal Development Permit LCDP24-004, subject to conditions of approval, as amended.

4) Application No. 2401-12 (LCDP24-005)
Address: Public Right-of-way Abutting 5760 2nd Street
Council District: 3

Project Description: Local Coastal Development Permit for a sidewalk extension for sidewalk dining (386 square feet in area) within the public right-of way, currently designated for approximately two on-street public parking spaces, abutting Nico's restaurant at 5760 2nd Street in the CNP Zoning District. The proposed project would include an extension of the public sidewalk with curb and gutter for a new outdoor dining area that includes movable tables and chairs, a 36-inch-high barrier, and parkway landscaping.

This project **IS** in the Coastal Zone and **IS NOT** appealable to the Coastal Commission.

This project qualifies for a categorical exemption (CE-24-092) per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines.

Acting Zoning Administrator Kinsey called the item and introduced Planner Gina Casillas to give the staff report.

Planner Casillas spoke and provided a PowerPoint presentation.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

Paul Van Dyk, City Traffic Engineer, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

Mark Turpin, applicant, spoke.

Acting Zoning Administrator Kinsey called for public comment on the item.

Public Comments:

Planner Casillas stated that two public comments were received, one in opposition to the project, the other in support of the project.

Terry [last name not stated], spoke.

Jeff Osman spoke.

Michael McGinn [last name unclear], spoke.

Trevor [last name unclear], spoke.

Jeff Sanders spoke.

There was no further public comment. Acting Zoning Administrator Kinsey closed public comment on the item.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

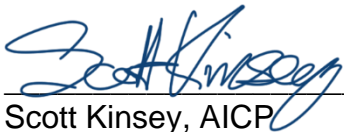
Acting Zoning Administrator Kinsey modified conditions of approval, to prohibit outdoor speakers and music, unless the applicant provides an acoustical study prepared by a California licensed acoustic engineer and demonstrating compliance with the noise ordinance.

Mark Turpin, applicant, spoke.

A dialogue ensued between Acting Zoning Administrator Kinsey and Planner Casillas.

ACTION: Accepted Categorical Exemption CE-24-092 and approved Local Coastal Development Permit LCDP24-005, subject to conditions of approval, as amended.

At approximately 4:40 PM, Acting Zoning Administrator Kinsey declared the meeting adjourned.



Scott Kinsey, AICP
Planner V for Zoning Administrator