

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, Ca 95060
November 4, 2009
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator
Linda Miranda, Recording Secretary

Other: Three members of the audience.

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:03 a.m. in the Council Chambers of City Hall. He welcomed members of the public to the meeting and read a list of the items to be heard at this morning's meeting, describing the procedures to be followed for the public hearing. He also informed those in attendance of their right to appeal any of the decisions of the Zoning Administrator, noting that appeals must be filed within ten calendar days of the meeting date. He noted all appeals must be filed in the Planning Department along with the appeal fee of \$500, unless the project is appealable to the California Coastal Commission.

Call to Order by Zoning Administrator Eric Marlatt

Oral Communications—None

Announcements – No action shall be taken on these items.

Public Hearing

Old Business

Continued from the Zoning Administrator meeting of October 7, 2009

1. **402 Ingalls, Suite 29** **CP09-0007** **APN 003-095-05**
Administrative Use Permit to convert 480 square feet of space in an existing industrial building to establish a wine tasting room and outdoor patio in the IG (General Industrial) PER 2 zone district. (Environmental Determination: Categorical Exemption) (Silver Mountain Vineyards, Jerold O'Brien Applicant/Filed: 09/03/09) MA
Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Jerold O'Brien

No one wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 402 Ingalls, Suite 29 subject to the findings and conditions contained in the staff report; with modified condition 15; deleting conditions 18 & 19 and adding conditions 21, 22 and 23.

MODIFIED CONDITION 15; DELETED CONDITIONS 18 & 19 AND ADDED CONDITIONS 21, 22 & 23:

15. The applicant shall prepare a signage plan in substantial conformance with the master sign plans on file at the City for the Swift Street Commons and submit it for review and approval before **erection of signage in front of the tenant space.** ~~occupancy of the structure.~~ If the submittal is not in compliance with the said sign program, then the applicant must apply for and receive Design Permit approval from the Zoning Administrator.
- ~~18. Final approval of the outdoor seating component of the project has been continued to a date certain and will be considered at a public hearing by the Zoning Administrator after issues pertaining to circulation and parking have been reviewed by Planning and Fire Department Staff. This condition does not in any way imply that the outdoor seating area is guaranteed to be approved.~~
- ~~19. Applicant shall submit a site plan showing how patio area is enclosed and showing how exiting from this area is provided.~~
21. **Final design of the patio enclosure, including height, design and color, shall be approved by planning Staff prior to use of the outdoor patio for wine tasting.**
22. **The patio enclosure shall maintain a 16 foot wide drive aisle. As such, at least one section of the fence dividing the rear portion of the 402 Ingalls Street parcel from the 320 Ingalls street parcel shall be removed prior to use of the outdoor patio for wine tasting.**
23. **The northern and eastern outer edges of the patio enclosure shall be striped as a fire lane prior to use of the outdoor patio for wine tasting.**

2. **711 Western Dr. CP09-0003 APN 002-041-25**
Coastal and Slope Modification Permits for 168-foot long, nine-foot high retaining wall to create patio and pool area on lot in the R-1-10/CZ/SPO/FP zoning district. (Environmental Determination: Categorical Exemption) (S. Wilhelmy, owner/filed: 8/12/00) MF
This project requires a Coastal Permit which is not appealable to the California Coastal Commission. Action taken at this meeting on the Coastal Permit may be appealed to the City Council utilizing the procedures noted below.
Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator **CONTINUED** the item to the **Zoning Administrator meeting of November 18, 2009.**

New Business

3. **325 John St. CP09-0017 APN 003-201-58**
Demolition Authorization, Minor Land Division and Coastal Permit to demolish a single-family dwelling and a detached garage, split one lot into two lots, and remove one heritage tree within the Coastal (Butterfly) Zone on a 13,354.9 square foot lot in the R-1-

Zoning Administrator Action Minutes, November 4, 2009

5/CZO zone district. (Environmental Determination: Categorical Exemption) (White Oak Investments GP, owner/filed: 9/2/09) MA

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Steve Graves

SPEAKING FROM THE FLOOR WITH CONCERNS:

Cindy Mori

No one else wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 325 John St., subject to the findings and conditions contained in the staff report; with modified condition 14 and added condition 15.

MODIFIED CONDITION 14:

14. ~~The applicant shall pave the alley behind the property.~~ **The non-title page of the parcel map shall include a statement indicating that an arborist report has been prepared for this land division by Ellen Cooper and Associates dated September 1, 2009. Future development on each of the parcels shall be consistent with the recommendations therein.**

ADDED CONDITION (renumbered as condition 15):

15. **The non-title page of the parcel map shall include building envelopes to accommodate the setbacks from the Coast Redwood tree as recommended by the consulting arborist.**

Adjournment

The Zoning Administrator adjourned at **10:24am** the meeting on the next regularly scheduled meeting will be held on November 18, 2009 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR