

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, Ca 95060  
**December 2, 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 - None**

**New Business**

1. **1375 Pacific Ave. CP09-0048 APN 005-076-21**  
Administrative Use Permit for a special event center to occupy the fourth floor of an existing commercial building in the CBD/FP zoning district. (Environmental Determination: Categorical Exemption) (S. Manson & L. Rittenhouse, owners/filed: 10/27/09) **DL**  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**  
Kevin Melrose

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 1375 Pacific Ave., subject to the findings and conditions contained in the staff report, with added condition 10.

**ADDED CONDITION 10:**

**10. The applicant shall receive an Entertainment Permit from the Police Department prior to any events that include entertainment taking place.**

**2. 303 Beach St. CP09-0025 APN 005-214-18**

Administrative Use and Coastal Permits to serve beer, wine and distilled spirits (Type 47 License) in conjunction with a restaurant in an existing commercial building in the RT(C), SP-O, CZ-O zoning districts. (Environmental Determination: Categorical Exemption) (A. R. Bruno, owner/filed: 9/29/09) **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:**

Andrew Bruno

**SPEAKING FROM THE FLOOR WITH CONCERNS:**

Jim Rothstein

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 303 Beach St, with modified conditions 11, 14, 21 and 22, subject to the findings and conditions contained in the staff report.

**MODIFIED CONDITIONS 11, 14, 21 & 22:**

- 11.** Hours of operation are to be limited from ~~11:00 a.m. to 9:00 p.m., seven days a week from October through April~~ and 11:00 a.m. to 11:00 p.m., seven days a week ~~from May~~ **September.**
- 14.** There shall be no off sale of alcohol. **Alcohol may be sold for consumption within the vacation rentals on the subject parcel if allowed by ABC under the Type 47 license.**
- 21.** The conditions of this permit shall be reviewed twice for conformance with all City policies within one year of this approval by the Zoning Administrator ~~at six month intervals.~~ Should this establishment be found in violation of any of these conditions of approval or found to be operating in a manner to be incompatible with the neighborhood, then this permit may be modified or revoked.

- 22.** ~~After the second six-month~~ **The first review, shall be held by the Zoning Administrator at its first meeting in July 2010 at which time the hours of operation shall be considered** ~~the applicant may apply for modification for later hours.~~ **This review will take place in** consultation with the Police Department, **who will report on calls for service and any other issues related to alcohol service on the site.** ~~of operations at which time the Zoning Administrator may consider after~~

### **Adjournment**

The Zoning Administrator adjourned the meeting at **10:40a.m.** to the next regularly scheduled meeting on December 16, 2009 at 10:00 a.m. in the City Council Chambers.

**APPROVED:**

**ERIC MARLATT, ZONING ADMINISTRATOR**