ACTION MINUTES OF THE ZONING ADMINISTRATOR MEETING

City Council Chambers 809 Center Street Santa Cruz, Ca 95060 **December 16, 2009** 10:00 A.M. SESSION

Staff Present: Alex Khoury, Zoning Administrator

Linda Miranda, Recording Secretary

Other: Eleven members of the audience.

Alex Khoury, Zoning Administrator, called the meeting to order at 10:01 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 Alex Khoury

Oral Communications

Announcements – No action shall be taken on these items.

Public Hearing

Old Business

New Business

1. 335 Linden St. CP09-0021 APN 009-151-05

Minor Land Division to create two lots of 11,743 square feet and 11,305 square feet from an existing 23,048 square foot parcel in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (C. Gleason, owner/filed: 9/16/09)

JL

Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Pitter Fox John McKelvey Zoning Administrator Action Minutes, December 16, 2009

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 335 Linden St., subject to the findings and conditions contained in the staff report, with modified condition 5 and added condition 12.

MODIFIED CONDITION 5:

- 5. Prior to recordation of the parcel map, the applicant shall submit improvement plans for review and approval as required by the Department of Public Works with the necessary improvement security as set forth in Chapter 23.24 of the Subdivision Ordinance. The improvements shall include, **if determined necessary by the Department of Public Works**, but not be limited to, the following:
- Install a five-foot wide sidewalk with curb and gutter and four-foot wide landscape strip along the Linden Street frontage;
- Install a City Standard "Type A" driveway approach;
- Provide new sewer lateral cleanouts in the sidewalk;
- Provide a new City Standard streetlight on the southeast corner of Parcel B;
- Underground power to the property line for each parcel;
- Provide new paving (3" AC on 8" AB) to be a consistent ten-foot parallel distance from the face of curb and show new utility trench paving.

ADDED CONDITION 12:

12. The applicant shall plant a coast live oak in a 24- or 36-inch container in the general vicinity of the heritage oak tree to be removed along the northern side property line.

The final tree location(s) shall be subject to review and approval by the City's Urban Forester.

2. 120 Union St. 09-032 APN 005-046-05

Major Modification to Administrative Use Permit #06-234, to modify conditions and permit changes in an existing restaurant (Cypress Lounge) located in the CBD zone district. (Environmental Determination: Categorical Exemption) (A. Hodge, owner/filed: 3/11/09) NC Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

John Swift

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 120 Union St., subject to the findings and conditions contained in the staff report, with modified conditions 9 and 10; and added condition 24.

MODIFIED CONDITIONS 9 & 10:

- **9.** The hours of operation are <u>10:00 a.m.</u> to 10:00 p.m. Sunday thru Wednesday, and <u>10:00 a.m.</u> to 1:30 a.m. Thursday thru Saturday. The hours for entertainment are 4:00 p.m. to 10:00 p.m. Sunday thru Wednesday, and 4:00 p.m. to 1:00 p.m. Thursday thru Saturday.
- **10.** Service of alcoholic beverages in the patio area is permitted only between **10:00 a.m.** to 9:00 p.m. Sunday thru Wednesday, and **10:00 a.m.** to 9:30 p.m. Thursday thru Saturday. No service of food or beverage is permitted in the patio area between the hours of 10:00 p.m. and **10:00** a.m.

ADDED CONDITION 24:

24. That the Zoning Administrator may request that sales receipts be made available within 30 days of the request to conduct an audit to determine compliance with the food/alcohol sales requirement of the Zoning Code.

3. 237 2nd Ave. CP09-0031 APN 010-252-06

Demolition Authorization Permit to demolish an existing single-family residence and Design Permit to construct a two-story single-family residence on a substandard lot in an R-1-5 zoning district. (Environmental Review: Categorical Exemption) (B. & C. Flanagan, owners/filed: 10/06/09)

DL

Recommendation: Approval, with conditions.

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Derek Van Alstine

SPEAKING FROM THE FLOOR WITH CONCERNS:

Jennifer Tietz

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 237 2nd Ave., subject to the findings and conditions contained in the staff report.

Adjournment

The Zoning Administrator meeting adjourned the meeting at **10:29am** to the next regularly scheduled meeting to be held on January 6, 2010 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ALEX KHOURY, ZONING ADMINISTRATOR